Volume 1 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 1 of 25; Post-Trial Documents; and Preliminary Hearing (through PHE 2).

# CHRONOLOGY SHEET

In the case of E-4 JERMIAH T. COPELAND

*(Rank and Name of Accused)*

A. Investigation of most serious arraigned offense began: 20240724 *(YYYYMMDD)*

B. Arraignment took place on: 20251009 *(YYYYMMDD)*

C. Number of days between A and B: 442 *(Days)*

*Rank and Name of Staff Judge Advocate or Legal Officer*

*Signature*

| **Explain any delays in the Remarks section.** | | **DATE (YYYYMMDD)** | **CUMULATIVE ELAPSED DAYS** |
|---|---|---|---|
| 1. Earlier of<br>[X] Accused placed under military restraint or<br>[ ] Charges preferred | | 20250609 | |
| 2. Article 32 [X] report or [ ] waiver | | 20250928 | 111 |
| 3. Charges received by convening authority (CA) | | 20250825 | 77 |
| 4. Charges referred for trial | | 20251001 | 114 |
| 5. Arraignment | | 20251009 | 122 |
| 6. Less days of trial delay: | | | |
| Accused sick, in hospital, or AWOL | 0 | | |
| Delay at request of defense | 0 | | |
| Total authorized deduction | 0 | | |
| **Net days from 1 to 5** | **122** | | |
| | | | |
| 7. Sentence or acquittal | | 20260609 | 365 |
| 8. Staff judge advocate clemency advice to CA | 8 | 20260617 | 373 |
| 9. CA action | 78 | 20260826 | 443 |
| 10. SJA notice of CA action to military judge | 71 | 20260819 | 436 |
| 11. Entry of judgment (EOJ) | | | |
| 12. Record of trial certified | | | |
| 13. Transcript certified by court reporter (if after EOJ) | | | |
| 14. Record of trial forwarded to reviewing authority | | | |
| 15. Less days of post-trial delay: | | | |
| Accused sick, in hospital, or AWOL | | | |
| Delay at request of defense | | | |
| Total authorized deduction | | | |
| **Net days from 7 to 14** | | | |
| **Net cumulative elapsed days from 1 to 14** | | | |

REMARKS

Accused was confined at (name of confinement facility, if applicable):

NAVAL CONSOLIDATED BRIG CHESAPEAKE

Accused was assigned to (if different than confinement facility):

# CERTIFIED RECORD OF TRIAL
of

| JERMIAH | COPELAND | [redacted] | T. | E-4 |
|---|---|---|---|---|
| *(First Name)* | *(Last Name)* | *(DOD ID No.)* | *MI* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRIGINA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA
*(Place or Places of Trial)*

On

09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026
*(Date or Dates of Trial)*

| INDEX | RECORD | |
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| | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| Article 30a session: HEARING(s) - YES 15SEP2025 \| DOCUMENT(s) - YES | 1 | 09:15:13:04 |
| | | |
| Article 39(a) sessions: 09OCT2025 | 1 | 10:09:13:03 |
| On 10DEC2025 | 15 | 12:10:09:33 |
| On 05MAR2026 | 309 | 03:05:10:15 |
| On 30APR2026 | 356 | 04:30:10:11 |
| On 05JUN2026, 08JUN2026, & 09JUN2026 | 398 | 06:05:09:04 |
| Introduction of counsel 09OCT2025 | 2 | 10:09:13:04 |
| Challenges | | |
| Arraignment 09OCT2025 | 10 | 10:09:13:11 |
| Motions 10DEC2025 | 17 | 12:10:09:36 |
| Pleas 08JUN2026 | 429 | 06:08:09:27 |
| Prosecution evidence 08JUN2026 | 433 | 06:08:09:31 |
| Defense evidence | | |
| Prosecution rebuttal | | |
| Defense rebuttal | | |
| Additional rebuttal at discretion of military judge | | |
| Instructions on findings | | |
| Findings 08JUN2026 | 502 | 06:08:10:54 |
| Prosecution evidence 08JUN2026 | 505 | 06:08:12:44 |
| Defense evidence 08JUN2026 | 579 | 06:08:14:47 |
| Instructions on sentence | | |
| Sentence 09JUN2026 | 643 | 06:09:12:36 |
| Appellate rights advisement 09JUN2026 | 641 | 06:09:11:12 |
| Proceedings in revision | | |
| Other (specify) | | |
| | | |

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| | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| Closed Sessions: 10DEC2025 [412] | 299 | 12:10:16:36 |
| Brief description: 05MAR2026 [412] | 343 | 03:05:10:51 |
| Brief description: 30APR2026 [513] | 385 | 04:30:10:42 |
| Brief description: | | |
| | | |
| | | |
| | | |

Copies of certified record of trial distributed to accused and victim(s)

Copies of certified record of trial forwarded to CCA

Copies of certified record of trial forwarded for Article 64(a) or Article 65(d) review

# TESTIMONY

*in the case of United States v.* *E-4 JERMIAH T. COPELAND*

| NAME OF WITNESS *(Last, First, Middle Initial)* | DIRECT AND REDIRECT | | CROSS AND RECROSS | | COURT | |
|---|---|---|---|---|---|---|
| ADD / DELETE PROSECUTION | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| + - S.A. GOKEY, JESSICA (NCIS) | 73 | 12:10:10:53 | 89 | 12:10:11:10 | | |
| + - S.A. ORTIZ, DANIELLA (NCIS) | 108 | 12:10:11:33 | | | | |
| + - S.A. DUFFY, BERNADETTE (NCIS) | 124 | 12:10:11:59 | 133 | 12:10:12:08 | | |
| + - CS3 GARCIA-BARRERA, GLADIS (USN) | 507 | 06:08:12:46 | | | | |
| + - RICH, DANIEL (CIV) | 515 | 06:08:12:55 | | | | |
| + - HT3 GILLESPIE, MICHAL (USN) | 525 | 06:08:13:10 | | | | |
| + - SA ORTIZ, DANIELLE (NCIS) | 536 | 06:08:13:34 | | | | |
| + - CS3 JEAN JACQUES, EDDYSSON (USN) | 544 | 06:08:13:34 | | | | |
| + - CS2 BRYANT, JOSHUA (USN) | 552 | 06:08:14:06 | | | | |
| + - E.C. (VICTIM) | 560 | 06:08:14:18 | | | | |
| + - J.R. (VICTIM) | 577 | 06:08:14:45 | | | | |
| + - | | | | | | |
| ADD / DELETE DEFENSE | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| + - CDR FLANAGAN, BRIAN (USN) | 20 | 12:10:09:40 | 42 | 12:10:10:05 | | |
| + - BROWN, ROCHELL (CIV) | 584 | 06:09:09:19 | | | | |
| + - BROWN, KATHLEEN (CIV) | 594 | 06:09:09:32 | | | | |
| + - DICKSON, JAMIE, Psy.D. (CIV) | 598 | 06:09:09:52 | 614 | 06:09:10:15 | | |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |
| ADD / DELETE COURT | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |
| + - | | | | | | |

# TRIAL EXHIBITS

*in the case of United States v.* *E-4 JERMIAH T. COPELAND*

| ADD / DELETE | NUMBER OR LETTER | DESCRIPTION (list prosecution and defense exhibits in the following order: offered and admitted, offered and not admitted; indicate whether any exhibit is sealed) | PAGE AND TIMESTAMP WHERE: | | | |
|---|---|---|---|---|---|---|
| | | | OFFERED | | ADMITTED / NOT ADMITTED | |
| | | | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM | TRANSCRIPT PAGE # | TIMESTAMP MM:DD:HH:MM |
| + - | PE-1 | STIPULATION OF FACT (30APR2026) | 433 | 06:08:09:31 | 435 | 06:08:09:32 |
| + - | PE-2 | NCIS ROI - C.R. (06AUG2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-3 | NCIS INTERVIEW OF C.R. (06AUG2024) [CD] | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-4 | NCIS ROI - CSSN CUESTABRAVO (16AUG2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-5 | NCIS ROI - CSSN S.S. & TEST MESSAGES | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-6 | NCIS INTERVIEW OF CSSN S.S. (07NOV2024) [CD] | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-7 | NCIS ROI - RESULTS ATTEMPT TO LOCATE CELLULAR PHONE (06NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-8 | NCIS ROI CSSA BITA (06NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-9 | NCIS ROI CSSN EADDY (08NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-10 | NCIS ROI - CSSA GANT (08NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-11 | NCIS ROI CSSN KNIGHT (18NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-12 | NCIS ROI -CSSN COPELAND (18NOV2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-13 | EXPEDITED TRANSFER REQUEST OF CSSN S.S. (16DEC2024) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-14 | VIDEO FOOTAGE FROM TARGET [CD] 03JUN2025 | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-15 | TARGET RECEIPT | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-16 | SCENE OBSERVATION DOCUMENTATION OF CS3 A.R. BARRACKS | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-17 | TEXT MESSAGES BETWEEN CSSN GARCIA BARRERA & CS3 A.R. | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-18 | TEXT MESSAGE HISTORY CS3 A.R. & CSSN COPELAND | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-19 | SCENE OBSERVATION DOCUMENT - BARRACKS ROOM & PHOTOS | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-20 | SCENE OBSERVATION DOCUMENT - BLUESTAR | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-21 | SCENE OBSERVATION DOCUMENT - STAIRWELL | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-22 | USACIL REPORT - CLOSET AND STAIRS | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-23 | USACIL REPORT - STAIRS (SECOND) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-24 | AFFIDAVIT OF PSSN IRBIN GORDILLO-CRUZ (03JUN2026) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-25 | NCIS ROI - YN3 MONOGHAN (09JUN2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-26 | AFFIDAVIT OF AN JOHN CALISSE (03JUN2026) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-27 | CHRONOLOGICAL DATA FROM CSSN COPELAND CELL PHONE (29MAY2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-28 | GEOLOCATION DATA FROM CSSN COPELAND CELL PHONE (02JUN2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-29 | PHOTOGRAPHS OF JEEP COMPASS | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-30 | APPLE MAPS SEARCHS ON 02JUN2025 | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-31 | VIDEO OF ROUTE OF ACCUSSED DROPPING BODY OF CS3 A.R. [CD] | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-32 | SCREENSHOTS FROM CSSN COPELAND LOCATION CARY AVE | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-33 | AIRPLANE MODE LOG (02JUN2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-34 | SCENE OBSERVATION - SEARCH OF AREA & PHOTOS[SEALED PAGES] | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-35 | PHOTOS OF BAG (LATER CONTAINED CS3 A.R. REMAINS) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-36 | AUTOPSY REPORT & PHOTOS & 701 - DR. LAMERIA [SEALED PAGES] | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-37 | CSSN COPELAND NCIS ROIs 01, 03, & 06 JUNE 2025 | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-38 | AFFIDAVIT OF NCIS SA JESSICA GOKEY (04JUN2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-39 | PHOTOGRAPHS OF CS3 A.R. | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-40 | THE RECOVERED BAG ON 09JUN2025) | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | PE-41 | COMBINED VICTIM IMPACT STATEMENTS | 505 | 06:08:12:44 | 507 | 06:08:12:45 |
| + - | | | | | | |
| + - | DE-A | CHARACTER LETTERS (5) | 580 | 06:08:14:47 | 580 | 06:08:14:47 |
| + - | DE-B | PHOTOGRAPHS | 580 | 06:08:14:47 | 580 | 06:08:14:47 |
| + - | DE-C | MITIGATION REPORT (28MAY2026) | 580 | 06:08:14:47 | 580 | 06:08:14:47 |
| + - | DE-D | CURRICULUM VITAE - DANIELA LaVALVA (2025) | 580 | 06:08:14:47 | 580 | 06:08:14:47 |
| + - | DE-E | BRIG COURSE COMPELTION REPORTS | 580 | 06:08:14:47 | 580 | 06:08:14:47 |
| + - | DE-F | BRIG CALL BETWEEN CSSN COPELAND AND SON [CD] | 580 | 06:08:14:47 | 580 | 06:08:14:47 |

## TRIAL EXHIBITS PRE-MARKED BUT NOT OFFERED & NOT ADMITTED

| ADD / DELETE | | NUMBER OR LETTER | DESCRIPTION (list all exhibits pre-marked for identification but not offered or admitted here; indicate whether any exhibit is sealed) |
|---|---|---|---|
| + | - | | |

## APPELLATE EXHIBITS

| ADD / DELETE | | NUMBER OR LETTER | DESCRIPTION (list all exhibits pre-marked for identification but not offered or admitted here; indicate whether any exhibit is sealed) |
|---|---|---|---|
| + | - | AE-I | TRIAL MANAGEMENT ORDER (08OCT2025) |
| + | - | AE-I(a) | EMAIL THREAD RE: TMO MODIFICATION (27MAR2026) |
| + | - | AE-II | GOVT APPLICATION FOR DESIGNATION TO ASSUME RIGHTS OF THE VICTIM - E.C. (08OCT2025) |
| + | - | AE-II(a) | ORDER (08OCT2025) |
| + | - | AE-III | LIST OF 30a MATTERS (08OCT2025) |
| + | - | AE-III(a) | LIST OF ADDITIONAL 30a MATTERS (13NOV2025) |
| + | - | AE-IV | NOTICE OF APPEARANCE / VLC / LCDR JASON J. KIM FOR CSSN S.S. (09OCT2025) |
| + | - | AE-V | NOTICE OF APPEARANCE / VLC / MARSHALL GRIFFIN, JR. Esq. FOR CS3 A.R. |
| + | - | AE-VI | DEFENSE MOTION FOR APPROPRIATE RELLIEF (ILLEGAL PRE-TRIAL PUNISHMENT ART 13) 26NOV2025 |
| + | - | AE-VI(a) | SUPPLEMENTAL TO DEFENSE MOTION FOR APPROPRIATE RELIEF (ILLEGAL PRE-TRIAL PUNISHMENT - ART 13) 21MAY2026 |
| + | - | AE-VII | ENCLS (A-M) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (ILLEGAL PRE-TRIAL PUNISHMENT ART 13) |
| + | - | AE-VII(a) | SUPPLEMENTAL ENCLS (N-U) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (ILLEGAL PRE-TRIAL PUNISHMENT - ART 13) |
| + | - | AE-VIII | DEFENSE MOTION IN LIMINE TO EXCLUDE EVIDENCE PURSUANT TO MIL. R. EVID. 404(b) 26NOV2025 |
| + | - | AE-IX | ENCL (A) TO DEFENSE MOTION IN LIMINE TO EXCLUDE EVIDENCE PURSUANT TO MIL. R. EVID. 404(b) |
| + | - | AE-X | DEFENSE MOTION TO COMPEL (EXPERT CONSULTANT IN PATHOLOGY) 26NOV2025 |
| + | - | AE-XI | ENCLS (A-G) TO DEFENSE MOTION TO COMPEL (EXPERT CONSULTANT IN PATHOLOGY) |
| + | - | AE-XII | DEFENSE MOTION TO COMPEL (DISCOVERY) 26NOV2025 |
| + | - | AE-XIII | ENCLS (A-B) TO DEFENSE MOTION TO COMPEL (DISCOVERY) |
| + | - | AE-XIV | DEFENSE MOTION TO COMPEL PRODUCTION OF EXPERT CONSULTANT (MITIGATION SPECIALIST) 26NOV2025 |
| + | - | AE-XV | ENCLS (A-B) TO DEFENSE MOTION TO COMPEL PRODUCTION OF EXPERT CONSULTANT (MITIGATION SPECIALIST) |
| + | - | AE-XVI | DEFENSE MOTION TO DISMISS (MULTIPLICITY) 26NOV2025 |
| + | - | AE-XVII | ENCL (A) TO DEFENSE MOTION TO DISMISS (MULTIPLICITY) |
| + | - | AE-XVIII | DEFENSE MOTION TO EXCLUDE EVIDENCE PURSUANT TO M.R.E. 413 (26NOV2025) |
| + | - | AE-XIX | ENCLS (A-B) TO DEFENSE MOTION TO EXCLUDE EVIDENCE PURSUANT TO M.R.E. 413 |
| + | - | AE-XX | DEFENSE MTD W/ PREJUDICE...PURSUANT TO ART 10, 6TH ADMENDMENT & R.C.M. 707 VIOLATIONS (SPEEDY TRIAL) 26NOV2025 |
| + | - | AE-XXI | ENCLS (A-E) DEFENSE MTD W/ PREJUDICE...ART 10, 6TH ADMENDMENT & R.C.M. 707 VIOLATIONS (SPEEDY TRIAL) |
| + | - | AE-XXI(a) | SUPPL ENCLS (F-J) DEFENSE MTD W/ PREJUDICE...ART 10, 6TH ADMENDMENT & R.C.M. 707 VIOLATIONS (SPEEDY TRIAL) |
| + | - | AE-XXII | DEFENSE MOTION FOR APPROPRIATE RELIEF (CHANGE VENUE) 26NOV2025 |
| + | - | AE-XXIII | ENCLS (A-K) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (CHANGE VENUE) |
| + | - | AE-XXIV | DEFENSE MOTION TO COMPEL (EXPERT CONSULTANT IN MEMORY & HUMAN REACTION) 26NOV2025 |
| + | - | AE-XXV | ENCLS (A-M) TO DEFENSE MOTION TO COMPEL (EXPERT CONSULTANT IN MEMORY & HUMAN REACTION) |
| + | - | AE-XXVI | DEFENSE MOTION TO COMPEL PRODUCTION OF EXPERT CONSULTANT (SEXUAL SADISTIC BEHAVIOR) 26NOV2025 |
| + | - | AE-XXVII | ENCLS (A-D) TO DEFENSE MOTION TO COMPEL PRODUCTION OF EXPERT CONSULTANT (SEXUAL SADISTIC BEHAVIOR) |
| + | - | AE-XXVIII | DEFENSE MOTION TO SUPRESS SEARCH & SEIZURE OF PHONE (26NOV2025) |
| + | - | AE-XXIX | ENCLS (A-I[B=CD]) TO DEFENSE MOTION TO SUPRESS SEARCH & SEIZURE OF PHONE |
| + | - | AE-XXX | DEFENSE MOTION TO COMPEL WITNESS PRODUCTION (26NOV2025) |
| + | - | AE-XXXI | ENCLS (A-K) TO DEFENSE MOTION TO COMPEL WITNESS PRODUCTION |
| + | - | AE-XXXII | DEFENSE MOTION TO SUPRESS (3 & 6 JUNE 2025 STATEMENTS) 26NOV2025 |
| + | - | AE-XXXIII | ENCLS (A-F [C=CD]) TO DEFENSE MOTION TO SUPRESS (3 & 6 JUNE 2025 STATEMENTS) |
| + | - | AE-XXXIII(a) | SUPPLEMENTAL ENCL (G) TO DEFENSE MOTION TO SUPRESS (3&6 JUNE 2025 STATEMENTS) |
| + | - | AE-XXXIV | DEFENSE MOTION IN LIMINE ADMISSIBILITY OF EVIDENCE PURSUANT TO MRE 412 (26NOV2025) [SEALED] |
| + | - | AE-XXXV | ENCLS (A-K) TO DEFENSE MOTION IN LIMINE ADMISSIBILITY OF EVIDENCE PURSUANT TO MRE 412 [SEALED] |
| + | - | AE-XXXVI | DEFENSE MOTION FOR APPROPRIATE RELIEF (SEVER CHARGES) 26NOV2025 |
| + | - | AE-XXXVII | ENCLS (A-G) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (SEVER CHARGES) |
| + | - | AE-XXXVII | SUPPLEMENTAL ENCL (H) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (SEVER CHARGES) |
| + | - | AE-XXXVIII | DEFENSE MOTION TO DISMISS (FAILURE TO STATE AN OFFENSE) 26NOV2025 |

| | | | |
|---|---|---|---|
| + | - | AE-XXXIX | ENCLS (A-D) TO DEFENSE MOTION TO DISMISS (FAILURE TO STATE AN OFFENSE) |
| + | - | AE-XL | DEFENSE MOTION TO SUPRESS (03JUN2025 SEARCH OF CSSN COPELAND'S BARRACKS ROOM) 26NOV2025 |
| + | - | AE-XLI | ENCLS (A-H) TO DEFENSE MOTION TO SUPRESS (03JUN2025 SEARCH OF CSSN COPELAND'S BARRACKS ROOM) |
| + | - | AE-XLII | GOVT RESPONSE TO DEFENSE MOTION IN LIMINE (412) 05DEC2025 [SEALED] |
| + | - | AE-XLIII | VLC (LCDR KIM) RESPONSE TO DEFENSE MOTION IN LIMINE (412) 05DEC2025 [SEALED] |
| + | - | AE-XLIV | GOVT RESPONSE TO DEFENSE MOTION TO SEVER (05DEC2025) |
| + | - | AE-XLV | GOVT RESPONSE TO DEFENSE MOTION TO SUPRESS DISCOVERY (05DEC2025) |
| + | - | AE-XLVI | GOVT RESPONSE TO DEFENSE MOTION TO DISMISS UNDER RCM 707 & ART 10 (05DEC2025) |
| + | - | AE-XLVII | ENCLS (1-12) TO GOVT RESPONSE TO DEFENSE MOTION TO DISMISS UNDER RCM 707 & ART 10 |
| + | - | AE-XLVII(a) | SUPPLEMENTAL ENCLS (13-22) TO GOVT RESPONSE TO DEFENSE MOTION TO DISMISS UNDER RCM 707 & ART 10 |
| + | - | AE-XLVIII | GOVT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF - ART 13 UCMJ (05DEC2025) |
| + | - | AE-XLVIII(a) | GOVT SUPPL RESPONSE TO DEFENSE MOTION FOR APPROPRIATE REILEF (ARTICLE 13, UCMJ) 29MAY2026 |
| + | - | AE-XLIX | ENCLS (1-8) TO GOVT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF - ART 13 UCMJ |
| + | - | AE-XLIX(a) | SUPPL ENCLS (9-13) TO GOVT SUPPL RESPONSE TO DEFENSE MOTION FOR APPROPRIATE REILEF (ARTICLE 13, UCMJ) |
| + | - | AE-XLIX(b) | SUPPL ENCL (14) TO GOVT SUPPL RESPONSE TO DEF MFAR (ARTICLE 13, UCMJ) |
| + | - | AE-XLIX(c) | SUPPL ENCL (15) TO GOVT SUPPL RESPONSE TO DEFENSE MOTION FOR APPROPRAITE RELIEF (ARTICLE 13, UCMJ) |
| + | - | AE-L | GOVT RESPONSE TO DEFENSE MOTION TO DISMISS (FAILURE TO STATE AN OFFENSE) 05DEC2025 |
| + | - | AE-LI | ENCLS (1-4) TO GOVT RESPONSE TO DEFENSE MOTION TO DISMISS (FAILURE TO STATE AN OFFENSE) |
| + | - | AE-LII | GOVT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF (CHANGE VENUE) 05DEC2025 |
| + | - | AE-LIII | ENCLS (1-4) TO GOVT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF (CHANGE VENUE) |
| + | - | AE-LIV | GOVT RESPONSE TO DEFENSE MOTION TO COMPEL (EXPERT CONSULTANTS) 05DEC2025 |
| + | - | AE-LV | ENCLS (1-8) TO GOVT RESPONSE TO DEFENSE MOTION TO COMPEL (EXPERT CONSULTANTS) |
| + | - | AE-LVI | GOVT RESPONSE TO DEFENSE MOTION TO COMPEL WITNESS PRODUCTION (05DEC2025) |
| + | - | AE-LVII | ENCLS (1-4) TO GOVT RESPONSE TO DEFENSE MOTION TO COMPEL WITNESS PRODUCTION |
| + | - | AE-LVIII | GOVT RESPONSE TO DEFENSE MOTION TO SUPRESS (05DEC2025) |
| + | - | AE-LIX | ENCLS (1-45[21&37=CDs]) TO GOVT RESPONSE TO DEFENSE MOTION TO SUPRESS [SEALED PAGES] PURSUANT AE CXV |
| + | - | AE-LX | GOVT RESPONSE TO DEFENSE MOTION IN LIMINE (MRE 404(b) & MRE 413) 05DEC2025 |
| + | - | AE-LXI | ENCLS (1-62[60=CD]) GOVT RESPONSE TO DEFENSE MIL (MRE 404(b) & MRE 413) 05DEC2025 [SEALED PAGES] PURSUANT AE CXV |
| + | - | AE-XLI(a) | SUPPLMENTAL ENCLS (63-64) TO GOVT RESPONSE TO DEFENSE MOTION IN LIMINE 404(b) & 413 |
| + | - | AE-LXII | SEALING ORDER (11DEC2025) |
| + | - | AE-LXIII | DEFENSE NOTICE OF FORUM (18DEC2025) |
| + | - | AE-LXIV | RULING - DEFENSE MOTION TO COMPEL PRODUCTION OF EXPERT CONSULTANTS (22DEC2025) |
| + | - | AE-LXV | RULING - DEFENSE MOTION TO COMPEL WITNESS PRODUCTION & GOVT RESPONSE (22DEC2025) |
| + | - | AE-LXVI | RULING - DEFENSE MOTION TO DISMISS (FAILURE TO STATE AN OFFENSE) 08JAN2025 |
| + | - | AE-LXVII | RULING - DEFENSE MOTION TO EXCLUDE EVIDENCE PURSUANT TO MRE 413 (14JAN2026) |
| + | - | AE-LXVIII | RULING - DEFENSE MTD W/ PREJUDICE...PURSUANT TO ART 10, SIXTH ADMENDMENT & R.C.M. 707 VIOLATIONS (21JAN2026) |
| + | - | AE-LXIX | RULING - DEFENSE MTS SEARCH & SEIZURE OF PHONE / 3 & 6 JUNE 2025 STATEMENTS / BARRACKS ROOM (27JAN2026) |
| + | - | AE-LXX | RULING - DEFENSE MOTION IN LIMINE TO EXCLUDE EVIDENCE PURSUANT TO MIL. R. EVID 404(b) 28JAN2026 |
| + | - | AE-LXXI | RULING - DEFENSE MOTION FOR APPROPRIATE RELIEF (SEVER CHARGES) 28JAN2026 |
| + | - | AE-LXXII | DEFENSE MOTION FOR APPROPRIATE RELIEF (MERGE UNREASONABLY MULTIPLIED CHARGES) 18FEB2026 |
| + | - | AE-LXXIII | DEFENSE MOTION IN LIMINE ADMISSIBILITY OF EVIDENCE PURSUANT TO MRE 412 (18FEB2026) [SEALED] |
| + | - | AE-LXXIV | DEFENSE MOTION TO RECONSIDER (MTC EXPERT CONSULTANT - FORENSIC PATHOLOGY) 18FEB2026 |
| + | - | AE-LXXV | ENCLS (A-J) TO DEFENSE MOTION TO RECONSIDER (MTC EXPERT CONSULTANT - FORENSIC PATHOLOGY) |
| + | - | AE-LXXV(a) | SUPPL ENCL (K) TO DEFENSE MOTION TO COMPEL (EXPERT CONSULTANT IN PATHOLOGY) |
| + | - | AE-LXXVI | DEFENSE MOTION TO SUPRESS (SEARCH OF CSSN COPELANDs CELL PHONE) 18FEB2026 |
| + | - | AE-LXXVII | ENCLS (A-K) TO DEFENSE MOTION TO SUPRESS (SEARCH OF CSSN COPELANDs CELL PHONE) |
| + | - | AE-LXXVIII | GOVT RESPONSE TO DEFENSE MOTION TO DISMISS FOR UMC (24FEB2026) |
| + | - | AE-LXXIX | GOVT RESPONSE TO DEFENSE MOTION IN LIMINE (MRE 412) 24FEB2026 [SEALED] |
| + | - | AE-LXXX | VLC (LCDR KIM) RESPONSE TO DEFENSE MOTION IN LIMINE (MRE 412) RE: CSSN S.S. 25FEB2026 [SEALED] |
| + | - | AE-LXXXI | GOVT RESPONSE TO DEFENSE MOTION TO SUPRESS (26FEB2026) |
| + | - | AE-LXXXII | GOVT RESPONSE TO DEFENSE MOTION TO COMPEL (PATHOLOGIST) 26FEB2026 |
| + | - | AE-LXXXIII | ENCLS (1-7) TO GOVT RESPONSE TO DEFENSE MOTION TO COMPEL (PATHOLOGIST) |
| + | - | AE-LXXXIV | RULING - DEFENSE MOTION TO RECONSIDER (DEFENSE MTC PRODUCTION OF EXPERT PATHOLOGIST) 05MAR2026 |
| + | - | AE-LXXXV | RULING - DEFENSE MOTION FOR APPROPRIATE RELIEF (MERGE UNREASONABLY MULTIPLIED CHARGES) 10MAR2026 |
| + | - | AE-LXXXVI | RULING - DEFENSE MOTION IN LIMINE ADMISSIBILITY OF EVIDENCE PURSUANT TO MIL.R.EVID. 412 (11MAR2026) [SEALED] |

| | | | |
|---|---|---|---|
| + | - | AE-LXXXVII | SEALING ORDER (11MAR2026) |
| + | - | AE-LXXXVIII | DEFENSE MOTION FOR APPROPRIATE RELIEF (INTERFERENCE – RIGHTS TO COUNSEL) 12MAR2026 |
| + | - | AE-LXXXIX | ENCLS (A-N) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (INTERFERENCE – RIGHTS TO COUNSEL) 12MAR2026 |
| + | - | AE-XC | GOVT RESPONSE TO DEFENSE MFAR (PRIVATE MEETING W DEFENSE TEAM INCLUDING EXPERTS) 16MAR2026 |
| + | - | AE-XCI | ENCLS (1-12) TO GOVT RESPONSE TO DEFENSE MFAR (PRIVATE MEETING W DEFENSE TEAM INCLUDING EXPERTS) |
| + | - | AE-XCII | RULING - DEFENSE MFAR (PRIVATE MEETING WITH DEFENSE TEAM INCLUDING EXPERTS) 18MAR2026 |
| + | - | AE-XCIII | DEFENSE MOTION TO AMEND TRIAL MANAGEMENT ORDER (26MAR2026) |
| + | - | AE-XCIV | GOVT MOTION IN LIMINE (14APR2026) |
| + | - | AE-XCV | ENCLS (1-22) TO GOVT MOTION IN LIMINE |
| + | - | AE-XCVI | DEFENSE MOTION IN LIMINE (EXCLUE EVIDENCE PURSUANT TO 404(b)) 15APR2026 |
| + | - | AE-XCVII | ENCLS (A-B) TO DEFENSE MOTION IN LIMINE (TO EXCLUDE EVIDENCE PURSUANT TO 404(b)) |
| + | - | AE-XCVIII | DEFENSE MOTION FOR APPROPRIATE RELIEF (COMPEL MENTAL HEALTH DISCOVERY - 513) 15APR2026 [SEALED] |
| + | - | AE-XCIX | ENCLS (A-G [A=CD]) TO DEFENSE MOTION FOR APPROPRIATE RELIEF (COMPEL MENTAL HEALTH DISCOVERY - 513) [SEALED] |
| + | - | AE-XCIX(a) | SUPPL ENCL H (TRANSCRIPT TO ENCL A) DEFENSE MFAR (COMPEL MENTAL HEALTH DISCOVERY - 513) [SEALED] |
| + | - | AE-C | GOVT RESPONSE TO DEFENSE MOTION IN LIMINE - 404(b) dtd 13APR2026 (20APR2026) |
| + | - | AE-CI | ENCL (1) TO GOVT RESPONSE TO DEFENSE MOTION IN LIMINE - 404(b) dtd 13APR2026 |
| + | - | AE-CII | DEFENSE RESPONSE TO GOVT MIL (PRELIMINARY RULING ON ADMISSIBILITY OF HEARSAY) 22APR2026 |
| + | - | AE-CIII | ENCLS (A-E) TO DEFENSE RESPONSE TO GOVT MIL (PREMINIARY RULING ON ADMISSIBILITY OF HEARSAY) |
| + | - | AE-CIV | GOVT RESPONSE TO DEFENSE MFAR (COMPEL MENTAL HEALTH DISCOVERY - 513) 22APR2026 [SEALED] |
| + | - | AE-CV | ENCL (1) TO GOVT RESPONSE TO DEFENSE MFAR (COMPEL MENTAL HEALTH DISCOVERY - 513) [SEALED] |
| + | - | AE-CV(a) | SUPPL ENCL (2) TO GOVT RESPONSE TO DEFENSE MFAR (COMPEL MENTAL HEATH DISCOVERY - 513) [SEALED] |
| + | - | AE-CVI | DEFENSE NOTICE OF PLEAS (01MAY2026) |
| + | - | AE-CVII | MEMORANDUM OF PLEA AGREEMENT (04MAY2026) |
| + | - | AE-CVIII | SEALING ORDER (05MAY2026) |
| + | - | AE-CIX | TRANSCRIPT TO DE F |
| + | - | AE-CX | DEFENSE PROPOSED LESSER INCLUDED OFFENSE SPECIFICATION LANGUAGE (05JUN2026) |
| + | - | AE-CXI | APPELLATE AND POST-TRIAL RIGHTS (05JUN2026) |
| + | - | AE-CXII | VICTIM IMPACT STATEMENTS (2) |
| + | - | AE-CXIII | RULING - DEFENSE MOTION FOR APPROPRIATE RELIEF (ILLEGAL PRETRIAL PUNISHMENT - ART 13) 09JUN2026 |
| + | - | AE-CXIV | CURRICULUM VITAE - JAMIE DICKSON, Psy.D. |
| + | - | AE CXV | SEALING ORDER (27JUL2026) |
| + | - | | |
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| + | - | | |
| + | - | | |

## COURT EXHIBITS

| ADD / DELETE | | NUMBER OR LETTER | DESCRIPTION (include victim impact statements and unsworn statements here) |
|---|---|---|---|
| + | - | | |
| + | - | | |

**DD FORM 490, MAR 2019** The previous version of this form may be used until no longer required.

# RECEIPT FOR COPY OF COURT-MARTIAL DOCUMENT

I hereby acknowledge receipt of a copy of the RECORD OF PROCEEDINGS

*(title of document)*

that was provided to me by _____ on _____

*(full name of person providing document)* *(date received)*

in the case of United States v. E-4 JERMIAH T. COPELAND

*(name of accused)*

_____ _____ _____

*(date signed)* *(full name of person receiving document)* *(signature)*

*Use this Receipt for Copy of Court-Martial Document (Receipt) when giving a copy of a document directly to someone entitled to receive it. If the Receipt is used, the Certificate of Service should not be used.*

*"Title of document" is the name of the document or other record of a court-martial proceeding given to the person entitled to it (e.g., audio recording, certified record of trial, statement of trial results, entry of judgment, or other document).*

*Copies of certified records of trial will be redacted in accordance with the instructions in relevant service regulations, if applicable.*

*If copy of a document prepared for distribution contains matters requiring security protection, see RCM 1112(e)(3)(A), MCM 2019.*

# CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the RECORD OF PROCEEDINGS

*(title of document)*

in the case of United States v. E-4 JERMIAH T. COPELAND was transmitted to

*(name of accused)*

_____ at _____

*(full name of person receiving document)* *(place of delivery or address sent to)*

by _____ _____

*(means of effecting delivery)* *(tracking number, if any)*

_____ _____ _____

*(date)* *(full name of person serving record)* *(signature of person serving record)*

☐ This Certificate of Service was used to transmit a document to accused's trial defense counsel instead of the accused because it was [choose one]

(Impracticable to serve the record of trial on the accused because he/she was transferred to (place)) (the accused requested such at trial) (the accused so requested in writing, which is attached) (the accused is absent without leave) (the accused refused to sign acknowledging receipt of the document)

☐ (other reason). _____

*Use this Certificate of Service to memorialize the transmission or other delivery of a court-martial document or other record of a court-martial proceeding to a person other than by in-person delivery.*

*This Certificate of Service can be used for any document, for service to any person (e.g., accused, counsel for accused, victim, counsel for victim).*

*"Title of document" is the name of the document or other record of a court-martial proceeding given to the person entitled to it (e.g., audio recording, certified record of trial, statement of trial results, entry of judgment, or other document).*

*"Place of delivery or address sent to" is the street address or email address where the document or other record was sent or hand delivered when no receipt is obtained.*

*"Means of effecting delivery" is mail, hand delivery, email, messenger service, or other means of transmitting a document or other record.*

*If a tracking service is used, indicate tracking number and service (e.g., USPS, FEDEX, UPS).*

*If the accused has not provided an address at which to be served with a document or other record that the accused is entitled to, and trial defense counsel is not available or accused has no defense counsel, serve a copy of the document or other record to the accused's last known address in accordance with service regulations, if applicable.*

*Copies of certified records of trial will be redacted in accordance with the instructions in relevant service regulations, if applicable.*

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off zSSC6JbOqorUOazz
**Date:** Tuesday, June 16, 2026 3:31:17 PM

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipients.

The email that each recipient received stated:

> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 1*
>
> *Attached please find the unredacted Audio for the above-referenced matter.*

Drop-off Details:

Drop-off Submitted: 2026-06-16 19:30:41 UTC
Drop-off Completed: 2026-06-16 19:31:09 UTC
Claim ID: zSSC6JbOqorUOazz
Claim Passcode: dmYjBnlQOc7vuCbB
— Sender —
Name: BALDERAMA-JIROV.PRISCILLA
Organization: USN
Email Address: priscilla.balderama-jirov.civ@us.navy.mil
IP Address: 140.23.251.71 (140.23.251.71)
— Recipients —
Name: LCDR Amanda M. Serfess
Email: amanda.m.serfess.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=zSSC6JbOqorUOazz&recipCode=p6hvBS

Name: LCDR Clifton E. Morgan, III
Email: clifton.e.morgan4.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=zSSC6JbOqorUOazz&recipCode=zCGqHF

Name: LCDR Todd M. Mihill
Email: todd.m.mihill.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=zSSC6JbOqorUOazz&recipCode=Xl9TT8

Name: Ms. Cindy R. Hoffmeister
Email: cindy.r.hoffmeister.civ@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=zSSC6JbOqorUOazz&recipCode=KuyKsd
— File —
Name: AUDIO [EXCLUDING SEALED].zip

| | |
|---|---|
| Size: | 339867838 |
| SHA-256 Checksum: | CADD1C13522427C5E96FE2822958A4A6FD1224CDEC6451AA34640FA8D526E5FF |
| Content Type: | application/x-zip-compressed |

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off hqx3N5q1Tz9PkKcv
**Date:** Wednesday, June 17, 2026 8:20:41 AM

---

***** DO NOT FORWARD *****

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This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipients.

The email that each recipient received stated:

> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 2*
>
> *Attached please find the Appellate Exhibits 1-50 [Excluding Sealed] for the above-referenced matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 12:15:58 UTC |
| Drop-off Completed: | 2026-06-17 12:20:32 UTC |
| Claim ID: | hqx3N5q1Tz9PkKcv |
| Claim Passcode: | 5KoXhAdoU2MN8gVD |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —
Name: BALDERAMA-JIROV.PRISCILLA
Organization: USN
Email Address: priscilla.balderama-jirov.civ@us.navy.mil
IP Address: 140.23.115.71 (140.23.115.71)
— Recipients —
Name: LCDR Amanda M. Serfess
Email: amanda.m.serfess.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=hqx3N5q1Tz9PkKcv&recipCode=FARiJO

Name: LCDR Clifton E. Morgan, III
Email: clifton.e.morgan4.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=hqx3N5q1Tz9PkKcv&recipCode=6Byd8t

Name: LCDR Todd M. Mihill
Email: todd.m.mihill.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=hqx3N5q1Tz9PkKcv&recipCode=2S9aoA

Name: Ms. Cindy R. Hoffmeister
Email: cindy.r.hoffmeister.civ@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=hqx3N5q1Tz9PkKcv&recipCode=Ar7nsx

— File —

| | |
|---|---|
| Name: | AE 1-50.zip |
| Size: | 5452917307 |
| SHA-256 Checksum: | 0EF3059C758E82B32FFB39EA2A1B39083A5C74F6BFB73F3CC6FCCEDB1AA3A616 |
| Content Type: | application/x-zip-compressed |

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off ttEnFETXoe8cqmjy
**Date:** Wednesday, June 17, 2026 9:47:40 AM

---

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> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *RE-DROP Drop 2*
>
> *Attached please find the Appellate Exhibits 1-50 [Excluding Sealed] for the above-referenced matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 13:43:06 UTC |
| Drop-off Completed: | 2026-06-17 13:47:30 UTC |
| Claim ID: | ttEnFETXoe8cqmjy |
| Claim Passcode: | srie9lXEkAxdA0C3 |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —
Name: BALDERAMA-JIROV.PRISCILLA
Organization: USN
Email Address: priscilla.balderama-jirov.civ@us.navy.mil
IP Address: 140.23.251.72 (140.23.251.72)
— Recipients —
Name: LCDR Amanda M. Serfess
Email: amanda.m.serfess.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=ttEnFETXoe8cqmjy&recipCode=by5r7b

Name: LCDR Clifton E. Morgan, III
Email: clifton.e.morgan4.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=ttEnFETXoe8cqmjy&recipCode=vKuJ23

Name: LCDR Todd M. Mihill
Email: todd.m.mihill.mil@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=ttEnFETXoe8cqmjy&recipCode=vZiiYu

Name: Ms. Cindy R. Hoffmeister
Email: cindy.r.hoffmeister.civ@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=ttEnFETXoe8cqmjy&recipCode=gWx654

— File —

| | |
|---|---|
| Name: | AE 1-50.zip |
| Size: | 5452917307 |
| SHA-256 Checksum: | 0EF3059C758E82B32FFB39EA2A1B39083A5C74F6BFB73F3CC6FCCEDB1AA3A616 |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| **From:** | NoReplyTo@mail.mil |
| **To:** | BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) |
| **Subject:** | [DOD SAFE] Confirmation of Completed Drop-off HLVFxiEhgBUMohgW |
| **Date:** | Wednesday, June 17, 2026 10:51:51 AM |

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipients.

The email that each recipient received stated:

> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 3*
> *Attached please find the Appellate Exhibits 51-75(a) [Excluding Sealed] for the above-referenced*
> *matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 14:47:10 UTC |
| Drop-off Completed: | 2026-06-17 14:51:39 UTC |
| Claim ID: | HLVFxiEhgBUMohgW |
| Claim Passcode: | H8djuuQyKaTLsf5A |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.251.70 (140.23.251.70) |

— Recipients —

| | |
|---|---|
| Name: | LCDR Amanda M. Serfess |
| Email: | amanda.m.serfess.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=HLVFxiEhgBUMohgW&recipCode=w2Ybag |

| | |
|---|---|
| Name: | LCDR Clifton E. Morgan, III |
| Email: | clifton.e.morgan4.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=HLVFxiEhgBUMohgW&recipCode=6Qb3aN |

| | |
|---|---|
| Name: | LCDR Todd M. Mihill |
| Email: | todd.m.mihill.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=HLVFxiEhgBUMohgW&recipCode=yV9jlv |

| | |
|---|---|
| Name: | Ms. Cindy R. Hoffmeister |
| Email: | cindy.r.hoffmeister.civ@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=HLVFxiEhgBUMohgW&recipCode=rCUidg |

— File —

| | |
|---|---|
| Name: | AE 51-75(a).zip |
| Size: | 5440843371 |
| SHA-256 Checksum: | A019588E570309CD808C460356E3934FCB57E52D97148F1DD14AFCEF6B73605A |
| Content Type: | application/x-zip-compressed |

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off J5Pme8kHK4Yv9jP2
**Date:** Wednesday, June 17, 2026 11:07:03 AM

---

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This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipients.

The email that each recipient received stated:

> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 4*
> *Attached please find the Appellate Exhibits 76-114 [Excluding Sealed] for the above-referenced*
> *matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 15:06:12 UTC |
| Drop-off Completed: | 2026-06-17 15:06:35 UTC |
| Claim ID: | J5Pme8kHK4Yv9jP2 |
| Claim Passcode: | dyMv5sgBwLw16AXD |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.115.69 (140.23.115.69) |

— Recipients —

| | |
|---|---|
| Name: | LCDR Amanda M. Serfess |
| Email: | amanda.m.serfess.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=J5Pme8kHK4Yv9jP2&recipCode=ZAawLC |

| | |
|---|---|
| Name: | LCDR Clifton E. Morgan, III |
| Email: | clifton.e.morgan4.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=J5Pme8kHK4Yv9jP2&recipCode=JmX9Uy |

| | |
|---|---|
| Name: | LCDR Todd M. Mihill |
| Email: | todd.m.mihill.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=J5Pme8kHK4Yv9jP2&recipCode=bA94TA |

| | |
|---|---|
| Name: | Ms. Cindy R. Hoffmeister |
| Email: | cindy.r.hoffmeister.civ@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=J5Pme8kHK4Yv9jP2&recipCode=Tp40gG |

— File —

| | |
|---|---|
| Name: | AE 76 - 114.zip |
| Size: | 189384101 |
| SHA-256 Checksum: | AC0129D48900ABE5F49CD28295CC08AB8D3B211988E260C8BE4555733DBC3B09 |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| **From:** | NoReplyTo@mail.mil |
| **To:** | BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) |
| **Subject:** | [DOD SAFE] Confirmation of Completed Drop-off 7m7D5pM96LS2l3B5 |
| **Date:** | Wednesday, June 17, 2026 11:20:08 AM |

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipients.

The email that each recipient received stated:

> *U.S. v. CS3 Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 5 of 5*
>
> *Attached please find the Prosecution Exhibits; Defense Exhibits; Exhibit List; Final Charge Sheet; Confinement Order; and Statement of Trial Results for the above-referenced matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 15:19:14 UTC |
| Drop-off Completed: | 2026-06-17 15:19:57 UTC |
| Claim ID: | 7m7D5pM96LS2l3B5 |
| Claim Passcode: | o4N5NrbEkTzi5GUD |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.115.71 (140.23.115.71) |

— Recipients —

| | |
|---|---|
| Name: | LCDR Amanda M. Serfess |
| Email: | amanda.m.serfess.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=7m7D5pM96LS2l3B5&recipCode=tnvf0O |

| | |
|---|---|
| Name: | LCDR Clifton E. Morgan, III |
| Email: | clifton.e.morgan4.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=7m7D5pM96LS2l3B5&recipCode=ApZmmQ |

| | |
|---|---|
| Name: | LCDR Todd M. Mihill |
| Email: | todd.m.mihill.mil@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=7m7D5pM96LS2l3B5&recipCode=vb9OOJ |

Name: Ms. Cindy R. Hoffmeister
Email: cindy.r.hoffmeister.civ@us.navy.mil
Recipient URL: https://safe.apps.mil/pickup.php?claimID=7m7D5pM96LS2l3B5&recipCode=IQPABk

— Files —

Name: PROSECUTION.zip
Size: 582117363
SHA-256 Checksum: 7BACC035D19C07EE1C8650EF6E71C16D06F624080578816CA93039B1DAE7173B
Content Type: application/x-zip-compressed

Name: DEFENSE.zip
Size: 32837947
SHA-256 Checksum: 53AF047D4F4B5B7B1040E8BAA426D123336759C89BE03647CEEE22415AE31643
Content Type: application/x-zip-compressed

Name: EXHIBIT LIST.pdf
Size: 499225
SHA-256 Checksum: 2F0BB0803B4D58D4AD98275D3D90211D7798952104D8CEC0D59F0A3B990C9D7D
Content Type: application/pdf

Name: CHARGE SHEET (UPDATED 09JUN2026) FINAL.pdf
Size: 297175
SHA-256 Checksum: 962BC62A1837FD47DD1998B332A63E3B17CB2FFCCF5D0B7B0632C6B735702420
Content Type: application/pdf

Name: DD FORM 2707 (CONFINEMENT ORDER) - REDACTED.pdf
Size: 1037724
SHA-256 Checksum: 32B8DC68BC90322D410C41753D422CA4F79B38AF23F1DA2A20E79423D41E0CFA
Content Type: application/pdf

Name: STR (09JUN2026).pdf
Size: 811293
SHA-256 Checksum: 6C0C2D2737D862B775E8B1F68F60A4C93019D528C68EDE887E0FE5306008FC28
Content Type: application/pdf

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] MIHILL.TODD.MICHAEL has picked up your drop-off!
**Date:** Wednesday, June 17, 2026 8:46:35 AM

---

This is an automated message sent to you by the DOD SAFE service.

The drop-off you made (claim ID: zSSC6JbOqorUOazz) has been picked-up.

The file, AUDIO [EXCLUDING SEALED].zip, was picked up using the recipient code, Xl9TT8, sent to MIHILL.TODD.MICHAEL at todd.m.mihill.mil@us.navy.mil.

You will not be notified about any further pick-ups of files in this drop-off by this recipient.

If this was a large drop-off (more than 200MB) and it has been picked up by all recipients, please consider deleting the drop-off early to free up disk space. Drop-offs are automatically deleted when they expire - currently 7 days. To delete a drop-off login to the SAFE site, click on the "Outbox" tab, click on the ClaimID of the desired drop-off, and click the Delete button.

Full information about the drop-off:

| | |
|---|---|
| Claim ID: | zSSC6JbOqorUOazz |
| Drop-off Submitted: | 2026-06-16 19:30:41 UTC |
| Drop-off Completed: | 2026-06-16 19:31:09 UTC |
| Note: | |

U.S. v. CS3 Copeland, Jermiah T.
Date of Sentence: 09JUN2026
Drop 1

Attached please find the unredacted Audio for the above-referenced matter.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.251.71 (140.23.251.71) |

— File —

| | |
|---|---|
| Name: | AUDIO [EXCLUDING SEALED].zip |
| Description: | |
| Size: | 324.1 MB |
| SHA-256 Checksum: | CADD1C13522427C5E96FE2822958A4A6FD1224CDEC6451AA34640FA8D526E5FF |
| Content Type: | application/x-zip-compressed |

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off OKiez5UcACLmIId4
**Date:** Wednesday, June 17, 2026 12:14:01 PM

---

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipient.

The email that the recipient received stated:

> *U.S. v. Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 1 of 5*
>
> *Attached please find the Audio [Excluding Sealed] for the above-referenced matter.*
>
> *The Passphrase will be sent via e-mail.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 16:13:12 UTC |
| Drop-off Completed: | 2026-06-17 16:13:40 UTC |
| Claim ID: | OKiez5UcACLmIId4 |
| Claim Passcode: | mUgLsv13zvR8GeXf |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.251.71 (140.23.251.71) |

— Recipient —

| | |
|---|---|
| Name: | CNRMA Legal Group |
| Email: | cnrmalegalgroup@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=OKiez5UcACLmIId4&recipCode=M3eL7o |

— File —

| | |
|---|---|
| Name: | AUDIO [EXCLUDING SEALED].zip |
| Size: | 339867838 |
| SHA-256 Checksum: | CADD1C13522427C5E96FE2822958A4A6FD1224CDEC6451AA34640FA8D526E5FF |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| **From:** | NoReplyTo@mail.mil |
| **To:** | BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) |
| **Subject:** | [DOD SAFE] Confirmation of Completed Drop-off O6WhZ24iOefSWAei |
| **Date:** | Wednesday, June 17, 2026 12:26:49 PM |

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipient.

The email that the recipient received stated:

> *U.S. v. Copeland, Jermiah T.*
> *Date of Sentence: 09JUN2026*
> *Drop 2 of 5*
>
> *Attached please find AEs 1-50 [Excluding Sealed] for the above-referenced matter.*
>
> *The Passphrase*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-17 16:22:31 UTC |
| Drop-off Completed: | 2026-06-17 16:26:43 UTC |
| Claim ID: | O6WhZ24iOefSWAei |
| Claim Passcode: | QjVWiXJskxzAlmpN |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.251.71 (140.23.251.71) |

— Recipient —

| | |
|---|---|
| Name: | CNRMA Legal Group |
| Email: | cnrmalegalgroup@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=O6WhZ24iOefSWAei&recipCode=AgD91K |

— File —

| | |
|---|---|
| Name: | AE 1-50.zip |
| Size: | 5452917307 |
| SHA-256 Checksum: | 0EF3059C758E82B32FFB39EA2A1B39083A5C74F6BFB73F3CC6FCCEDB1AA3A616 |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| **From:** | NoReplyTo@mail.mil |
| **To:** | BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) |
| **Subject:** | [DOD SAFE] Confirmation of Completed Drop-off iy2OlyI9UFP5xkB6 |
| **Date:** | Thursday, June 18, 2026 8:04:19 AM |

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipient.

The email that the recipient received stated:

> *U.S. v. Copeland*
> *Date of Sentence: 09JUN2026*
> *Drop 3*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-18 11:59:59 UTC |
| Drop-off Completed: | 2026-06-18 12:04:10 UTC |
| Claim ID: | iy2OlyI9UFP5xkB6 |
| Claim Passcode: | gAFlAbELPqPDLJiD |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.115.69 (140.23.115.69) |

— Recipient —

| | |
|---|---|
| Name: | CNRMA Legal Group |
| Email: | cnrmalegalgroup@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=iy2OlyI9UFP5xkB6&recipCode=5AccJy |

— File —

| | |
|---|---|
| Name: | AE 51-75(a).zip |
| Size: | 5440843371 |
| SHA-256 Checksum: | A019588E570309CD808C460356E3934FCB57E52D97148F1DD14AFCEF6B73605A |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| **From:** | NoReplyTo@mail.mil |
| **To:** | BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) |
| **Subject:** | [DOD SAFE] Confirmation of Completed Drop-off iGo70esPvxKzP3KN |
| **Date:** | Thursday, June 18, 2026 8:48:09 AM |

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipient.

The email that the recipient received stated:

> *U.S. v. Copeland*
> *Date of Sentence: 09JUN2026*
> *Drop 4*
>
> *Attached please find AEs 76-114 [Excluding Sealed]*
>
> *The Password will be sent via e-mail and is the same for all drops.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-18 12:47:39 UTC |
| Drop-off Completed: | 2026-06-18 12:47:58 UTC |
| Claim ID: | iGo70esPvxKzP3KN |
| Claim Passcode: | fWYrJFj566pkKKSk |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.115.69 (140.23.115.69) |

— Recipient —

| | |
|---|---|
| Name: | CNRMA Legal Group |
| Email: | cnrmalegalgroup@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=iGo70esPvxKzP3KN&recipCode=91NDR4 |

— File —

| | |
|---|---|
| Name: | AE 76 - 114.zip |
| Size: | 189384101 |
| SHA-256 Checksum: | AC0129D48900ABE5F49CD28295CC08AB8D3B211988E260C8BE4555733DBC3B09 |
| Content Type: | application/x-zip-compressed |

**From:** NoReplyTo@mail.mil
**To:** BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA)
**Subject:** [DOD SAFE] Confirmation of Completed Drop-off nQTxMGJTGUZVjuPv
**Date:** Thursday, June 18, 2026 8:54:19 AM

---

***** DO NOT FORWARD *****

This is an automated message sent to you by the DOD SAFE service.

This is a confirmation that the Drop-off you recently submitted has been successfully sent to the recipient.

The email that the recipient received stated:

> *U.S. v. Copeland*
> *Date of Sentence: 09JUN2026*
> *Drop 5 of 5*
>
> *Attached please find the Prosecution Exhibits; Defense Exhibits; Exhibit List; DD Form 2704 (3); DD Form 2704-1 (3); Final Charge Sheet; Confinement Order; and Statement of Trial Results for the above-referenced matter.*

Drop-off Details:

| | |
|---|---|
| Drop-off Submitted: | 2026-06-18 12:53:23 UTC |
| Drop-off Completed: | 2026-06-18 12:54:09 UTC |
| Claim ID: | nQTxMGJTGUZVjuPv |
| Claim Passcode: | 7bVfGhEjpZAbPg9p |

**** This drop-off is encrypted. ****

For recipients to be able to access the Drop-off files, you must provide them with the passphrase that is known only to you.

— Sender —

| | |
|---|---|
| Name: | BALDERAMA-JIROV.PRISCILLA |
| Organization: | USN |
| Email Address: | priscilla.balderama-jirov.civ@us.navy.mil |
| IP Address: | 140.23.115.71 (140.23.115.71) |

— Recipient —

| | |
|---|---|
| Name: | CNRMA Legal Group |
| Email: | cnrmalegalgroup@us.navy.mil |
| Recipient URL: | https://safe.apps.mil/pickup.php?claimID=nQTxMGJTGUZVjuPv&recipCode=GtsoYr |

— Files —

| | |
|---|---|
| Name: | PROSECUTION.zip |
| Size: | 582117363 |
| SHA-256 Checksum: | 7BACC035D19C07EE1C8650EF6E71C16D06F624080578816CA93039B1DAE7173B |
| Content Type: | application/x-zip-compressed |

| | |
|---|---|
| Name: | DEFENSE.zip |
| Size: | 32837947 |

SHA-256 Checksum: 53AF047D4F4B5B7B1040E8BAA426D123336759C89BE03647CEEE22415AE31643
Content Type: application/x-zip-compressed

Name: EXHIBIT LIST.pdf
Size: 499225
SHA-256 Checksum: 2F0BB0803B4D58D4AD98275D3D90211D7798952104D8CEC0D59F0A3B990C9D7D
Content Type: application/pdf

Name: CHARGE SHEET (UPDATED 09JUN2026) FINAL.pdf
Size: 297175
SHA-256 Checksum: 962BC62A1837FD47DD1998B332A63E3B17CB2FFCCF5D0B7B0632C6B735702420
Content Type: application/pdf

Name: DD Form 2704 (A.R. - Parent) 09JUN2026.pdf
Size: 160669
SHA-256 Checksum: 4516CEE587CF69D2EE23EDC38F3084454861377DBD79460C9B5FE412AF5F2280
Content Type: application/pdf

Name: DD Form 2704 (C.R.) 09JUN2026.pdf
Size: 158566
SHA-256 Checksum: 5036DBB1A6778449268573021A0FDCB09DD49C8A34B270835D05B976DC6A94A0
Content Type: application/pdf

Name: DD Form 2704 (S.S.) 12JUN2026.pdf
Size: 270807
SHA-256 Checksum: 132987EB3D68FEE7879374A5D513CFC52A5C2E24FDEEACF1A423047676A838F9
Content Type: application/pdf

Name: DD Form 2704-1 (A.R. - Parent) 09JUN2026.pdf
Size: 125967
SHA-256 Checksum: 32E515C102F30EF91D63AA953C09E764AD1C0B72C30996098FB0FA488A247807
Content Type: application/pdf

Name: DD Form 2704-1 (C.R.) 09JUN2026.pdf
Size: 128651
SHA-256 Checksum: 71DC6152C0F9037C271A60ABD28A6BBD5F3ACE86680B79761C9F532392F22BD2

| | |
|---|---|
| Content Type: | application/pdf |

| | |
|---|---|
| Name: | DD Form 2704-1 (S.S.) 12JUN2026.pdf |
| Size: | 219214 |
| SHA-256 Checksum: | 0FF8D22F42CC7F6AC04A5D3AB18FF704848962F54461E994BA8E47ED03D848AC |
| Content Type: | application/pdf |

| | |
|---|---|
| Name: | DD FORM 2707 (CONFINEMENT ORDER).pdf |
| Size: | 1028228 |
| SHA-256 Checksum: | D41E66A21B6DAC6EC024AA4B443014B4EC3DF814B83AB184EEA1D8B21632225C |
| Content Type: | application/pdf |

| | |
|---|---|
| Name: | STR (09JUN2026).pdf |
| Size: | 811293 |
| SHA-256 Checksum: | 6C0C2D2737D862B775E8B1F68F60A4C93019D528C68EDE887E0FE5306008FC28 |
| Content Type: | application/pdf |

**POST-TRIAL CHECKLIST** [1]

*R.C.M. 1112 and 1114*

**For Courts-Martial Resulting in a Conviction**

**ICO** CS3/E-4 Copeland, Jermiah T.

**Phase I: Post-Trial Submissions**

X **Statement of Trial Results (STR) –** Obtained and verified for accuracy. Statement of Trial Results must be compliant with DD Form 2707-1, or other prescribed form. Use Enclosure (1) as the template for the STR.

X Findings

X Sentencing

X Type of court-martial (GCM, SPCM, SPCM-Non-BCD)

X Composition/Forum of court-martial (Members, Enlisted Members, Judge Alone)

X Plea agreement

____ Suspension recommendations by the military judge or trial counsel, if applicable

X Reporting Requirements Identified:

X Sex offender registration (34 U.SC. § 20901 et seq., DoDI 1325.07, or DODI 5525.20)?

X DNA processing (10 U.S.C. § 1565 or DoDI 5505.14)?

____ Crime of domestic violence (DoDI 6400.06)?

X Gun Control Act of 1968 (18 U.S.C. § 922) reporting?

____ Co-accused, companion, or other related case information included in Notes?

X **Gun Control Act Requirements –** The RLSO or Law Center responsible for the court-martial shall submit the STR and the accused's full name, including full middle name, and date of birth to NCIS via email at nicssubmission@ncis.navy.mil (for Navy cases) and

[1] In USMC cases, see MCO 5800.16 CH-7 for supplemental guidance regarding the post-trial checklist.

usmccid@ncis.navy.mil (for Marine Corps cases). See reference (h) and enclosure (5) for detailed information about crime reporting requirements under the Gun Control Act of 1968.

X **Sex Offender Notification Requirements –** In accordance with reference (g), upon conviction of a qualifying sex offense as defined by Appendix 4 to Enclosure 2 of DoDI 1325.07, the RLSO or Law Center, on behalf of the Convening Authority responsible for the court-martial, shall e-mail DD Form 2791 to NCIS at cjidservices@ncis.navy.mil and the U.S. Marshals Service (USMS) National Sex Offender Targeting Center (NSOTC) at iod.nsotc@usdoj.gov.

____ **Fingerprint Card and Final Disposition Report Submission Requirements – DoDI 5505.11 (series) –** Verify with the responsible Staff Judge Advocate that the final disposition of the court-martial is reported to NCIS or USMC CID and CNIC law enforcement, as appropriate, within five days per NAVADMIN 131/18. This information is necessary so that law enforcement personnel can complete the R-84 final disposition in accordance with reference (d) (series).

X **Victim's Rights Statement –** Verify the victim or victims' legal counsel received the Victim's Rights Statement advising the victim of rights in the post-trial and appellate process. (Enclosure 3)

X Upload a copy of the victim's election form (Enclosure (3)) to NCORS. Ensure the victim's election form is not in the record of trial.

- Date completed: 11AUG2026

X **Audio Recording –** Pursuant to R.C.M. 1106(c), UPON REQUEST, the RLSO or Law Center shall provide a copy of the audio recording to the defense counsel or directly to the accused (if the accused is in confinement, a physical copy of the transcript shall be provided), and access to the evidence admitted at the court-martial and the appellate exhibits. Ensure audio is properly redacted to remove all closed sessions. Along with a copy of the recording, the RLSO or Law Center shall include the following instruction: "This CD or DVD contains a copy of the court-martial proceedings in the case of U.S. v. CS3/E-4 Copeland, Jermiah T. and may contain Personally Identifiable Information (PII). The contents of this CD or DVD are to be used solely for the submission of matters for the convening authority to consider pursuant to R.C.M. 1106. This CD or DVD shall not be distributed to anyone outside the court-martial process."

- Date provided to the defense counsel or accused: 17JUN2026 [Excluding Sealed]
- X Include a signed receipt in the ROT.

X **Audio Recording –** Pursuant to R.C.M. 1106A(d), UPON REQUEST, the RLSO or Law Center shall provide a copy of the audio recording of all open sessions of the court-martial to the victim legal counsel (or directly to the victim if unrepresented) and access to the evidence

admitted at the court-martial and the appellate exhibits. Ensure audio is properly redacted to remove all closed sessions. Along with a copy of the recording, the RLSO or Law Center shall include the following instruction: "This CD or DVD contains a copy of the court-martial proceedings in the case of U.S. v. _____ and may contain Personally Identifiable Information (PII). The contents of this CD or DVD are to be used solely for the submission of matters for the convening authority to consider pursuant to R.C.M. 1106A. This CD or DVD shall not be distributed to anyone outside the court-martial process."

- Date provided to the victim legal counsel or victim: NOT REQUESTED
- ____ Include a signed receipt in the ROT.

X **Matters submitted by the accused pursuant to R.C.M. 1106 –** Obtain, if applicable.

- Date Received: 17JUN2026
- No matters submitted by the accused _____

X **Matters submitted by the victim pursuant to R.C.M. 1106A –** Obtain, if applicable.

- Date Received: 30JUN2026 Victim A.R. Parent only
- No matters submitted by the victim: _____

X **Rebuttal matters submitted by the accused pursuant to R.C.M. 1106 –** Obtain, if applicable.

- Date Received: 10AUG2026 - Request for Reconsideration
- No rebuttal matters submitted: _____

**Phase II: Send Post-Trial Matters to CA for Action**

X The RLSO or Law Center delivers a recording of the court-martial proceedings, copies of exhibits admitted at trial, copies of appellate exhibits, and all matters submitted by the accused and the victim to the Convening Authority (CA) for action. Ensure audio is properly redacted to remove all closed sessions. (NOTE: IF MAILED, SEND CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR OTHER MOST EXPEDITIOUS, ACCOUNTABLE METHOD. MUST HAVE A TRACKING NUMBER AND TRACKING NUMBER MUST BE PROVIDED TO THE RECIPIENT.)

- Date provided to the CA: 17 & 18 JUN2026
- Date received signed/completed CA's Action: 10JUL2026 [corrected 26AUG2026]

X Forward a copy of the CA's action to the accused and/or defense counsel and the crime victim or victim legal counsel, if applicable.

- Date completed: 10JUL2026

X The RLSO shall prepare a draft Entry of Judgment for the military judge's signature based on the CA's Action. Ensure CA's Action is documented using Enclosure (6).

X Forward a copy of the CA's Action and draft Entry of Judgment to the military judge for review and signature.

- Date completed: 27AUG2026

**Phase III: Prepare the Certified Record of Trial**

X Prepare the verbatim transcript in accordance with R.C.M. 1114. Begin doing this immediately after the announcement of the sentence and simultaneously with the post-trial process. Refer to JAGINST 5813.1G for specific guidance.

- A verbatim transcript will be prepared for all courts-martial that resulted in any guilty finding regardless of forum or sentence adjudged. For all courts-martial resulting in a full acquittal, a summarized report will be prepared.
- The pages of the transcript from any closed hearings are placed inside a sealed manila envelope. The envelope is labeled to indicate the nature of the closed hearing (e.g., M.R.E 412 hearing called to order at (time) on (date)) and a sealing order is attached to the envelope.

X Send audio out to be transcribed.

- Date audio sent to transcriptionist: 16JUN2026
- Date received completed transcript: 17JUL2026

X Ensure transcriptionist, if different from the court reporter, provided a certification of the accuracy of the transcript. For purposes of certification of a written transcript under R.C.M. 1114, certification of a written transcript means the person who prepared the written transcript attests that it is a true, accurate, and complete copy of that audio or other electronic recording of the court-martial proceeding. This following certification statement will be placed on the cover sheet of the written transcript: "I (name of person preparing and/or certifying the written transcript) certify that this written transcript is a true, accurate, and complete copy of the audio or other electronic recording of the court-martial proceeding in the case of (insert case name, e.g., *U.S. v. Accused*), which was held at (name of location, e.g., Naval Base San Diego), on (dates court-martial was held, e.g., 13-15 March 2019)." The transcriptionist who certifies a written transcript will place their signature and the date of the certification directly below the certification statement.

- Date of transcript certification by the transcriptionist: 17JUL2026

X Prepare the certified record of trial pursuant to R.C.M. 1112(b) and (f) using DD Form 490 (Enclosure 6) and Assembly instructions (Enclosure 7) – Include the following:

X **Post-Trial Documents:**

X Insert Statement of Trial Results.

X Insert CA's Action and matters submitted by accused and victim.

X Upon receipt of CA's Action, review it to ensure compliance with R.C.M. 1109 or 1110 and that Enclosure (6) is used. Also ensure the CA's Action Checklist (Enclosure (4)) is complete.

X Insert other matters submitted by accused or defense counsel to the record of trial.

X Deferment requests

X All clemency requests/recommendations

____ Other matters

X 10-day waiting period complied with or extension granted (in writing)

____ Declination to submit matters

X Insert any matters submitted by the victim or victim's counsel.

____ 10-day waiting period complied with or extension granted (in writing)

____ Declination to submit matters

X Insert any rebuttal matters submitted by the accused or defense counsel in response to the victim's matters.

____ Insert Entry of Judgment (After receipt from Military Judge)

____ Verify information is accurate, in compliance with R.C.M. 1111, and Enclosure (6) is used.

N/A Post-trial motions and record of proceedings. The record of post-trial sessions shall be prepared, certified, and provided in accordance with R.C.M. 1112 and shall be included in the record of trial.

____ Post-trial hearing for person found not guilty only by reason of lack of mental responsibility pursuant to R.C.M. 1105. The session shall be prepared and certified and appended to the record of trial.

____ Record from a vacation hearing pursuant to R.C.M. 1108(d).

X **Preliminary Hearing Documents** - Attach the following items to the record of trial in any case where an Art. 32 preceded referral of charges, whether charges were ultimately referred to a GCM or to a SPCM:

X Art. 32 appointing order

X Report of Art. 32 Preliminary Hearing (DD Form 457)

X SJA's pretrial advice letter or Special Trial Counsel written determination pursuant to Art. 34

____ Waiver of Art. 32, if applicable

X **Pre-Trial Allied Papers**

X Insert charge sheet in record of trial. (Confirm all supplemental pages are attached, front and back).

X Insert convening order in record of trial. (If it is a copy, ensure it is certified true).

____ Insert amending orders, if any. (If it is a copy, ensure it is certified true).

____ A copy of the request, if any, for trial by military judge alone.

____ A copy of the accused's election of trial by enlisted members.

____ Any statement by the convening authority pursuant to R.C.M. 503(a)(2) explaining why it was not possible to comply with request for enlisted members.

____ The accused's election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b), if applicable.

X **Record of Proceedings**

X Audio Recording of entire court proceedings except sessions closed for deliberations and voting.

X If the court-martial contained closed sessions, include one copy of the audio recording with the closed court sessions on a separate CD or DVD. The redacted CD(s) or DVDs shall be marked with a permanent fine point marker "[Redacted] Audio

Recording of U.S. v. _____ # 1 of _____." Do not place any physical labels on CDs or DVDs as they can make the media unreadable.

X **All Prosecution Exhibits –** remove classified documents (send classified documents to Code 30).

X **All Defense Exhibits –** remove classified documents (send classified documents to Code 30).

X **Sealed exhibits** (e.g. Child pornography, mental health records, contraband, etc.) placed inside a sealed manila envelope.

- A copy of the court order sealing the exhibit is affixed to the top of the sealed envelope containing the exhibit.
- The sealed envelope is labeled on the outside with a general description of the contents.
- Contraband exhibits on electronic media (e.g., child pornography) must be encrypted; the password to unencrypt the files must be sent to the NMCCA Clerk of Court via encrypted email.

X **All Appellate Exhibits –** Ensure all sealed documents are properly sealed.

X Plea Agreement

X Motions and responses

X Notice of pleas

X Notice of forum

___ Written continuance request with ruling

___ Written special findings by MJ

X Members questionnaires

X Voir dire questions submitted

X Members questions

X All findings and sentencing worksheets

X Appellate rights statement

___ Power of attorney, if any

___ Waiver of appellate review, if any

___ Any written special findings made by the military judge.

____ Other _____

X Sealed exhibits (e.g. Child pornography, mental health records, contraband, etc.) placed inside a sealed manila envelope.

- A copy of the court order sealing the exhibit is affixed to the top of the sealed envelope containing the exhibit.
- The sealed envelope is labeled on the outside with a general description of the contents.
- Contraband exhibits on electronic media (e.g., child pornography) must be encrypted; the password to unencrypt the files must be sent to the NMCCA Clerk of Court via encrypted email.
- Child pornography may only be transported by either military courier or the United States Postal Service.

____ If trial was a rehearing or new or other trial of the same case, the record of trial of the previous case(s).

X Complete the record of trial form (DD Form 490)

X Complete chronology sheet on the back of the cover of the record of trial, document and explain post-trial processing delays.

**Phase IV: Court Reporter Reviews ROT (including transcript)**

X Check administrative accuracy of all documents in the record of trial (Name, DODID, Command, dates).

- Page check: X Number of pages, 6737 Pages are sequential, X Front and back of all two-sided documents are included.
- X Validate record of trial's index sheet.
- X Ensure all attachments are copied and inserted into the record of trial copies.
- ____ Confirm compliance with requirements for National Security and classified information. R.C.M. 1112(e)(3); SECNAVINST 5510.30 (series) and SECNAVINST 5510.36 (series); JAGMAN 0126. Date completed: _____

X Review the verbatim transcript to ensure it is complete and accurate. The court reporter is ultimately responsible for ensuring the transcript does not contain any errors. A thorough review of the transcript must be performed before the transcript is included in the record of trial and before being provided to the military judge.

**Phase V: Entry of Judgment and Verification of Record by Military Judge**

____ Within 20 days of receipt of the ROT from the court reporter, the military judge must sign the Entry of Judgment and the verification of the ROT. If the military judge is not available, the circuit military judge shall sign the Entry of Judgment. Use Enclosure (6) as the template.

- Date completed: _____

____ Serve the accused and/or the defense counsel with a copy of the Entry of Judgment.

- Date completed: _____

____ Provide a copy of the Entry of Judgment to the victim, if requested by the victim or victim counsel.

- Date completed: _____

____ Provide a copy of the Entry of Judgment to the accused's commander/commanding officer.

- Date completed: _____

____ Provide a copy of the Entry of Judgment to the convening authority.

- Date completed: _____

____ Provide a copy of the Entry of Judgment to the responsible Military Criminal Investigation Organization (MCIO).

- Date completed: _____

__X__ Prepare the verification of the transcript and record of trial for the military judge's signature.

- Date received completed verbatim transcript: 17JUL2026

__X__ Provide MJ with audio record of trial and all attachments prepared in accordance with R.C.M. 1112(f) and the verbatim transcript for the military judge's verification. Refer to reference (j) for an explanation of the verification process. At this point, the record of trial and the accompanying transcript should be complete and accurate in every respect, and ready for the court reporter to certify the record of trial.

- Although statute, R.C.M. 1112, and R.C.M. 1114 do not require the military judge to review a transcript or record of trial, as a matter of policy a record of trial shall be verified by the military judge and the military judge shall include a statement on the cover of the record of trial that states the following, "This record of trial and transcript were received by the XXX Judicial Circuit on DATE and verified on DATE. I have reviewed the foregoing record of trial and accompanying transcript for completeness. I

hereby verify that this record of trial contains all of the items required under R.C.M. 1112(f), and the pleas, findings, and sentence are accurately reflected in the transcript accompanying the record of trial."

____ Military judge verifies the transcript and record of trial within 20 days of receipt.

- Date of Verification: _____

**Phase VI: Certification of Transcript and Record of Trial**

X___ Court Reporter must certify the transcript is complete and accurate. For purposes of certification of a written transcript under R.C.M. 1114, certification of a written transcript means that the court reporter attests that it is a true, accurate, and complete copy of that audio or other electronic recording of the court-martial proceeding. This following certification statement will be placed on the cover sheet of the written transcript: "I (name of person certifying the written transcript) certify that this written transcript is a true, accurate, and complete copy of the audio or other electronic recording of the court-martial proceeding in the case of (insert case name, e.g., *U.S. v. Accused*), which was held at (name of location, e.g., Naval Base San Diego), on (dates court-martial was held, e.g., 13-15 March 2019)." The court reporter who certifies a written transcript will place their signature and the date of the certification directly below the certification statement.

- Date of transcript certification by the court reporter: 17JUL2026
    - If the court reporter and/or military judge make changes to the transcript after the contracted transcriptionist certifies the transcript, it is not necessary to send the transcript back to the original contracted transcriptionist for re-certification.

X___ Prepare the certification of the record of trial for the court reporter's signature.

- A record of trial may be certified by including a statement on the cover of the record of trial that states the following, "I (name of person certifying record of trial) certify that this record of trial contains all of the items required under R.C.M. 1112(b) and (f), and the pleas, findings, and sentence are accurately reflected in the transcript accompanying the record of trial." The courter reporter, or in accordance with R.C.M. 1112, the military judge, who certifies a record of trial will place their signature and the date of the certification directly below the certification statement.

____ Court reporter certifies the record of trial. Certification of the record of trial occurs within 135 days after the completion of trial. Otherwise, the reason for delays must be appended to the Record of Trial.

- Date completed: _____

**Phase VII: Forward Certified ROT for Appellate Review**

N/A **For cases involving appeal under Article 65 –** Original certified record of trial and one redacted digital copy of certified record of trial prepared.

- The original certified record of trial and one redacted digital copy of the certified record of trial is sent to the corresponding GCMCA;
- One (1) copy is provided to the defense and/or the accused. [Only provide items listed in R.C.M. 1112(b).]
    - Replace the audio recording of the court-martial proceedings with the verbatim transcript. Ensure the transcript is properly redacted to remove all closed sessions.
    - Date Completed: _____
    - ____ Get a signed receipt of service on defense counsel and/or accused and attach receipt to record of trial (or explanation in lieu of).
- One (1) redacted copy to the victim and/or victim's legal counsel, unless victim declines to receive a copy. Only provide items listed in R.C.M. 1112(b).
    - "Victim" is defined as a person that is the victim of an offense with which the accused was charged if the victim testified during the proceedings and any victim named in a specification with which the accused was charged, upon request, without regard to the findings of the court-martial. R.C.M. 1112(e)(1)(B) and (C).
    - Replace the audio recording of the court-martial proceedings with the verbatim transcript. Ensure the transcript is properly redacted to remove all closed sessions as well as all Privacy Act information listed below.
    - ____ Ensure the record of trial provided to the victim has the following information redacted, unless it relates to the victim receiving the record of trial.
        - ____ Social Security and tax identification numbers
        - ____ Financial account numbers
        - ____ Home addresses
        - ____ Birth dates
        - ____ Personal email addresses and phone numbers
        - ____ The name of (other) minor witness(es)/victim(s)
        - ____ Any unsealed medical records
        - ____ Remove all closed sessions for other victim(s).
        - (NOTE: IF MAILED, SEND CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR OTHER MOST EXPEDITIOUS, ACCOUNTABLE METHOD. MUST HAVE A TRACKING NUMBER.)
    - Date Completed: _____

- If victim declines to receive a copy of the certified record of trial, attach that to the record of trial.

X **For all cases eligible for direct or automatic appeal under Art 66 –** Original certified record of trial including the audio record on CD or DVD shall be prepared for appellate review. All documents are scanned and saved onto a CD/DVD as well. Also include a copy of the redacted audio in the package sent for appellate review.

- The original (including any sealed exhibits or transcripts and crime reporting documents) along with a digital copy of the original record of trial saved onto a CD/DVD is sent to NAMARA (Code 40) by FedEx/UPS/USPS with tracking. No redactions. If the ROT includes CDs or DVDs that are not sealed, a copy of the CDs and DVDs shall be included with the ROT.

  Military Justice Administration Division (Code 40)
  Office of the Judge Advocate General
  1254 Charles Morris St. SE
  Building 58
  Washington Navy Yard, DC 20374-5124
- Date Completed: _____

____ Within 5 days of certification of any general or special court-martial (conviction or acquittal), digital copy of the unredacted record of trial is uploaded to the Code 40 SharePoint or provided via a CD/DVD, if uploading to SharePoint is not practicable.

- Date Completed: _____
- Upload as a separate file an unredacted copy of the Appellate Rights Form and Special Power of Attorney to be used by Appellate Defense. The accused's contact information on the form is essential to the Appellate Defense Counsel.
- One (1) digital redacted copy is sent to SJA/CA;
  - Date Completed: _____
- One (1) copy is provided to the defense counsel and/or the accused. Only provide items listed in R.C.M. 1112(b).
  - Replace the audio recording of the court-martial proceedings with the verbatim transcript. Ensure the transcript is properly redacted to remove all closed sessions.
  - Date Completed: _____
  - ____ Get a signed receipt of service on defense counsel and/or accused and attach receipt to record of trial (or explanation in lieu of).
- One (1) redacted copy is provided to the victim and/or victim legal counsel, unless victim declines to receive a copy. Only provide items listed in R.C.M. 1112(b).

- "Victim" is defined as a person that is the victim of an offense with which the accused was charged if the victim testified during the proceedings and any victim named in a specification with which the accused was charged without regard to the findings of the court-martial. R.C.M. 1112(e)(1)(B) and (C).
- Replace the audio recording of the court-martial proceedings with the verbatim transcript. Ensure the transcript is properly redacted to remove all closed sessions as well as all Privacy Act information listed below.
- ____ Ensure the record of trial provided to the victim has the following information redacted in accordance with JAGINST 5800.7G section 0159b, *unless it relates to the victim receiving the record of trial.*
  - ____ Social Security and tax identification numbers
  - ____ Financial account numbers
  - ____ Home addresses
  - ____ Birth dates
  - ____ Personal email addresses and phone numbers
  - ____ The name of (other) minor witness(es)/victim(s)
  - ____ Any unsealed medical records
  - ____ Remove all closed sessions for other victim(s)
  - (NOTE: IF MAILED, SEND CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR OTHER MOST EXPEDITIOUS, ACCOUNTABLE METHOD. MUST HAVE A TRACKING NUMBER.)
- Date Completed: _____
- If victim declines to receive a copy of the certified record of trial, attach copy of declination to the record of trial.

____ Prepare appropriate service record entries.

____ Retain copy of the certified record of trial. (Note: All documents will be retained until two years after the Completion of Appellate Review (NOCAR) is promulgated.)

____ Include with record of trial appellate court directives (i.e., orders to conduct a rehearing, supplemental orders, etc.).

____ Confirm compliance with requirements for National Security and classified information. R.C.M. 1112(e)(3)(A)); SECNAVINST 5510.30 (series); SECNAVINST 5510.36 (series); and JAGMAN 0126.

**For courts-martial resulting in a full acquittal**

____ Create a summarized report in accordance with reference (i). A verbatim transcript is not required in full acquittals.

____ Prior to inserting the summarized report into the record of trial, the court reporter must certify the summarized report. The following certification statement will be placed on the cover sheet of the summarized report: "I (name of court reporter) certify that this summarized report is a true, accurate, and complete summary of the audio or other electronic recording of the court-martial proceeding in the case of (insert case name, e.g., *U.S. v. Accused*), which was held at (name of location, e.g., Naval Base San Diego), on (dates court-martial was held, e.g., 13-15 March 2019)." The court reporter who certifies the summarized report will place their signature and the date of the certification directly below the certification statement.

- Date of summarized report certification by the court reporter: _____

____ Create one copy of the certified record of trial that includes the following:

____ Insert charge sheet in record of trial. (Confirm all supplemental pages are attached, front and back.)

____ Insert convening order in record of trial. (If it is a copy, ensure it is certified true.)

____ Insert amending orders, if any. (If it is a copy, ensure it is certified true.)

____ Insert a copy of the request, if any, for trial by military judge alone.

____ Insert a copy of the accused's election of trial by enlisted members.

____ Insert any statement by the convening authority pursuant to R.C.M. 503(a)(2) (why cannot comply with request for enlisted members).

____ Audio Recording of entire court proceedings except sessions closed for deliberations and voting.

____ Summarized Report of court-martial proceedings.

____ All Appellate Exhibits – Ensure all sealed documents are properly sealed.

____ Motions and responses

____ Notice of pleas

____ Notice of forum

____ Written continuance request with ruling

____ Written special findings by military judge

____ Members questionnaires

____ Voir dire questions submitted

____ Members questions

____ All findings worksheets

____ Power of attorney, if any

____ Other _____

____ All Prosecution Exhibits – remove classified documents (send classified documents to Code 30).

____ All Defense Exhibits – remove classified documents (send classified documents to Code 30).

____ Insert Statement of Trial Results.

____ Insert Entry of Judgement.

- ____ Verify information is accurate.
- ____ Compare to Statement of Trial Results.
- ____ Distribute the Entry of Judgment to the following:
  - ____ The accused and/or defense counsel
  - ____ A crime victim or victim counsel, upon request
  - ____ The accused's commander/commanding officer
  - ____ The convening authority

____ Prepare the certification of the record of trial for the court reporter's signature.

- A record of trial may be certified by including a statement on the cover of the record of trial that states the following, "I (name of person certifying record of trial) certify that this record of trial contains all of the items required under R.C.M. 1112(b), and the pleas, findings, and sentence are accurately reflected in the transcript accompanying the record of trial." The courter reporter, or in accordance with R.C.M. 1112, the military judge in the court reporter's absence, who certifies a record of trial will place their signature and the date of the certification directly below the certification statement.
- Certification of the record of trial occurs within 135 days after the completion of trial. Otherwise, reason for delays must be appended to the record of trial.

____ Court reporter certifies the record of trial.

- Date completed: _____

____ Distribute the certified record of trial as follows:

- The original (including any sealed exhibits or transcripts and crime reporting documents) along with a digital copy of the original record of trial saved onto a CD/DVD is sent to NAMARA (Code 40) by FedEx/UPS/USPS with tracking. No redactions. If the ROT includes CDs or DVDs that are not sealed, three copies of the CDs and DVDs shall be included with the ROT.

  Military Justice Administration Division (Code 40)
  Office of the Judge Advocate General
  1254 Charles Morris St. SE
  Building 58
  Washington Navy Yard, DC 20374-5124
- Date Completed: _____
- One (1) redacted copy is provided to the defense and/or the accused. Only provide items listed in R.C.M. 1112(b).
  - Remove the audio recording of the court-martial proceedings and replace it with the summarized report.
  - Redact in accordance with JAGINST 5800.7G section 0159b.
  - Date Completed: _____
  - ____ Get a signed receipt of service on defense counsel and/or accused and attach receipt to record of trial (or explanation in lieu of).
- One (1) redacted copy to the victim and/or victim's counsel, unless victim declines to receive a copy. Only provide items listed in R.C.M. 1112(b).
  - "Victim" is defined as a person that is the victim of an offense with which the accused was charged if the victim testified during the proceedings and any victim named in a specification with which the accused was charged, upon request, without regard to the findings of the court-martial. R.C.M. 1112(e)(1)(B) and (C).
  - ____ Ensure the record of trial provided to the victim has the following information redacted in accordance with JAGINST 5800.7G section 0159b, unless it relates to the victim receiving the record of trial:
    - ____ Social Security and tax identification numbers
    - ____ Financial account numbers
    - ____ Home addresses
    - ____ Birth dates
    - ____ Personal email addresses and phone numbers
    - ____ The name of (other) minor witness(es)/victim(s)

- ____ Any unsealed medical records
- ____ Remove all closed sessions for other victim(s)
- (NOTE: IF MAILED, SEND CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR OTHER MOST EXPEDITIOUS, ACCOUNTABLE METHOD. MUST HAVE A TRACKING NUMBER.)

- Remove the audio recording of the court-martial proceedings and replace it with the summarized report.
- Date completed: _____
- If victim declines to receive a copy of the certified record of trial, attach copy of declination to the record of trial.

**CONVENING AUTHORITY'S ACTION CHECKLIST**

*ICO* CS3 Jermiah Copeland

**Procedures:** If a case was referred to trial on or after 1 January 2019, the post-trial procedures contained in this checklist and Articles 60a and 60b, as well as R.C.M. 1109 and 1110 will be used. In a case that was referred to trial before 1 January 2019 or if there is a finding of guilt for an offense that occurred before 1 January 2019, this checklist is not applicable, and the post-trial procedures (to include the requirement for SJA recommendations (SJAR)) contained in R.C.M. 1107, MCM (2016 ed.) will be used.

**Note:** "Victim" includes a victim, crime victim representative, or designee as defined in R.C.M. 1106A.

**Clemency Power:** The convening authority's power to grant clemency is based on the date of the earliest offense of which the accused was convicted.

(1) If a case was referred to trial on or after 1 January 2019, the following convening authority (CA) action procedures apply:

(a) If all of the offenses of which the accused was convicted occurred **after** 1 January 2019, the post-trial procedures contained in this instruction, in Articles 60a and 60b, UCMJ, 10 U.S.C. §§ 860a, 860b (eff. Jan. 1, 2019), and in R.C.M. 1109 and 1110, of reference (b), and section 0153 of reference (c) shall apply.

(b) If the accused is convicted of any offense that occurred **before** 1 January 2019, but **on or after** 24 June 2014, the clemency authority described in Article 60, UCMJ (as amended by the FY14 and FY15 NDAAs) and R.C.M. 1107, MCM (2016 ed.), will apply, and the post-trial procedures contained in this instruction and all enclosures shall be utilized. An SJAR will be created in these cases.

(c) In a case in which the accused is convicted of any offense that occurred **before** 24 June 2014, the clemency authority described in Article 60, UCMJ (2012), will apply, and the post-trial procedures contained in this instruction and all enclosures shall be utilized. An SJAR will not be created in these cases.

(d) The CA's suspension authority outlined in Article 60a(c) applies regardless of the date of any conviction, even if the operative version of Article 60 does not permit such suspension.

(e) Regardless of which version of clemency authority applies (see above), and even if the CA decides to take no action, the SJA will ensure that the CA complies with the requirements of R.C.M. 1109(g) and the action is documented using enclosure (6).

(f) Prior to taking any action on a case, the SJA must complete the below checklist and ensure the CA reviews all matters submitted under R.C.M. 1106 and 1106A. When the

checklist is complete, the SJA must provide it to the Post-Trial Processing Department or Review Shop for inclusion in the Record of Trial.

(2) In cases referred to trial before 1 January 2019, this instruction does not apply (use JAG/CNLSCINSTRUCTION 5814.1B). Also apply the Article 60 provisions in place at the time of the ***earliest*** offense resulting in a guilty finding (to include the requirement for SJA recommendations) and the post-trial procedures contained in R.C.M. 1107, MCM (2016 ed.). In a case in which the accused is convicted of an offense that occurred **before** 24 June 2014, the clemency authority described in R.C.M. 1107, MCM 2012 shall apply.

(3) The following procedures must be performed by the Staff Judge Advocate or Convening Authority prior to taking action in a case:

✓ Obtain any matters submitted by the accused and/or the victim.

✓ Accused and victim have 10 days from the date the sentence is adjudged to submit matters. However, the accused and/or victim may request an extension of up to 20 days to submit matters if good cause is shown. R.C.M. 1106 and R.C.M. 1106A.

✓ If a victim submits matters for the CA's consideration, provide a copy of those matters to the accused or detailed counsel. R.C.M. 1106A.

✓ If a victim submits matters for the CA's consideration, the accused has an additional 5 days to respond to those matters. R.C.M. 1106.

✓ Obtain a copy of the court-martial trial proceedings (either recording or transcript) and, unless sealed, copies of the evidence admitted at the court-martial and appellate exhibits.

***If CA would like to review sealed or classified evidence in order to complete the post-trial process, a formal request to review such sealed/classified evidence must be submitted to the Military Judge presiding over the court-martial.

✓ Action shall not be taken earlier than 10 days after the announcement of the sentence adjudged, unless the accused and victim both waive their right to submit matters before 10 days.

✓ Action states:

✓ The action taken or if no action is taken, so state. If the CA believes action is appropriate, he or she must either: (1) adjust the findings if allowed by Article 60a, UCMJ, and/or the sentence pursuant to R.C.M. 1109, or (2) take no action, and state "no action taken."

✓ Written explanation for the action taken when there is a mandatory minimum punishment or offenses for which the maximum sentence to confinement that may

be adjudged exceeds two years, or offenses where the adjudged sentence includes a punitive discharge (Dismissal, DD, BCD) or confinement for more than six months, or a violation of Art. 120(a) or 120(b) or 120b. *See* R.C.M. 1109.

N/A Address specific action with regard to findings, if applicable.

N/A Rehearing on findings ordered.

N/A If rehearing or new trial ordered, reasons for disapproval.

N/A If no rehearing ordered on disapproved charges and specifications, statement of dismissal included.

N/A If "other" trial ordered, basis for declaring the proceedings invalid stated.

N/A If a portion of the sentence is to be suspended, indicate the terms of the suspension in the CA's Action.

N/A Draft a letter of reprimand, if adjudged, and attach it to the CA's Action for service on the accused.

N/A Must be signed by the CA with authority to sign or the CA's delegate to sign with verbal approval of the CA, subsequently memorialized in writing, in accordance with JAGMAN 0153a.(6). No "by direction" authorized. If signed by an acting CA, ensure the signature block notes acting status and that the letter designating said individual as acting is attached to the record of trial.

N/A If signed by a substitute CA, acting pursuant to a specific request that is in compliance with R.C.M. 1109(d) and JAGMAN 0153c action notes as such. (Attach documentation of reasons for substitute CA to record of trial – *U.S. v. Brown,* 57 M.J. 623 N-M. Ct. Crim. App. (2002)).

N/A If action on rehearing or new trial, comply with limitations of R.C.M. 810.

**Not Guilty by Lack of Mental Responsibility**

N/A If accused is found not guilty by lack of mental responsibility, the Military Judge will conduct a hearing. Prior to that hearing, the military judge or CA must order a psychiatric or psychological examination of the accused and the report must be provided to the military judge.

N/A The CA may commit the accused pending an R.C.M. 1105 hearing.

N/A If the judge finds the accused has met the standards set forth in R.C.M. 1105(c)(3), the accused shall be released.

N/A If the judge finds the accused has not met the standards set forth in R.C.M. 1105(c)(3), the CA must turn the accused over to the Attorney General.

N/A If the judge finds the accused is not guilty by lack of mental responsibility ensure the RLSO or Law Center submitted the STR along with the accused's full name, including full middle name, and date of birth to NCIS via email at nicssubmission@ncis.navy.mil (for Navy cases) and usmccid@ncis.navy.mil (for Marine Corps cases).

**Crime Reporting Requirements**

✓ Review the Statement of Trial Results and determine whether any additional crime reporting requirements are triggered under references (d) through (g).

✓ Gun Control Act of 1968 Reporting Requirements. If applicable, ensure the RLSO or Law Center submitted the STR along with the accused's full name, including full middle name, and date of birth to NCIS via email at nicssubmission@ncis.navy.mil (for Navy cases) and usmccid@ncis.navy.mil (for Marine Corps cases).

✓ Sex Offender Notification Requirements. If applicable, ensure the RLSO or Law Center submitted DD Form 2791 to NCIS at cjidservices@ncis.navy.mil and the U.S. Marshals Service (USMS) National Sex Offender Targeting Center (NSOTC) at iod.nsotc@usdoj.gov. See enclosure (2) for detailed information regarding this requirement.

**Service of CA's Action**

✓ Upon completion, provide the CA's Action to the Post-Trial Processing Department or Review Shop for delivery to the military judge, the accused or defense counsel and the victim or victims' legal counsel.



# POST-TRIAL DOCUMENTS

# POST-TRIAL ACTION

## SECTION A - STAFF JUDGE ADVOCATE REVIEW

| 1. NAME OF ACCUSED (LAST, FIRST, MI) | 2. PAYGRADE/RANK | 3. DoD ID NUMBER |
|---|---|---|
| COPELAND, Jermiah, T | E4 | [redacted] |

| 4. UNIT OR ORGANIZATION | 5. CURRENT ENLISTMENT | 6. TERM |
|---|---|---|
| USS JAMES E. WILLIAMS | 13 Jul 2023 | 4 Years |

| 7. CONVENING AUTHORITY (UNIT/ORGANIZATION) | 8. COURT-MARTIAL TYPE | 9. COMPOSITION | 10. DATE SENTENCE ADJUDGED |
|---|---|---|---|
| Commander, Navy Region Mid-Atlantic | General | Judge Alone | 6/9/26 |

### Post-Trial Matters to Consider

| | | |
|---|---|---|
| 11. Has the accused made a request for deferment of reduction in grade? | (•) Yes | ( ) No |
| 12. Has the accused made a request for deferment of confinement? | ( ) Yes | (•) No |
| 13. Has the accused made a request for deferment of adjudged forfeitures? | ( ) Yes | (•) No |
| 14. Has the accused made a request for deferment of automatic forfeitures? | (•) Yes | ( ) No |
| 15. Has the accused made a request for waiver of automatic forfeitures? | (•) Yes | ( ) No |
| 16. Has the accused submitted necessary information for transferring forfeitures for benefit of dependents? | ( ) Yes | (•) No |
| 17. Has the accused submitted matters for convening authority's review? | (•) Yes | ( ) No |
| 18. Has the victim(s) submitted matters for convening authority's review? | (•) Yes | ( ) No |
| 19. Has the accused submitted any rebuttal matters? | ( ) Yes | (•) No |
| 20. Has the military judge made a suspension or clemency recommendation? | ( ) Yes | (•) No |
| 21. Has the trial counsel made a recommendation to suspend any part of the sentence? | ( ) Yes | (•) No |
| 22. Did the court-martial sentence the accused to a reprimand issued by the convening authority? | ( ) Yes | (•) No |

23. Summary of Clemency/Deferment Requested by Accused and/or Crime Victim, if applicable.

-There are three victims in this case. On 30 June 2026, Mrs. Castle, mother of A.R. submitted clemency requesting that I approve the sentence that was adjudged, and consistent with the plea agreement.

- On 17 June 2026, CS3 Copeland, through counsel, submitted clemency requesting that I suspend his reduction in paygrade, defer and waive the automatic reduction to E-1 and automatic forfeitures to allow his pay and allowances to go to his mother in support of his son until the date of entry of judgment and that reduction to E-1 and automatic forfeitures be waived for a period of six months after the date of entry of judgment.

| 24. Convening Authority Name/Title | 25. SJA Name |
|---|---|
| RADM S. D. BARNETT, Commander, Navy Region Mid-Atlantic | CDR Roni Beasley-Ledet, JAGC, USN |

| 26. SJA signature | 27. Date |
|---|---|
| [redacted] | 26 Aug 26 |

Convening Authority's Action and Entry of Judgment

## SECTION B - CONVENING AUTHORITY ACTION

28. Having reviewed all matters submitted by the accused and the victim(s) pursuant to R.C.M. 1106/1106A, and after being advised by the staff judge advocate or legal officer, I take the following action in this case: [If deferring or waiving any punishment, indicate the date the deferment/waiver will end. Attach signed reprimand if applicable. Indicate what action, if any, taken on suspension recommendation(s) or clemency recommendations from the judge.]

1. Sentence Adjudged. On 9 June 2026, Culinary Specialist Third Class Jermiah T. Copeland, USN, was sentenced to 528 months confinement, reduction to E-1, total forfeitures of pay and allowances, and a Dishonorable Discharge.
2. Action. In the case of United States v. Culinary Specialist Petty Officer Third Class Jermiah T. Copeland, USN, the sentence is approved. In accordance with R.C.M. 1109(b) no action on findings.
3. Pretrial Confinement Credit. 365 Days
4. Initial Place of Confinement. Naval Consolidated Brig Chesapeake
5. Companion Cases. None.
6. Statutory Requirements. Sex offender registration is required in accordance with 10 U.S.C. § 20901, appendix 4 to enclosure 2 of DoDI 1325.07, or DoDI 5525.20. DNA collection and submission is required in accordance with 10 U.S.C. § 1565 and DoDI 5505.14. This case triggers a firearm possession prohibition in accordance with 18 U.S.C § 922.
7. Requests for Deferral and Waiver. Yes.
8. Matters Considered. In taking this action, I have considered Office of Special Trial Counsel's (OSTC) Agreement dtd 4 May 2026. I have also considered the Statement of Trial Results dtd 9 June 2026, and defense counsel's clemency request dtd 17 June 2026. After careful consideration, I deny the accused's request to defer imposition of automatic reduction to E-1, and automatic forfeiture until the entry of judgment. In making my decision, I have considered the factors outlined in R.C.M. 1103(d)(2), and I have determined that the sentence is appropriate based on the crime that was committed.

29. Convening authority's written explanation of the reasons for taking action on offenses with mandatory minimum punishments or offenses for which the maximum sentence to confinement that may be adjudged exceeds two years, or offenses where the adjudged sentence includes a punitive discharge (Dismissal, DD, BCD) or confinement for more than six months, or a violation of Art. 120(a) or 120(b) or 120b:

| 30. Convening Authority's signature | 31. Date |
|---|---|
| [redacted] | 26A0626 |

32. Date convening authority action was forwarded to PTPD or Review Shop.

Convening Authority's Action and Entry of Judgment

# APPELLATE AND POST-TRIAL RIGHTS AND POST-TRIAL ADMINISTRATIVE PROCESSING

Rule for Courts-Martial (R.C.M.) 1010 requires your defense counsel to advise you on your post-trial and appellate rights. You may also request that the military judge explain all or any portion of your appellate rights in open court prior to adjournment of your court-martial.

Access to the Court-Martial Record

Pursuant to R.C.M. 1106(c), upon adjournment of your court-martial, you have the right to request a copy of the recording of all open sessions of the court-martial and a copy of, or access to, the evidence admitted at the court-martial, and a copy of the appellate exhibits. You may request the recording, evidence, and exhibits be provided to you or your counsel. Neither you nor your counsel will be provided access to sealed or classified court-martial material or recordings unless authorized by R.C.M. 1106 or R.C.M. 1113. You may use the materials provided to prepare matters for consideration by the Convening Authority (CA) and in any appeal for which you may be eligible.

Submission of Matters to the Convening Authority

Pursuant to Article 38(c), Uniform Code of Military Justice (UCMJ), and R.C.M. 1106, within 10 calendar days after the announcement of the sentence, you have the right to submit matters to the CA before that officer takes action on your case. If you elect to submit matters, you must do so within 10 calendar days after the announcement of the sentence. The CA may extend this for not more than an additional 20 calendar days for good cause shown. Your defense counsel will normally compile and submit the matters on your behalf in consultation with you. Failure to submit matters within the time prescribed waives the right to submit additional matters later. If a crime victim submits matters for the CA's consideration, you will be given 5 calendar days from receipt of those matters to submit a rebuttal to those matters. You may not seek an extension of time to submit a rebuttal to matters submitted by a crime victim. In either submission, you are prohibited from including matters that relate to the character of a crime victim unless such matters were admitted as evidence at trial.

Possible Action by the Convening Authority

a. The CA has authority to act only in certain cases. For cases involving convictions for offenses committed after 1 January 2019, under Article 60a, UCMJ, and R.C.M. 1109 the CA *cannot* act on the *findings* if any of the following applies:

- you have been convicted of a sexual offense listed in Articles 120(a), 120(b) or 120b, UCMJ;

- the *authorized maximum confinement* for any *offense* of which you have been convicted exceeds two years, regardless of the court's jurisdictional maximum;
- the *adjudged sentence* includes a punitive discharge (Dismissal, Bad Conduct Discharge, or Dishonorable Discharge); or
- the *adjudged confinement* is more than six months.

In those cases, the CA may take action on the *sentence* only as provided in R.C.M. 1109(c).

b. In all other cases involving convictions for offenses committed after 1 January 2019, the CA may, but is not required to, take action on the findings and sentence and grant clemency within the limits of Articles 60a or 60b, UCMJ, and R.C.M. 1109 or 1110. In those cases, the CA may take:

- no action;
- action on the findings, if allowed by law; or
- action on the sentence, if allowed by law.

c. In any case involving a conviction for an offense committed before 1 January 2019, the CA may take action on either the findings of guilty or sentence adjudged within the limits of Article 60, UCMJ, that was in effect at the time of the earliest offense for which you were convicted. The action to be taken on the findings and sentence may be limited by Article 60, UCMJ, depending on the date of the offense, the type of offense, the maximum punishment of the offense, the recommendation of the trial counsel, the existence of a pretrial agreement, and the punishment awarded. When authorized to act, the CA possesses the sole discretion to approve, disapprove, commute, or suspend the sentence in whole or in part; set aside a finding of guilty; order a rehearing on a finding of guilty; or approve a lesser included offense of a finding of guilty.

d. If the CA has the power to approve, disapprove, commute, or suspend the sentence in whole or in part, set aside a finding of guilty, order a rehearing on a finding of guilty, or approve a lesser included offense of a finding of guilty, that decision is within the sole discretion of the CA. The CA may suspend a sentence in certain cases when recommended by a military judge or by the trial counsel. The CA is not required to review the case for legal errors or factual sufficiency, but may order a rehearing only in the circumstances provided for in Article 60b, UCMJ.

**In the post-trial process, the CA and the Military Judge may never increase the severity of the sentence and are not empowered to reverse a finding of not guilty.**

## APPELLATE AND POST-TRIAL RIGHTS AND POST-TRIAL ADMINISTRATIVE PROCESSING

Entry of Judgment

Pursuant to Article 60c, UCMJ, and R.C.M. 1111, the military judge will complete the Entry of Judgment (EOJ) and attach it to the record of trial. The EOJ reflects the result of your court-martial, including the UCMJ Article and subsection violated, nature and date of the offense, as well as the results of the CA's action. The EOJ will include the final sentence, which will account for any modifications made by the CA during the post-trial review process or any post-trial ruling, order, or other determination by the military judge. The EOJ will also include the total amount of sentence credit, if any, to be applied to a sentence as of the date of the EOJ. The EOJ terminates the court-martial at the trial level, ends any period of deferment, and initiates the post-trial review process. A copy of the EOJ will be provided to you or your defense counsel according to your election below.

Certified Record of Trial

Pursuant to Article 54, UCMJ, and R.C.M. 1112(b), the certified record of trial (ROT) is comprised of an audio recording of all open sessions, all evidence admitted, and all appellate exhibits. A copy of the certified ROT will be assembled and provided to either you or your defense counsel, according to your election below. Recordings and exhibits that are sealed or contain classified materials will not be provided to you. Should you need to review those materials, you or your defense counsel must submit a request pursuant to R.C.M. 1106 or R.C.M. 1113.

Appellate and Post-Trial Review

a. **Automatic Review.** Pursuant to Article 65(b)(1), UCMJ, if your sentence includes death, dismissal, a punitive discharge or confinement for two years or more, the ROT will be forwarded to the Navy-Marine Corps Court of Criminal Appeals (NMCCA) for review under Article 66(b)(3), UCMJ. The ROT will also be forwarded to an appellate defense counsel who shall be detailed to review your case and, upon your request, represent you before the NMCCA.

b. **Direct Appeal Review.** Pursuant to Article 65(b)(2), UCMJ, if your case is eligible for direct appeal review under Article 66(b)(1), UCMJ, you may request in writing the representation of appellate defense counsel who will review the ROT and be available to represent you before the NMCCA. Pursuant to Article 66(b)(1)(A), if your sentence is not subject to automatic review, you may file an appeal to have the NMCCA review your case. Under Article 66(b)(1), UCMJ, this appeal must be timely. Article 66(c), UCMJ, provides that an appeal is timely if filed before the later of: (1) the end of the 90-day period beginning on the date you are provided notice of your right to appeal in accordance with Article 65(c)(1), or (2) the date set by the NMCCA by rule or order. With respect to an appeal submitted to the NMCCA for review, the scope of review is limited to the findings and sentence

as entered into the record. Upon a specific showing by you that there was a deficiency of proof, the NMCCA may also consider whether the findings are correct in fact. The NMCCA has the authority to set aside findings, set aside the sentence, modify the sentence to a lesser sentence, affirm a lesser-included offense, order or allow additional proceedings, and/or order that the charges be dismissed.

c. **Review beyond NMCCA.** Pursuant to Article 67(a), UCMJ, after completion of NMCCA review, upon your request or that of the Judge Advocate General (JAG), the Court of Appeals for the Armed Forces (CAAF) may review your case. You may petition the CAAF within 60 days from the earlier of (1) the date you are notified of the NMCCA's decision, or (2) the date on which a copy of the NMCCA decision is deposited in the mail for delivery to you. CAAF review of your petition is discretionary in non-death penalty cases and, if it grants your petition, CAAF may act only with respect to the findings and sentence as entered into judgment and as affirmed or set aside as incorrect in law by the NMCCA. Under Article 67a, UCMJ, you may petition the Supreme Court of the United States following a decision by CAAF.

d. **Review by a Judge Advocate**. If your case is not subject to automatic review by the NMCCA and you do not seek direct appeal review, a judge advocate will review your case in accordance with Article 65(d), UCMJ. The review is limited to whether the court had jurisdiction over you and the offense; whether the charge and specification stated an offense; and whether the sentence was within the limits prescribed by law. You may also submit written allegations of error for review. Relief recommended by this review is forwarded to the JAG for consideration, who may set aside the findings or sentence, in whole or in part.

e. **Waiver of Appellate Review**. You may waive your right to appellate review if your case qualifies for automatic review, or you may withdraw your case from appellate review at a later time. **This is a significant decision and you should fully understand your appellate rights and the implications of a waiver before you forego appellate review.** You have the right to the advice and assistance of counsel in exercising or deciding to waive your appellate rights. This may include the assistance of an appellate defense counsel in coordination with your trial defense counsel. If you submit a waiver or withdraw from the appellate review process or if you do not file an appeal in a direct-appeal case, your case will be reviewed under Article 65(d)(3), UCMJ. The review is limited to whether the court had jurisdiction over you and the offense; whether the charge and specification stated an offense; and whether the sentence was within the limits prescribed by law.

f. **Review by the JAG**. Under Article 69, UCMJ, within one year after the end of the 90-day period beginning on the date you are provided your appellate rights pursuant to Article 65(c), UCMJ, the JAG may review your application to

send your case to the NMCCA. In the event that you submit a waiver or withdrawal of appellate review under Article 61, UCMJ, before being provided notice of these rights, your application must be submitted to the JAG no later than one year after the entry of judgment under Article 60c, UCMJ. The JAG may extend the period of submission, for good cause shown, but may not consider an application submitted more than three years after the end of the applicable submission period. The scope of review is limited to whether your withdrawal or waiver of appellate review was invalid under the law. If the JAG determines that it was invalid, he or she will send your case to the NMCCA for review under Article 66, UCMJ.

Right to Counsel

a. **Post-trial Matters**. It is your trial defense counsel's responsibility to represent you through the post-trial process. Your trial defense counsel is responsible for examining the Statement of Trial Results, the findings, the sentence, the CA's Action, and the EOJ for errors or legal insufficiency. It is your trial defense counsel's obligation to advise and assist you in preparing and submitting post-trial matters or motions, if applicable, to the military judge before the EOJ, or to correct the EOJ within five days after it is provided to you.

b. **Article 65(d), UCMJ**. If your case is not subject to automatic review and you do not seek direct appeal review of your case at the NMCCA, your trial defense counsel will continue to represent you through the Article 65(d), UCMJ, review process. Your trial defense counsel will also represent you through a subsequent Article 69, UCMJ, review, subject to such review's limitations discussed above if you elect this additional review.

c. **Appellate Defense Counsel**. If your case is subject to automatic review by the NMCCA or you seek direct appeal review, you have the right to a military appellate defense counsel to represent you at no cost. Detailed appellate defense counsel represent you on appeals before the NMCCA, the CAAF, and the Supreme Court of the United States.

- Special Power of Attorney. If you wish to be represented by a military appellate defense counsel before the NMCCA, the CAAF, or the Supreme Court you may sign a special power of attorney, which authorizes a detailed military appellate defense counsel to take actions on your behalf during the appellate review process. The original, signed special power of attorney must be notarized and attached to the original record of trial. If you do not sign the special power of attorney now, you do not waive the right to a military appellate defense counsel at a later date.

## APPELLATE AND POST-TRIAL RIGHTS AND POST-TRIAL ADMINISTRATIVE PROCESSING

- How to Contact Appellate Defense Counsel. If you qualify for appellate representation and have not been contacted by your military appellate defense attorney 120 days after the conclusion of your trial, you may contact the Navy-Marine Corps Appellate Defense Division at 1-202-685-7290 or 1-800-688-4613. It is your responsibility to affirmatively provide updated contact information to your appellate defense counsel throughout the appellate process. This is critical to ensuring an appellate defense counsel can form the necessary attorney-client relationship and contact you regarding your case.

- Military Appellate Defense Counsel will Contact You. The Navy and Marine Appellate Review Activity (NAMARA) will make reasonable efforts to contact you when your case is ready for appellate review. **Should NAMARA be unable to contact you and if you elected not to sign the special power of attorney,** the NMCCA will conduct the automatic review of your case under Article 66(b)(3) without input from you. No appellate attorney at NAMARA will be able to appeal the NMCCA's decision to the CAAF unless you authorize an appellate attorney to represent you at that point. For more information on appellate defense counsel visit http://www.jag.navy.mil/organization/code_45.htm.

- Civilian Appellate Defense Counsel. If you wish, you may hire a civilian attorney at no expense to the government to represent you throughout the post-trial and appellate processes.

Petition for New Trial

a. At any time within three years after the date of the EOJ, you may petition for a new trial on the ground of newly discovered evidence or fraud on the court-martial pursuant to Article 73, UCMJ, and R.C.M. 1210.

b. A petition for a new trial on the basis of fraud on the court-martial must demonstrate how the fraud had a substantial contributing effect on a finding of guilty or the sentence adjudged.

c. A petition for a new trial on the ground of newly discovered evidence will only be granted if: (1) the evidence was discovered after the trial; (2) the evidence would not have been discovered by you or your defense counsel during your trial if you or your counsel exercised due diligence; and (3) the newly discovered evidence, if it had been considered by the trial court, in light of all other pertinent evidence, would probably produce a substantially more favorable result for you. You may not submit a petition for a new trial on the basis of newly discovered evidence if you pleaded guilty.

## APPELLATE AND POST-TRIAL RIGHTS AND POST-TRIAL ADMINISTRATIVE PROCESSING

Post-Trial Processing and Notifications

a. **Effective Date of Sentence.** Pursuant to Article 57(a) and R.C.M. 1102(b), automatic and adjudged forfeitures and adjudged reduction in rank, take effect 14 days after the sentence is announced. Automatic reduction in rank takes effect upon EOJ. Pursuant to Article 57(b) and R.C.M. 1103, you may request that the CA defer service of a sentence to confinement, forfeitures, or reduction in rank until the EOJ.

b. **Automatic Forfeitures.** If the adjudged sentence includes either (1) confinement for more than six months or death, or (2) confinement for any period and a punitive discharge, Article 58b, UCMJ, requires the automatic imposition of forfeiture of all pay and allowances at a general court-martial or 2/3 pay at a special court-martial during the period of confinement. This applies regardless of whether the sentence is suspended. If you have dependents, pursuant to Article 58b(b), you may apply to the CA to waive automatic forfeitures, to be paid to your dependents for a period of up to six months. You must establish an allotment in order for your dependents to receive any waived pay and allowances. If you are held in confinement beyond your End of Active Obligated Service date, you or your dependents will not receive any pay or allowances by operation of law.

c. **Automatic Reduction in Pay Grade.** Automatic reduction to the lowest enlisted pay grade by operation of Article 58a, UCMJ, will be effected in the Naval service in the following manner:

- For any conviction for an offense committed before 1 January 2019, reduction to the lowest enlisted pay grade will be automatically effected only when the sentence as approved by the CA includes, whether or not suspended, either: (1) a dishonorable or bad-conduct discharge, or (2) confinement in excess of 90 days if the sentence is awarded in days, or in excess of 3 months if the sentence is awarded in months or years. This automatic reduction in rank goes into effect on the date of the convening authority's action.

- Automatic reduction in pay grade is not authorized in any conviction for an offense committed on or after 1 January 2019 and before 28 July 2023.

- For any conviction for an offense committed on or after 28 July 2023, reduction to the lowest enlisted pay grade will be automatically effected for any sentence that includes: (1) a dishonorable or bad-conduct discharge; or (2) confinement in excess of 90 days if the sentence is awarded in days, or in excess of 3 months if the sentence is awarded in months or years. This automatic reduction in rank goes into effect upon EOJ.

d. **Vacation of Suspended Sentences.** If you commit misconduct after the date of trial but before completing any period of suspension established by your plea

agreement or the period of suspension recommended by the military judge or the trial counsel, or if you violate any of the conditions of suspension stated in your plea agreement during this time period, the CA may vacate any periods of suspension in accordance with R.C.M. 1108. If that occurs, any previously suspended portion of your sentence could be imposed upon you.

e. **Appellate Leave**. If your sentence includes an unsuspended punitive discharge, you may be placed on appellate leave in a no-pay status under the provisions of Article 76a, UCMJ, notwithstanding any provision regarding forfeitures or fines in any plea agreement. A service member placed in an appellate leave status will normally not receive any pay or allowances. Receipt of pay and/or allowances while in an appellate leave status will depend on the amount of accrued leave you have accumulated, request to use, and receive command approval to use, and on the sentence awarded by this court-martial. You will remain a member of the Armed Forces while in an appellate leave status and subject to military jurisdiction.

f. **Administrative Separation**. As a result of being found guilty, you may be processed for administrative discharge from the United States Navy or United States Marine Corps, as applicable. An administrative discharge could result in an Other-Than-Honorable characterization of service, unless otherwise limited in a plea agreement (as permitted by Service policy), even if part or all of the sentence, including a punitive discharge, is suspended for any reason.

Acknowledgment

By signing the document below, you acknowledge the following: (1) that prior to adjournment of your court-martial, you were provided with the above written advice; (2) that you have read and understand your post-trial and appellate rights; and (3) that you discussed your rights with your defense counsel prior to signing this form.

[redacted]

Amanda Serfess
LCDR
U.S. Navy
Detailed Defense Counsel

Jermiah T. Copeland
CS3
U.S. Navy
Accused

[redacted]

Clifton Morgan
LCDR
U.S. Navy
Detailed Defense Counsel

Todd Mihill
LCDR
U.S. Coast Guard
Detailed Defense Counsel

## APPELLATE AND POST-TRIAL RIGHTS AND POST-TRIAL ADMINISTRATIVE PROCESSING

Initial below as applicable:

I specifically request that my copy of the recording of the court-martial proceedings pursuant to R.C.M. 1106 be delivered to: ✓ me. ✓ my counsel.

I specifically request that my copy of the victim(s) matters be delivered to:
✓ me. ✓ my counsel. _____ Not Applicable.

I specifically request that my copy of the CA's Action be delivered to:
✓ me. ✓ my counsel.

I specifically request that my copy of the Entry of Judgment be delivered to:
✓ me. ✓ my counsel.

I specifically request that my copy of the certified record of trial be delivered to:
✓ me. ✓ my counsel.

Initial below if you want a copy of the record of trial to be forwarded to an appellate defense counsel who shall be detailed to review your case and represent you as necessary before the Court of Criminal Appeals in any special or general court-martial resulting in a conviction:

JTC Pursuant to Articles 65 and 66, UCMJ, in the event I am convicted but receive a sentence that does not include a punitive discharge or two or more years' confinement, I hereby submit my written request that the Judge Advocate General forward a copy of the record of trial to an appellate defense counsel who shall be detailed to review my case, and I hereby submit my written request to be represented by detailed appellate defense counsel as necessary before the Court of Criminal Appeals.

Contact information for the accused after the completion of the court-martial:

Name: **Jermiah Copeland** Phone: [redacted]

Address: [redacted] Email: **N/A (currently at the brig)**

[redacted]

Amanda Serfass
LCDR
U.S. Navy
Detailed Defense Counsel

Jermiah T. Copeland
CS3
U.S. Navy
Accused

17 Jun 26

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: MATTERS SUBMITTED TO THE CONVENING AUTHORITY ICO UNITED STATES V. CS3 JERMIAH COPELAND, USN

Ref: (a) Article 38(c), UCMJ
(b) Article 60, UCMJ
(c) R.C.M. 1106
(d) R.C.M. 1109

1. CS3 Copeland pled guilty at a general court-martial on 8 June 2026. On 9 June 2026, CS3 Copeland was sentenced to be discharged with a dishonorable discharge, reduction in paygrade to E-1, and to be confined for a total of 44 years.

2. CS3 Copeland respectfully requests that you suspend his reduction in rate. The federal conviction, 44 years confinement, dishonorable discharge, and subsequent effects of that federal conviction sends a message that the Navy can hold Sailors accountable for misconduct while doing so with empathy and compassion.

3. Pursuant to Article 58b(b), CS3 Copeland respectfully requests you defer and waive the automatic reduction to E-1 and automatic forfeitures to allow his pay and allowances, at his current paygrade of E-4, to be paid to his mother to support his four-year old child. CS3 Copeland requests the period of deferment run from the date automatic forfeitures would otherwise become effective under Article 57, UCMJ, until the date of the Entry of Judgment and waived for a period of six months after the date of the Entry of Judgment. As presented at trial, CS3 Copeland has a four-year old son to support. This period of deferment and waiver will allow CS3 Copeland to continue to support his child to the greatest extent possible.

4. Additionally, pursuant to references (a) through (d), CS3 Copeland, through counsel, respectfully submits the following matters to be included in the record of trial, noting errors that materially prejudiced his substantive rights:

**The sole specification of Charge VII, a violation of Article 118, failed to state an offense.**

The defense's motion can be found at Appellate Exhibits 38 and 39, the government's response at Appellate Exhibits 50 and 51, and the judge's ruling can be found at Appellate Exhibit 66. Here, Charge VII and the sole specification did not state an offense because it failed to allege "an act of the accused." CS3 Copeland had no way in which to defend against the offense because he was not on notice as to the act alleged. Further, the government's bill of particulars could not fix an inadequate specification. Therefore, CS3 Copeland's conviction for Charge VII and the sentence should be set aside.

**The military judge abused his discretion when he denied the defense motion for pretrial confinement credit for illegal pretrial punishment in violation of Article 13, UCMJ.**

The military judge abused his discretion by crediting the testimony of the brig OIC to the exclusion of the available and abundant evidence that the conditions of pre-trial restraint were unduly harsh to secure continue presence for trial proceedings. The military judge correctly found that nothing CS3 Copeland could do while at the brig would ever see him released from maximum custody (solitary confinement) while on pre-trial confinement. The brig OIC testified (remotely) to this fact. The brig OIC also testified he considered CS3 Copeland's safety when deciding to keep him maximum custody despite evidence that the extended periods of solitary confinement were having, in fact, a negative consequence on CS3 Copeland's mental health.

Further, the military judge found that the trial defense counsel conceded that there was no intent to punish. However, defense counsel simply stated that while there was no direct evidence of intent punish, it was clear that CS3 Copeland was in fact punished by the unduly harsh conditions of CS3 Copeland's confinement. Additionally, a review of the testimony of the brig OIC, his affidavit, email, communications with defense counsel, along with his other actions suggest that he was personally invested in CS3 Copeland's case and was not going to remove the harsh conditions no matter what, which equated to punishment.

The military judge failed to credit CS3 Copeland's own affidavit that he did not feel he could speak freely while at the brig or under the supervision of the brig staff. Importantly, the military judge did not credit either CS3 Copeland's affidavit or an unaffiliated paralegal's affidavit that brig staff had been instructed to "watch and to listen" to everything- something the brig OIC could not answer for. Instead, the military judge credits a Google search the accused made months ago, absent any context, to determine he is a flight risk.

Lastly, the military judge abused his discretion by ignoring the simple fact that other trial courts, one from the same circuit, have held that the arbitrary enforcement and application of this policy – the exact same policy currently in place - under a previous OIC, wherein the accused could never, under any circumstances, find themselves outside solitary confinement based solely on the OIC's perception of the charged offenses is illegal pretrial punishment.

The military judge ignored 365 days of CS3 Copeland's behavior that indicated he would comply with instructions and protocols the brig staff sought to enforce and apply. Instead choosing to find that the frustrated (though "Not Aggressive" as noted in brig records) actions of CS3 Copeland, after spending nearly a year in solitary confinement, somehow justify the brig OIC's "assessment" that maximum custody was necessary.

Subj: MATTERS SUBMITTED TO THE CONVENING AUTHORITY ICO UNITED STATES V. CS3 JERMIAH COPELAND, USN

5. I respectfully request these matters and any response be forwarded for inclusion in the record of trial in accordance with references (a) and (b). I am available to discuss this or any related matter. I can be reached via email at Amanda.m.serfess.mil@us.navy.mil.

[redacted]

A. M. SERFESS

Copy to:

CS3 Copeland
File

THE GRIFFIN LAW FIRM
REMAIN SILENT REQUEST COUNSEL

30 June 2026

To: Convening Authority In the Case of U.S. v Copeland
From: Marshall Griffin, Attorney for Esmerelda Castle

Subj: CS3 COPELAND VICTIM INPUT ON POST TRIAL MATTERS

In accordance with RCM 1106A, the following input is provided:

Mrs. Castle is a Crime Victim in the subject matter, and requests, through counsel that you approve the sentence as adjudged, consistent with the plea agreement.

The point of contact for this matter is the undersigned counsel who can be reached by email at marshall@griffinlawdefense.com or by phone at 757-434-0198.

[redacted]
S. M. Griffin
VA 87585
The Griffin Law Firm, PLLC
999 Waterside Drive
Norfolk, VA 23510
marshall@griffinlawdefense.com
757-434-0198

10 Aug 26

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: REQUEST FOR RECONSIDERATION ON RCM 1106 MATTERS SUBMITTED ICO UNITED STATES V. CS3 JERMIAH COPELAND, USN

Ref: (a) Article 38(c), UCMJ
(b) Article 60, UCMJ
(c) R.C.M. 1106
(d) R.C.M. 1109
(e) LCDR Serfess ltr of 17 Jun 26
(f) CA Action of 10 Jul 26

Encls: (1) Email from LCDR Dempsey of 4 Aug 26
(2) Termination Report of Dr. Lameira

1. CS3 Copeland pled guilty at a general court-martial on 8 June 2026. On 9 June 2026, CS3 Copeland was sentenced to be discharged with a dishonorable discharge, reduction in paygrade to E-1, and to be confined for a total of 44 years.

2. On 17 June 2026, CS3 Copeland, through counsel, requested your consideration of clemency matters (R.C.M. 1106). Reference (e). Notably, he requested you suspend the reduction of his pay grade to E-1, and that you defer and waive automatic reduction and forfeitures of pay and allowances so that such funds could be received by his mother to support his four-year-old son. The requested clemency would allow CS3 Copeland to provide, to the maximum extent possible, for his family and son.

3. On 10 July 2026, pursuant to reference (f) you determined not to take the requested action on the sentence, as it is your prerogative to do.

4. After both the request and your action were completed, counsel for CS3 Copeland was made aware that the Government's anticipated forensic medical examiner in this case was terminated from her employment in February 2026, well before the scheduled trial dates and prior to the plea negotiations in this case. Reference (g).

5. While the counsel for CS3 Copeland appreciates the post-trial provision of this information by the special trial counsel- diligent pre-trial preparation by the Government would have revealed that this key witness for the Government had irreparably damaged credibility which would have been a factor at trial, as well as a factor in the calculous on how to, or even if, to plead guilty. Enclosures (1) and (2).

6. CS3 Copeland did not possess critical information that was available to the Government during the time of his plea negotiations process. Importantly, in its initial discovery requests in this case, the Defense requested any information related to the credibility of any witness the

government intended to call at trial. Also notable, was that the Government did not represent that they were going to qualify Dr. Lameira as an expert in forensic pathology at trial, though relying almost entirely on her testimony to prove possible theories of death.

7. As a result of the disclosure of this information, which was not previously available to the Defense, counsel for CS3 Copeland respectfully requests that you reconsider the CA Action in this case and grant the previously requested clemency request of 17 June 2026. CS3 Copeland should have had this information before making the decision not to hold the Government to their burden of proof, and as a result of not having the information he experienced a real and actual prejudice.

8. I respectfully request these matters and any response be forwarded for inclusion in the record of trial in accordance with references (a) and (b). I am available to discuss this or any related matter. I can be reached via email at Amanda.m.serfess.mil@us.navy.mil.

[redacted]

A. M. SERFESS

Copy to:

CS3 Copeland
File

| | |
|---|---|
| **From:** | Dempsey, Christopher B LCDR USN (USA) |
| **To:** | Jooshani, Sahar CDR USN (USA) |
| **Cc:** | Mihill, Todd M LCDR USCG (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Mayo, Lauren A CDR USN CNO (USA); Jimenez, Christine M CIV (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) |
| **Subject:** | Giglio Notice - Dr. Fernanda Lameira |
| **Date:** | Tuesday, August 4, 2026 9:33:58 AM |
| **Attachments:** | OCME_CA Notification_02.09.2026.pdf |

Good Morning Defense,

Last Thursday, we received the attached notice from the Virginia Department of Health. We have issued a subpoena for the underlying records.

After reviewing our case files, we believe Dr. Lameira had a role in both the *US v. Pate* and *US v. Copeland* cases.

Once we obtain the underlying records, I will forward them. Thank you.

Very Respectfully,

Christopher B. Dempsey
LCDR, JAGC, USN
Special Trial Counsel
757-341-4513 (Desk)
[redacted] (Cell)
Office of Special Trial Counsel Det. Norfolk
9620 Maryland Avenue
Norfolk, Virginia 23511

This e-mail may contain ATTORNEY-CLIENT PRIVILEGED COMMUNICATION OR ATTORNEY WORK PRODUCT. It is intended only to be read by the individual(s) or entity(s) to whom it is addressed or their designee.

CENTRAL DISTRICT:
400 E. Jackson St.
Richmond, Virginia 23219-3694
(804) 786-3174
800-447-1708
FAX (804) 371-8595

WESTERN DISTRICT:
6600 Northside High School Road
Roanoke, Virginia 24019
(540) 561-6615
800-862-8312
FAX (540) 561-6619

COMMONWEALTH of VIRGINIA

Department of Health
Office of the Chief Medical Examiner
400 E. Jackson Street
Richmond, VA 23219-3694

TIDEWATER DISTRICT:
830 Southampton Ave., Suite 100
Norfolk, Virginia 23510
(757) 683-8366
800-395-7030
FAX (757) 683-2589

NORTHERN VA. DISTRICT:
10850 Pyramid Place, Suite 121
Manassas, Virginia 20110
(703) 530-2600
FAX (703) 530-0510

February 9, 2026

***Via Email and Regular Mail***

Elliott J. Casey
Director, Commonwealth's Attorneys' Services Council
P.O. Box 3549
Williamsburg, Va 23187

Re: Former Employee of the Office of the Chief Medical Examiner

Dear Mr. Casey:

As of February 4, 2026, Dr. Fernanda Da Silva Lameira, an Assistant Chief Medical Examiner with the Tidewater Office of the Chief Medical Examiner (OCME), is no longer employed by our office. I understand that there are several subpoenas still pending for Dr. Lameira in cases in the Tidewater regions. The OCME anticipates that Dr. Lameira will be appearing to testify in several cases in the upcoming months.

In my role, it is my obligation to inform the Commonwealth's Attorneys that are is potential *Giglio* information in Dr. Lameira's personnel file. I am not at liberty to disclose that information under the Virginia Department of Human Resource Management Policy 6.05 – Personnel Records Disclosure without a subpoena duces tecum or court order. I would ask that you forward this letter to the Commonwealth's Attorneys so that they can have a subpoena duces tecum or court order issued for any case where Dr. Lameira's autopsy or external examination reports are germane so that they are able to make any disclosure that they deem appropriate.

The OCME is willing to work with any Commonwealth Attorney that desires to have another Assistant Chief Medical Examiner testify as a substitute for Dr. Lameira. If a Commonwealth Attorney would like a substitute, please have them contact the Tidewater OCME at (757) 683-8366 or OCME_Tide@vdh.virginia.gov.

Thank you for your assistance with this matter. To the extent that I am able, I would be happy to address any questions or concerns.

Sincerely,

Arkuie Williams

Arkuie Williams, JD
Administrative Deputy



Enclosure (2)

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

# Written Notice

## Section I

| Employee's Name & ID#: Fernanda da Silva Lameira [redacted] | | Agency: Virginia Department of Health |
|---|---|---|
| Offense Date(s): 12/9/2024 | Issued Date: **2/4/2026** | Inactive Date:* **2/4/2030** |

*Note: Inactive Date is the issued date plus: 2 years for a Group I; 3 years for a Group II; and 4 years for a Group III.

Issued by:
Print Name: William T. Gormley, MD, PhD Title: Chief Medical Examiner Signature:

## Section II – Offense

Type of Offense: Check one and include Offense Category (see Written Notice Offense Codes – page 2)

| ☐Group I: | ☐Group II: | ☒Group III: 13, 74, 99 (Misconduct (willful); Fraud |
|---|---|---|

Nature of Offense and Evidence. Briefly describe the offense and give an explanation of the evidence (additional documentation may be attached).

Documentation attached: ☒Yes, # of pages 16 ☐ No

On December 9, 2024, you sent an email to Keshia Singleton with a letter attached from the American Board of Pathology dated December 5, 2024, stating you had successfully passed the 2024 Forensic Pathology Subspecialty Certification Examination. On January 23, 2026, as part of review of the Virginia Commonwealth University Health System Forensic Pathology Fellowship Program a report from the American Board of Pathology (ABP) indicated that you did not pass the 2024 Forensic Pathology Subspecialty Certification Examination. On January 28, 2026, to confirm the discrepancy identified during the program review, the ABP provided me with an official copy of your forensic board certification examination results letter which states that you were not successful. Therefore, based on the aforementioned information, the letter you submitted to me and to Ms. Singleton was not an official letter issued by American Board of Pathology. On January 30, 2026, ABP provided email correspondence to Arkuie Williams, Administrative Deputy, confirming that you had contacted the Coordinator of Subspecialty Certification on December 5, 2024, requesting a review of your examination results and a possible refund due to failing the examination. They replied that they do not accept requests for rescoring the examination. Falsification and/or misrepresentation of official documentation and failure to provide accurate information related to required professional credentials are violations of agency policy and standards of conduct. This conduct undermines the trust and integrity required of the position.

## Section III – Disciplinary action taken in addition to issuing written notice

| ☐Suspension from: Click here to enter a date. Through: Click here to enter a date. | ☐Return to Work: (date and time) Click or tap here to enter text.<br>#Days Suspended**Click or tap here to enter text.<br>**Note: FLSA exempt employees may be suspended in whole days only. |
|---|---|

**Transfer or demotion (check below as appropriate)**

☐Reduced Duties with Click or tap here to enter text. % disciplinary pay reduction*** effective Click here to enter a date. ***Note: Salary reduction of at least 5% is required. Requires HR approval.

☐Disciplinary Transfer – Same Pay Grade with Click or tap here to enter text. % disciplinary pay reduction*** effective Click here to enter a date.

☐Demotion to lower pay grade with Click or tap here to enter text. % disciplinary pay reduction*** effective Click or tap to enter a date.

| New Job Title: | New Position#: | New Location: |
|---|---|---|

☒Termination **2/4/2026**

## Section IV – Circumstances considered

Describe any circumstances or background information used to mitigate (reduce) or to support the disciplinary action above.
Additional documentation may be attached. Documentation attached: ☒Yes, # of pages 16 ☐ No
The agency considered the investigative findings, relevant policy requirements, and your due process response. No information was provided that mitigated the findings or supported a reduction in discipline.

## Section V – Notice to employee

It is expected that the situation described above will be corrected immediately in accordance with the Standards of Conduct for employees and/or the performance measures outlined in your Employee Work Profile. A Written Notice may affect your overall performance rating. If this situation is not corrected, or another offense occurs, you may be subject to further disciplinary action as outlined in the Standards of Conduct Policy. If you wish to appeal this disciplinary action, you may do so under the provisions of the Employee Grievance Procedure within 30 calendar days of your receipt of this Written Notice. For more information about the Employee Grievance Procedure contact the Department of Human Resource Management's Office of Employment Dispute Resolution (EDR) at (804) 786-7994, toll-free at 1-888-23-ADVICE (1-888-232-3842), by FAX at (804) 786-1606, or by e-mail at edr@dhrm.virginia.gov

## Section VI – Employee's signature

Employee Signature [redacted] Date Feb 5, 2026

**Your signature only acknowledges receipt of the notice and notes the date of receipt.** Your signature does not imply agreement or disagreement with the notice itself. If you refuse to sign, someone in a supervisory position within the agency will be asked to initial the form indicating that you received a copy of the form and date of receipt.

☐Employee refused to sign/unavailable to sign Witness Initials ____ Date _____

Employee receives original, department and HR receive copies.

Enclosure (2)

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

# WRITTEN NOTICE OFFENSE CODES

| | |
|---|---|
| 01 | Attendance/Excessive Tardiness |
| 02 | Leaving work without permission |
| 03 | Failure to report without notice |
| 04 | 3 days absent without authorization |
| 11 | Unsatisfactory performance |
| 12 | Uniform violation/Personal grooming |
| 13 | Failure to follow instructions or policy |
| 14 | Safety rule violation |
| 31 | Violation of DHRM Policy 1.05, Alcohol and Other Drugs |
| 33 | Violation of DHRM Policy 2.05, Equal Employment Opportunity |
| 35 | Abuse of state time |
| 36 | Obscene or abusive language |
| 37 | Disruptive behavior |
| 38 | Conviction of moving traffic violation while operating a state vehicle |
| 39 | Violation of Policy 2.35, Civility in the Workplace |
| 51 | Unauthorized use of state property or records |
| 52 | Computer/Internet misuse |
| 53 | Failure to report misdemeanor (if required) |
| 54 | HIPAA violation |
| 55 | Fraternization with patient/inmate/client |
| 56 | Insubordination |
| 57 | Refusal to work overtime as required |
| 71 | Sleeping during work hours |
| 72 | Theft |
| 73 | Threats or Coercion |
| 74 | Falsifying records |
| 75 | Gambling |
| 76 | Criminal Conviction |
| 77 | Damaging state property or records |
| 78 | Interference with state operations |
| 79 | Unlawful weapons possession |
| 81 | Patient/Inmate/Client abuse |
| 99 | Other (describe) |

Updated 12/2025

COMMONWEALTH of VIRGINIA
*Department of Health*
P O BOX 2448
RICHMOND, VA 23218

**DUE PROCESS MEMORANDUM**

TO: Fernanda da Silva Lameira, MD, Assistant Chief Medical Examiner

FROM: William T. Gormley, MD, PhD, Chief Medical Examiner

DATE: January 29, 2026

SUBJECT: Due Process- Opportunity to Provide Mitigating Circumstances

The Standards of Conduct are designed to protect the well-being of all employees by maintaining high standards of work performance and professional conduct. State employees are to fulfill certain duties and expectations that support the mission and values of their agencies and conduct themselves in a manner deserving of public trust and to in part:

- Perform assigned duties and responsibilities with the highest degree of public trust.
- Make work-related decisions that are in the best interest of the agency.
- Conduct themselves at all times in a manner that supports the mission of their agency and the performance of their duties.
- Report circumstances or concerns that may affect satisfactory work performance to management.

The purpose of this memorandum is to provide you with advance notice of potential corrective action and provide you with a reasonable opportunity to respond.

**OFFENSE: FAILURE TO FOLLOW INSTRUCTIONS OR POLICY; FALSIFYING RECORDS (2024 American Board of Pathology [ABPath] Forensic Pathology Certification)**

On December 9, 2024, you sent an email to Keshia Singleton with a letter attached from the American Board of Pathology dated December 5, 2024, stating you had successfully passed the 2024 Forensic Pathology Subspecialty Certification Examination. Based on the information you provided in that correspondence, your annual salary was increased by $10,000, effective December 25, 2025, to reflect the reported new certification.

On January 23, 2026, as part of review of the Virginia Commonwealth University Health System Forensic Pathology Fellowship Program a report from the American Board of Pathology (ABP) indicated that you did not pass the 2024 Forensic Pathology Subspecialty Certification Examination. At that time, staff believed the report to be inaccurate and contacted the ABP to report a potential error. During that discussion, ABP staff requested a copy of the documentation indicating you had passed the examination. On January 23, 2026, I contacted you to request a copy of the forensic pathology examination results letter, and you provided the same letter that you previously submitted to Ms. Singleton in 2024.

Upon review of the documentation provided, the ABP confirmed that you are not board certified in forensic pathology, and they provided a copy of the letter previously issued to you stating that you were not successful on the 2024 Forensic Pathology Subspecialty Certification Examination.

On January 28, 2026, to confirm the discrepancy identified during the program review, the ABP provided me with an official copy of your forensic board certification examination results letter which states that you were not successful. The ABP also advised me that they are not aware of any issues that would have prevented you from retaking the examination. Additionally, the ABP stated that they are not aware of any circumstances under which they would have issued a letter indicating that you had passed the 2024 Forensic Pathology Subspecialty Certification Examination. Therefore, based on the aforementioned information, the letter you submitted to me and to Ms. Singleton was not an official letter issued by American Board of Pathology.

As an Assistant Chief Medical Examiner (ACME), your position requires a high level of trust, integrity, and professional responsibility. The certifications held by ACMEs are critical to the Office of the Chief Medical Examiner (OCME) for accreditation purposes and to ensure public confidence in the qualifications of staff performing medicolegal autopsies and death investigations to determine the cause and manner of death for their loved ones. Additionally, ACMEs, routinely provide testimony in criminal court cases, where the accuracy, credibility, and reliability of medical findings are essential. As such, a heightened standard of professionalism and trust is inherent in this role.

**POLICY VIOLATIONS UNDER THE STANDARDS OF CONDUCT:**
Failure to comply with written policy, state laws, rules and regulations; specifically:

- **DHRM Policy 1.60 *Standards of Conduct*,** which states:
    - **Misconduct (willful)**: "*misconduct results when the employee's actions are determined to be avoidable and the employee failed to exercise reasonable care or judgment resulting in a negative impact or the potential for negatively impacting the Agency's business operations and services, workplace or customer relations, or credibility…deliberate, or intentional actions that may be considered as willful misconduct such as falsifying information or dishonesty.*"
    - **Fraud**: is defined as "*investigative findings of willful omissions, alterations or reporting of false information, destruction of evidence to impede an investigation; forgery of signatures; embezzlement and/or misuse of funds or state property to include the use of electronic data for personal gain; identity theft; intentional misuse of agency letterhead; etc.*"
    - **Falsification**: *"Intentional or with willful disregard make false or misleading statements, orally or in writing, in connections with any matter of official interest. Matters of official interest to include, but are not limited to, the following: Official reports and any other official information upon which the Agency, the Commonwealth of Virginia or the public may act or rely; transactions with the public, government agencies or other government employees; applications forms and other forms that serve as a basis for any personnel action; vouchers; procurement activities; time and attendance records, including leave records; work reports of any nature or accounts of any kind; affidavits; record of or data concerning any matter relating to or connected with an employee' s duties; personnel records; and reports of any moneys or securities received, held or paid to, for or on behalf of the Commonwealth of Virginia."*

- **VDH Policy Number: 01.06.103, *Code of Ethics***, *which states that each worker demonstrates the agency's Code of Ethics' Core Values and Commitments with uncompromising integrity in all aspects of their work. The Code of Ethics is the foundation for accomplishing the VDH mission, delivering public health services, and inspiring the public's trust in VDH workers through agency values such as Accountability, Communication, Integrity, Objectivity, and Respect.*

In accordance with DHRM Policy 1.60, Standards of Conduct, offenses that are considered at a Group III level include acts of misconduct of a severe nature that a first occurrence normally should warrant termination. I am considering issuing you a Group III Written Notice. Please be advised that violations of policy may result in formal disciplinary action up to and including termination.

Please provide your written response in this matter to me by close of business (5:00 PM), Friday, January 30, 2026. You may email your response to me at williamt.gormley@vdh.virginia.gov and Keshia Singleton at keshia.singleton@vdh.virginia.gov. Your response should address the allegations and any mitigating circumstances you would like me to consider. If you do not provide a written response by that time, I will make a decision based on the information currently available to me.

Please acknowledge receipt of this memorandum by signing below:

Fernanda Lameira
box SIGN 1873K5JJ-156PP322
Signature:

Jan 29, 2026
Date:

cc: Employee Relations Division
Arkuie Williams, Administrative Deputy
Keshia Singleton, Administrative Deputy

Encls: DHRM Policy 1.60 Standards of Conduct
Attachment #1 – Falsification of Passing Letter
Attachment #2 – Falsification of Passing Emails
Attachment #3 – Results Letter from American Board of Pathology (ABP)
Attachment #4 – Email Chain Concerning FP Exam Results
Attachment #5 - Current Certification Listed on American Board of Pathology (ABP)
Attachment #6 - Fellowship Results from ABPathway

# STATEMENT OF TRIAL RESULTS

## SECTION A - ADMINISTRATIVE

| 1. NAME OF ACCUSED (last, first, MI) | 2. BRANCH | 3. PAYGRADE | 4. DoD ID NUMBER |
|---|---|---|---|
| Copeland, Jermiah T | Navy | E-4 | [redacted] |

| 5. CONVENING COMMAND | 6. TYPE OF COURT-MARTIAL | 7. COMPOSITION | 8. DATE SENTENCE ADJUDGED |
|---|---|---|---|
| Commander Navy Region Mid-Atlantic | General | Judge Alone - MJA16 | Jun 9, 2026 |

## SECTION B - FINDINGS

SEE FINDINGS PAGE

## SECTION C - TOTAL ADJUDGED SENTENCE

| 9. DISCHARGE OR DISMISSAL | 10. CONFINEMENT | 11. FORFEITURES | 12. FINES | 13. FINE PENALTY |
|---|---|---|---|---|
| Dishonorable discharge | 528 mo | 3142.20 | 0 | 0 |

| 14. REDUCTION | 15. DEATH | 16. REPRIMAND | 17. HARD LABOR | 18. RESTRICTION | 19. HARD LABOR PERIOD |
|---|---|---|---|---|---|
| E-1 | Yes ○ No ◉ | Yes ○ No ◉ | Yes ○ No ◉ | Yes ○ No ◉ | |

20. PERIOD AND LIMITS OF RESTRICTION

## SECTION D - CONFINEMENT CREDIT

| 21. DAYS OF PRETRIAL CONFINEMENT CREDIT | 22. DAYS OF JUDICIALLY ORDERED CREDIT | 23. TOTAL DAYS OF CREDIT |
|---|---|---|
| 365 | 0 | 365 days |

## SECTION E - PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

24. LIMITATIONS ON PUNISHMENT CONTAINED IN THE PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

Mandatory confinement for 482 months with confinement up to 552 months based on consecutive and concurrent sentencing, DD, reduction to E-1, total forfeitures must be adjudged. No fines or other lawful punishment may be adjudged

## SECTION F - SUSPENSION OR CLEMENCY RECOMMENDATION

| 25. DID THE MILITARY JUDGE RECOMMEND SUSPENSION OF THE SENTENCE OR CLEMENCY? | | 26. PORTION TO WHICH IT APPLIES | 27. RECOMMENDED DURATION |
|---|---|---|---|
| | Yes ○ No ◉ | | |

28. FACTS SUPPORTING THE SUSPENSION OR CLEMENCY RECOMMENDATION

## SECTION G - NOTIFICATIONS

| | |
|---|---|
| 29. Is sex offender registration required in accordance with 10 U.S.C. § 20901, appendix 4 to enclosure 2 of DoDI 1325.07, or DoDI 5525.20? | Yes ◉ No ○ |
| 30. Is DNA collection and submission required in accordance with 10 U.S.C. § 1565 and DoDI 5505.14? | Yes ◉ No ○ |
| 31. Did this case involve a crime of domestic violence as defined in enclosure 2 of DoDI 6400.06? | Yes ○ No ◉ |
| 32. Does this case trigger a firearm possession prohibition in accordance with 18 U.S.C. § 922? | Yes ◉ No ○ |

## SECTION H - NOTES AND SIGNATURE

| 33. NAME OF JUDGE (last, first, MI) | 34. BRANCH | 35. PAYGRADE | 36. DATE SIGNED | 38. JUDGE'S SIGNATURE |
|---|---|---|---|---|
| Hutchison, Frankie, D | Navy | O-6 | Jun 9, 2026 | HUTCHISON.FRANKIE.DELANO.[redacted] Digitally signed by HUTCHISON.FRANKI[redacted] Date: 2026.06.09 13:50:08 -04'00' |

37. NOTES: Adjudged reduction in rank and adjudged forfeitures take effect on 23 June 2026.



Adobe Acrobat DC

# STATEMENT OF TRIAL RESULTS - FINDINGS

## SECTION I - LIST OF FINDINGS

| CHARGE | ARTICLE | SPECIFICATION | PLEA | FINDING | ORDER OR REGULATION VIOLATED | LIO OR INCHOATE OFFENSE ARTICLE | DIBRS |
|---|---|---|---|---|---|---|---|
| Charge I | 120 | Specification 1: | **Not Guilty** | W/D | | | 120AA3 |
| | | Offense description | Aggravated sexual contact by using unlawful force | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| | | Specification 2: | **Not Guilty** | W/D | | | 120AA4 |
| | | Offense description | Abusive sexual contact without the consent of the other person | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| | | Specification 3: | **Not Guilty** | W/D | | | 120AA2 |
| | | Offense description | Sexual assault when the other person is impaired by any drug or intoxicant | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| | | Specification 4: | **Not Guilty** | W/D | | | 120AA2 |
| | | Offense description | Sexual assault without the consent of the other person | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| Charge II | 128 | Specification: | **Guilty** | Guilty | | | none |
| | | Offense description | Aggravated Assault by Strangulation or Suffocation | | | | |
| Charge III | 120c | Specification 1: | **Guilty** | Guilty | | | 120CC1 |
| | | Offense description | Indecent recording | | | | |
| | | Specification 2: | **Not Guilty** | W/D | | | 120CC1 |
| | | Offense description | Broadcasting an indecent recording | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| Charge IV | 131b | Specification 1: | **Guilty** | Guilty | | | 134-U2 |
| | | Offense description | Obstructing justice | | | | |
| | | Specification 2: | **Guilty** | Guilty | | | 134-U2 |
| | | Offense description | Obstructing justice | | | | |
| | | Specification 3: | **Not Guilty** | W/D | | | 134-U2 |
| | | Offense description | Obstructing justice | | | | |
| | | Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | |
| Charge V | 128b | Specification 1: | **Not Guilty** | W/D | | | 128B1E |
| | | Offense description | Assault by strangulation or suffocation | | | | |



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## STATEMENT OF TRIAL RESULTS - FINDINGS

### SECTION I - LIST OF FINDINGS

| CHARGE | ARTICLE | SPECIFICATION | PLEA | FINDING | ORDER OR REGULATION VIOLATED | LIO OR INCHOATE OFFENSE ARTICLE | DIBRS |
|---|---|---|---|---|---|---|---|
| Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | | | |
| Specification 2: | | | **Not Guilty** | W/D | | | 128B1A |
| Offense description | Domestic Violence - commission of violent offense | | | | | | |
| Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | | | |
| Charge VI | 107 | Specification 1: | **Guilty** | Guilty | | | 107-B- |
| Offense description | False official statement | | | | | | |
| Specification 2: | | | **Not Guilty** | W/D | | | 107-B- |
| Offense description | False official statement | | | | | | |
| Withdrawn and Dismissed | withdrawn and dismissed w/o prejudice to ripen into prejudice upon the completion of appellate review | | | | | | |
| Charge VII | 118 | Specification: | **Guilty to LIO** | Guilty to LIO | | | 118-A- |
| Offense description | Premeditated murder | | | | | | |
| LIO description | Unpremeditated murder | | | | | | |



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## MILITARY JUDGE ALONE SEGMENTED SENTENCE

**SECTION J - SENTENCING**

| CHARGE | SPECIFICATION | CONFINEMENT | CONCURRENT WITH | CONSECUTIVE WITH | FINE |
|---|---|---|---|---|---|
| Charge I | Specification 1: | n/a | n/a | n/a | n/a |
| | Specification 2: | n/a | n/a | n/a | n/a |
| | Specification 3: | n/a | n/a | n/a | n/a |
| | Specification 4: | n/a | n/a | n/a | n/a |
| Charge II | Specification: | 18 months | All | none | n/a |
| Charge III | Specification 1: | 3 months | All | none | n/a |
| | Specification 2: | n/a | n/a | n/a | n/a |
| Charge IV | Specification 1: | 6 months | All | None | n/a |
| | Specification 2: | 36 months | None | Spec 1 of Ch VI, Ch VII as amended | n/a |
| | Specification 3: | n/a | n/a | n/a | n/a |
| Charge V | Specification 1: | n/a | n/a | n/a | n/a |
| | Specification 2: | n/a | n/a | n/a | n/a |
| Charge VI | Specification 1: | 12 months | n/a | Ch VII as amended, Sp 2 of Ch IV | n/a |
| | Specification 2: | n/a | n/a | n/a | n/a |
| Charge VII | Specification: | 480 months | None | Spec 1 of Ch VI, Spec 2 of Ch IV | |



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| | |
|---|---|
| **From:** | Mayo, Lauren A CDR USN CNO (USA) |
| **To:** | nicssubmission@ncis.navy.mil |
| **Cc:** | Dempsey, Christopher B LCDR USN (USA); BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA); Jimenez, Christine M CIV (USA); Gomez, Jocelyn M PO2 USN (USA) |
| **Subject:** | NCIS Gun Control Act Reporting Form ICO US v CS3 JERMIAH T. COPELAND |
| **Date:** | Monday, June 15, 2026 6:08:01 PM |
| **Attachments:** | CHARGE SHEET (UPDATED 09JUN2026) FINAL.pdf<br>NCIS Gun Control Act Rpt Form.pdf<br>Copeland STR -Aug-2024 9 June_Signed.pdf |

---

Good afternoon,

Please find the Gun Control Act reporting form and accompanying documents attached to this email. Standing by for any questions or concerns. Thank you for your assistance!

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk
Lauren.a.mayo2.mil@us.navy.mil
desk: 948-244-0072
mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

| | |
|---|---|
| **From:** | Fleming, Eugene G. - GOV |
| **To:** | Mayo, Lauren A CDR USN CNO (USA); NICS Submission |
| **Cc:** | Dempsey, Christopher B LCDR USN (USA); BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA); Jimenez, Christine M CIV (USA); Gomez, Jocelyn M PO2 USN (USA); Mahterian, Marlo -GOV; Battle, Kimberly M CIV (USA) |
| **Subject:** | RE: NCIS Gun Control Act Reporting Form ICO US v CS3 JERMIAH T. COPELAND |
| **Date:** | Tuesday, June 16, 2026 5:42:41 AM |

Good morning,

**SUBMISSION RECEIPT**

The following subject was input into NICS under code A1(CONVICTION) with substantiating documents.

Last Name: COPELAND
First Name: JERMIAH
NRI: 2769913872
DATE ON FORM: 6/9/2026
SUBMISSION EXPIRATION DATE: NONEXP
DATE RECEIVED AND ENTERED: 6/16/2026

V/r,

Eugene Fleming
Criminal Justice Information Compliance Assistant
Naval Criminal Investigative Service
27130 Telegraph Road
Quantico, Virginia 22134
571-305-9975 (w)
[redacted] (c )
eugene.fleming@ncis.navy.mil

Controlled Unclassified Information (CUI) - This e-mail is from the Naval Criminal Investigative Service (NCIS) and may contain information that is Law Enforcement Information (LEI) or Sensitive and/or Privacy Act Sensitive to be used for official purposes only. Any misuse or unauthorized disclosure may result in civil and/or criminal penalties.

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Monday, June 15, 2026 6:08 PM
**To:** NICS Submission <nicssubmission@NCIS.NAVY.MIL>
**Cc:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Jimenez, Christine M CIV (USA) <christine.m.jimenez4.civ@us.navy.mil>; Gomez, Jocelyn M PO2 USN (USA) <jocelyn.m.gomez.mil@us.navy.mil>
**Subject:** NCIS Gun Control Act Reporting Form ICO US v CS3 JERMIAH T. COPELAND

Good afternoon,

Please find the Gun Control Act reporting form and accompanying documents attached to this email. Standing by for any questions or concerns. Thank you for your assistance!

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk
Lauren.a.mayo2.mil@us.navy.mil
desk: 948-244-0072
mobile: [redacted]

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# CONFINEMENT ORDER

## PRIVACY ADVISORY

Disclosure of this information is voluntary and will be used to record information about military member ordered into confinement pretrial, post-trial or as a result of nonjudicial punishment. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PERSON TO BE CONFINED**

| a. NAME (Last, First, Middle Initial) | b. SOCIAL SECURITY NUMBER | 2. DATE (YYYYMMDD) |
|---|---|---|
| Copeland, Jermiah, T | [redacted] | 20260609 |

| c. BRANCH | d. GRADE | e. UNIT/AGENCY (Parent unit) |
|---|---|---|
| USN | E-4 | DDG 95 JAMES E WILLIAMS |

**3. TYPE OF CONFINEMENT**

| a. PRETRIAL | b. RESULT OF NJP | c. RESULT OF COURT-MARTIAL: |
|---|---|---|
| [X] NO [ ] YES | [X] NO [ ] YES | [ ] NO [X] YES |

d. TYPE OF COURT-MARTIAL: [ ] SCM [ ] SPCM [X] GCM [ ] VACATED SUSPENSION

**4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED** *(List all charge(s) if prisoner is pretrial. List guilty finding(s) only if prisoner is post-trial.)*

Charge II Violation of UCMJ Article 128, Specification: Aggravated Assault Strangulation; Charge III Violation of UCMJ Article 120c, Specification 1: Indecent Recording; Charge IV Violation of UCMJ Article 131b, Specification 1,2: Obstruction of Justice; Charge VI Violation of UCMJ Article 107, Specification 1: False Official Statement; Charge VII, Violation of Article 118(a)(2): Specification 1: Unpremeditated Murder.

| 5. SENTENCE ADJUDGED (Annotate sentence from the result of trial) | b. ADJUDGED DATE (YYYYMMDD): |
|---|---|
| Dishonorable discharge, reduction to pay grade E-1, Confinement for a total of 528 months. | 20260609 |

**6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED** *(YYYYMMDD)*:

**7. PERSON DIRECTING CONFINEMENT**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | [redacted] | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|---|
| Mayo, Lauren A, JAGC, USN, Special Trial Counsel | | 20260609 | 1331 |

**8. LEGAL REVIEW AND APPROVAL REQUIRED** *(Review required by different name at 7.a and b.)*

a. INCIDENT # 01JUN25-NFNF-00237-7HNA ORI

b. DNA PROCESSING [X] IS [ ] IS NOT REQUIRED PURSUANT TO DODI 5505.14.
COLLECTED: [X] YES [ ] NO KIT# 0456741 Date DNA collected *(YYYYMMDD)* 20260609

c. SEX OFFENDER REGISTRATION [X] IS [ ] IS NOT REQUIRED UNDER 42 U.S.C. 14071.

| d. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | [redacted] | f. DATE (YYYYMMDD) |
|---|---|---|
| Dempsey, Christopher, B, LCDR, JAGC, USN, Special Trial Counsel | | 20260609 |

**9. MEDICAL CERTIFICATE**

a. The above named prisoner was examined by me at _____ *(Time)* on _____ *(YYYYMMDD)* and found to be [ ] Fit [ ] Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement [ ] will [ ] will not produce serious injury to the prisoner's health.

b. The following irregularities were noted during the examination: *(List only non-medical information. Refer to SF 600 for all medical information, including HIV, TB and pregnancy tests and results.)*

**10. EXAMINER**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | b. SIGNATURE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|---|
| | | | |

**11. RECEIPT FOR PRISONER** *(Completed by the correctional facility staff upon arrival of the prisoner)*

a. THE PRISONER NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT *(Facility Name and Location)*

on _____ *(YYYYMMDD)* AND TIME: _____ *(Time)*

| b. PERSON RECEIPTING FOR PRISONER (Typed name (Last, First, Middle Initial), Grade and Title) | c. SIGNATURE | d. DATE (YYYYMMDD) | e. TIME |
|---|---|---|---|
| | | | |



# PRELIMINARY HEARING

# PRELIMINARY HEARING OFFICER'S REPORT

*(Of Charges Under Article 32, UCMJ and R.C.M. 405, Manual for Courts-Martial)*
*Use this version of DD Form 457 for hearings conducted on or after 1 January 2019*

| 1a. FROM: *(Name of Preliminary Hearing Officer - Last, First, MI)* | b. GRADE | c. ORGANIZATION | d. DATE OF REPORT |
|---|---|---|---|
| BUTLER, JOHN F. | CDR | **NR TRIAL JUDICIARY** | **20250928** |

| 2a. TO: *(Name of Officer who directed the Preliminary Hearing - Last, First, MI)* | b. TITLE | c. ORGANIZATION |
|---|---|---|
| BARNETT, STEPHEN D. | **Commander** | **Navy Region Mid-Atlantic** |

| 3a. NAME OF ACCUSED *(Last, First, MI)* | b. GRADE | c. ORGANIZATION | d. DATE OF CHARGES |
|---|---|---|---|
| **COPELAND, JERMIAH, T.** | **E-3** | **USS WILLIAMS** | 20250822 |

| (Check appropriate answer) | YES | NO |
|---|---|---|
| 4. IN ACCORDANCE WITH ARTICLE 32, UCMJ, AND R.C.M. 405, MANUAL FOR COURTS-MARTIAL, I CONDUCTED A PRELIMINARY HEARING CONCERNING THE CHARGES APPENDED HERETO (Exhibit 1) | ☒ | ☐ |
| 5. THE ACCUSED WAS REPRESENTED BY COUNSEL (If not, see 9 below) | ☒ | ☐ |
| 6. COUNSEL WHO REPRESENTED THE ACCUSED WAS QUALIFIED UNDER R.C.M. 405(d)(3), 502(d)(2) | ☒ | ☐ |

| 7a. NAME OF DEFENSE COUNSEL *(Last, First, MI)* | b. GRADE | 8a. NAME OF ASSISTANT DEFENSE COUNSEL *(If any)* | b. GRADE |
|---|---|---|---|
| **SERFESS, AMANDA, M.** | **O-4** | MORGAN, CLIFTON E. | **O-4** |
| c. ORGANIZATION (If appropriate) | | c. ORGANIZATION (If appropriate) | |
| **DEFENSE SERVICE OFFICE SOUTHEAST** | | **DEFENSE SERVICE OFFICE SOUTHEAST** | |
| d. ADDRESS *(If appropriate)* | | d. ADDRESS *(If appropriate)* | |

9. TO BE SIGNED BY ACCUSED IF ACCUSED WAIVES COUNSEL. (If accused does not sign, preliminary hearing officer will explain in detail in item 24.)

| a. PLACE | b. Date |
|---|---|
| **N/A** | |

I HAVE BEEN INFORMED OF MY RIGHT TO BE REPRESENTED AT THIS PRELIMINARY HEARING BY COUNSEL, INCLUDING MY RIGHT TO CIVILIAN OR MILITARY COUNSEL OF MY CHOICE IF REASONABLY AVAILABLE. I WAIVE MY RIGHT TO COUNSEL AT THIS PRELIMINARY HEARING.

c. SIGNATURE OF ACCUSED

| 10. AT THE BEGINNING OF THE PRELIMINARY HEARING, I INFORMED THE ACCUSED OF: *(Check appropriate answer)* | YES | NO |
|---|---|---|
| a. THE RIGHT TO BE ADVISED OF THE CHARGES UNDER CONSIDERATION | ☒ | ☐ |
| b. THE IDENTITY OF THE ACCUSER | ☒ | ☐ |
| c. THE RIGHT AGAINST SELF-INCRIMINATION UNDER ARTICLE 31, UCMJ | ☒ | ☐ |
| d. THE PURPOSE OF THE PRELIMINARY HEARING | ☒ | ☐ |
| e. THE RIGHT TO BE PRESENT THROUGHOUT THE TAKING OF EVIDENCE (EXCEPT AS DESCRIBED IN R.C.M. 804(c)(2)) | ☒ | ☐ |
| f. THE WITNESSES AND OTHER EVIDENCE KNOWN TO ME WHICH I EXPECTED THE GOVERNMENT TO PRESENT | ☒ | ☐ |
| g. THE RIGHT TO CROSS-EXAMINE WITNESSES ON MATTERS RELEVANT TO THE ISSUES FOR DETERMINATION IN R.C.M. 405(a) | ☒ | ☐ |
| h. THE RIGHT TO PRESENT MATTERS RELEVANT TO THE ISSUES FOR DETERMINATION IN R.C.M. 405(a) | ☒ | ☐ |
| i. THE RIGHT TO MAKE A SWORN OR UNSWORN STATEMENT RELEVANT TO THE ISSUES FOR DETERMINATION IN R.C.M. 405(a) | ☒ | ☐ |
| 11a. THE ACCUSED AND ACCUSED'S COUNSEL WERE PRESENT THROUGHOUT THE PRESENTATION OF EVIDENCE *(If the accused or counsel were absent during any part of the presentation of evidence, complete item 11b below.)* | ☒ | ☐ |

b. STATE THE CIRCUMSTANCES AND DESCRIBE THE PROCEEDINGS CONDUCTED IN THE ABSENCE OF ACCUSED OR COUNSEL
**N/A**

***NOTE: If additional space is required for any item, enter the additional material in Item 24 or in the report referenced in Block 12b. Identify such material with the proper numerical and, if appropriate, lettered heading. (Example: "7c".)***

12a. THE FOLLOWING WITNESSES TESTIFIED UNDER OATH:

| Name *(Last, First, MI)* | GRADE *(If any)* | ORGANIZATION/ADDRESS *(Whichever is appropriate)* | YES | NO |
|---|---|---|---|---|
| N/A | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| | | |
|---|---|---|
| b. THE PRELIMINARY HEARING REPORT REQUIRED BY RCM 405(l) IS ATTACHED | ☒ | ☐ |
| c. AT THE HEARING, EVIDENCE WAS OFFERED UNDER MILITARY RULES OF EVIDENCE *(Check appropriate box(es))* ☐ 412 ☐ 513 ☐ 514 | ☐ | ☒ |
| d. PORTIONS OF THE HEARING WERE CLOSED | ☐ | ☒ |
| e. SEALED MATERIALS ARE INCLUDED IN THIS REPORT | ☐ | ☒ |
| 13a. THE FOLLOWING STATEMENTS, DOCUMENTS, OR MATTERS WERE CONSIDERED; THE ACCUSED WAS PERMITTED TO EXAMINE EACH | ☒ | ☐ |

| DESCRIPTION OF ITEM | LOCATION OF ORIGINAL *(If not attached)* |
|---|---|
| SEE ATTACHED REPORT | WITH TRIAL COUNSEL |
| | |
| | |
| | |
| | |

| | | |
|---|---|---|
| b. EACH ITEM CONSIDERED, OR A COPY OR RECITAL OF THE SUBSTANCE OR NATURE THEREOF, IS ATTACHED | ☒ | ☐ |
| 14. THERE ARE GROUNDS TO BELIEVE THAT THE ACCUSED WAS NOT MENTALLY RESPONSIBLE FOR THE OFFENSE(S) OR NOT COMPETENT TO PARTICIPATE IN THE DEFENSE (See R.C.M. 909, 916(k)) | ☐ | ☒ |
| 15. ALL ESSENTIAL WITNESSES WILL BE AVAILABLE IN THE EVENT OF TRIAL | ☒ | ☐ |
| 16. AN EXPLANATION OF ANY DELAYS IN THE HEARING IS ATTACHED HERETO | ☒ | ☐ |
| 17. EACH SPECIFICATION ALLEGES AN OFFENSE | ☒ | ☐ |
| 18. THERE IS PROBABLE CAUSE TO BELIEVE AN OFFENSE HAS BEEN COMMITTED AND THAT THE ACCUSED COMMITTED THE OFFENSE | ☒ | ☐ |
| 19. THE UNITED STATES HAS JURISDICTION OVER THE OFFENSE(S) AND THE ACCUSED | ☒ | ☐ |
| 20. ADDITIONAL UNCHARGED MISCONDUCT WAS CONSIDERED AND A RECOMMENDATION FOR DISPOSITION IS ATTACHED HERETO | ☒ | ☐ |
| 21. SUPPLEMENTARY MATERIALS SUBMITTED PURSUANT TO R.C.M. 405(k) | ☒ | ☐ |
| 22. I AM NOT AWARE OF ANY GROUNDS THAT WOULD DISQUALIFY ME FROM ACTING AS A PRELIMINARY HEARING OFFICER | ☒ | ☐ |

23. I RECOMMEND:

a.TRIAL BY: ☐ SUMMARY ☐ SPECIAL ☒ GENERAL COURT-MARTIAL

b. ☐ OTHER (Specify)

24. REMARKS (Include, as necessary, explanation for any answers above.)
SEE ATTACHED REPORT.

| 25a. TYPED NAME OF PRELIMINARY HEARING OFFICER | b. GRADE | c. ORGANIZATION |
|---|---|---|
| **BUTLER, JOHN F.** | CDR | NR TRIAL JUDICIARY |

| d. SIGNATURE OF PRELIMINARY HEARING OFFICER | e. Date |
|---|---|
| **BUTLER.JOHN.FARRELL** [redacted] Digitally signed by BUTLER.JOHN.FARRELL [redacted] Date: 2025.09.28 17:29:32 -04'00' | **20250928** |

28 September 2025

From: CDR John F. Butler, JAGC, USN, Preliminary Hearing Officer
To: Commander, Navy Region Mid-Atlantic
Via: CDR Lauren Mayo, JAGC, USN, Trial Counsel

Subj: PRELIMINARY HEARING OFFICER'S REPORT ICO UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

Ref: (a) Your Appointing Order 5800 Ser N00J/528 dtd 3 Sep 2025
(b) Article 32, Uniform Code of Military Justice (UCMJ)
(c) Rule for Courts-Martial (R.C.M.) 405

1. In accordance with references (a) through (c), this preliminary hearing report is for your review and consideration in the case against CSSN Jermiah T. Copeland, USN. The following information is a supplement to DD Form 457 and includes the required information noted in R.C.M. 405(m).

2. The hearing was held on Thursday, September 18 in a courtroom at Naval Station Norfolk, Virginia.

3. Block 13a. The following statements, documents, or matters, were considered and the accused was permitted to examine each:

Government Exhibits:

Exhibit 1: Appointing Order dtd 19 April 2025
Exhibit 2: Defense Request for Delayed Start re: Article 32 hearing
Exhibit 3: Preferred Charge Sheet

*Victim ABHAN C.R.: Charge I, Specifications 1 and 2; and Charge II, Sole Specification*
Exhibit 4: NCIS Report of Investigation (ROI) - Interview of C.R. of 6 Aug 2024
Exhibit 5: A. Interview of C.R. of 6 Aug 2025 (DVD)
B. Interview Excerpts
Exhibit 6: NCIS ROI – CSSN Cuestabravo Statement of 26 Jul 2024
Exhibit 7: NCIS ROI – Interview of CSSN Cuestabravo of 16 Aug 2024

*Victim CSSN S.S.: Charge I, Specification 3; Charge III, Sole Specification; Charge IV, Specifications 1 and 2; Charge V, Specification 1*
Exhibit 8: NCIS ROI - Interview of CSSN S.S. of 6 Nov 2024
Exhibit 9: NCIS ROI: Interview of CSSN S.S. of 7 Nov 2024
Exhibit 10: Phone and Text Communications b/w CSSN S.S. and the Accused
Exhibit 11: Sexual Assault Forensic Examination Report of 6 Nov 2024
Exhibit 12: NCIS ROI – Results of Attempt to Locate Cellular Telephone
Exhibit 13: NCIS ROI – Interview of CSSA Jacqueline Bita of 6 Nov 2024
Exhibit 14: NCIS ROI – Interview of CSSN Kaulise Cousins of 6 Nov 2024
Exhibit 15: NCIS ROI – Interview of CSSN Shamel Eaddy of 8 Nov 2024

Exhibit 16: NCIS ROI – Interview of CSSN Alexis Rodgers of 8 Nov 2024
Exhibit 17: NCIS ROI – Interview of CSSA Jakobie Gant of 8 Nov 2024
Exhibit 18: NCIS ROI – Interview of CSSN Jada Knight of 18 Nov 2024
Exhibit 19: NCIS ROI – Interview of CSSN Kaylee Parks of 18 Mar 2024
Exhibit 20: NCIS ROI – Interview of CSSN Jermiah Copeland of 18 Nov 2024

*Victim CSSN S.R.: Charge VI, Specifications 1 and 2*
Exhibit 21: CSSN S.R. Statement of 11 Apr 2025
Exhibit 22: A. NCIS Interview of CSSN S.R. of 7 July 2025 (CD)
B. Interview Excerpts

*Victim Y.J.: Charge I, Specification 4*
Exhibit 23: NCIS ROI – Y.J. Interview of 9 August 2025
Exhibit 24: A. NCIS Interview of CSSN John Bradford of 5 Aug 25 (CD)
B. Interview Excerpts

*Victim CS3 A.R.: Charge V, Specification 2 and 3; Charge VII, Specification 1 and 2; and Charge VIII, Sole Specification*
Exhibit 25: CS3 A.R.'s Day on 29 May 2025:
A. CSSN Gladis Garcia-Barrera, USN, Interview of 2 June 2025 (IA)
B. Video from Snapchat Account of Victim dated 29 May 2025
C. Results of Video Review from Target 3 June 2025
D. Text Message History of CSSN Copeland and CS3 A.R.
Exhibit 26: Photos of CSSN Copeland's Shared Barracks Room
Exhibit 27: ET3 Daniel Rich, USN Interview of 7 June 2025
Exhibit 28: T-Mobile Call Log: 0214 Call between CS3 A.R. and ET3 Daniel Rich, USN
Exhibit 29: A. 7 June 2025 ET3 Rich Interview (Part 1)
B. 7 June 2025 ET3 Rich Interview (Part 2)
C. Transcript Excerpt of ET3 Daniel Rich's Description of Call with CS3 A.R. (7 Jun 2025)
Exhibit 30: Summary of Interview – ET3 Daniel Rich of 5 Sep 25
Exhibit 31: HT3 Gillispie, USN Interview of 7 June 2025 (IA)
Exhibit 32: IA Documenting Text Messages Between CS3 A.R. and HT3 Gillispie
Exhibit 33: Results of T-Mobile Search Warrant (CS3 A.R.) 5 June 2025 (IA)
Exhibit 34: PSSN Irbin Gordillocruz, USN Interview of 3 June 2025 (IA)
Exhibit 35: YN3 Sean Monoghan, USN Interview of 9 June 2025 (IA)
Exhibit 36: AR John Calisse, USN Interview of 3 June 2025 (IA)
Exhibit 37: Combined Interviews of FCC Brad Parker, USN, dated 3 and 5 June 2025 and Relevant Evidence Provided
Exhibit 38: CSSN Jermiah Copeland, USN Interview of 1 June 2025 (IA)
Exhibit 39: Chronological Data from Cellphone of CSSN Copeland – 29 May 2025
A. 29 May 2025 – 0150-0728
B. 29 May 2025 – 0728-1150
C. 29 May 2025 – 1150-1313
Exhibit 40: Results of Navy Federal Credit Union Subpoena dated 2 June 2025
Exhibit 41: Geolocation Data from CSSN Copeland's Phone from 29 May-0413 2 June 2025

Exhibit 42: Work Schedule of CSSN Copeland and Victim (IA)
Exhibit 43: Ms. Mary Benson Interview dated 6 June 2025 (IA)
Exhibit 44: Data Related to the Morning of 2 June 2025
A. Geolocation Data from CSSN Copeland's Phone on 2 June 2025
B. Health Data from CSSN Copeland's Phone on 2 June 2025
C. Photos of Jeep Compass Exiting and Returning to Naval Station Norfolk
D. Screenshots from Phone of CSSN Copeland of Location on Cary Ave
E. Pin Mark Made by CSSN Copeland of Location on Cary Ave
F. Airplane Mode Log on 2 June 2025
Exhibit 45: ABHAA Deondre Williams, USN, Interview dated 5 June 2025
Exhibit 46: LSSA Omeri Smoot, USN, Interview dated 5 June 2025
Exhibit 47: Evidence Related to Recovery and Examination of Victims' Remains
A. Investigative Action Documenting Search of Pinned Location on 9 June 2025
B. Scene Photos from Search at 2800 Cary Ave
C. Photograph of Victim's Back Tattoo
D. Initial Observations of Autopsy
E. Autopsy Report and Related Certifications
F. R.C.M. 701 Summary of Interview with Dr. Lameira dated 29 July 2025
G. Photographs of CSSN Copeland with Matching Luggage
Exhibit 48: Documentation of Barracks Room Scene Examination on 3 Jun 2025
A. Documentation of Evidence Collection (Blue Star) 3 June 2025
B. Documentation of Evidence Collection (Stairwell) 4 June 2025
C. CS3 A.R. DNA for Closet and Stairs Report dtd 10 June 2025
Exhibit 49: PS1 Clarissa Impelidodayoan, USN Interview of 25 July 2025 (IA)
Exhibit 50: NCC Lorenzo Carter, USN Interview of 25 July 2025 (IA)
Exhibit 51: CSSN Jermiah Copeland, USN Interview of 3 June 2025 (IA)
Exhibit 52: A. CSSN Copeland 3 June NCIS Interview (CD);
B. Transcript Excerpts
Exhibit 53: Summary of Interview of CS2 Rezan Taylor of 5 Sep 25
Exhibit 54: Affidavit of Special Agent Jess Gokey dated 3 September 2025
Exhibit 55: Photographs of Phone that went missing after 3 June 2025

Defense Exhibits: None.

PHO Documents:

PHO 1: Defense Request for Evidence dtd 8 Sep 2025
PHO 2: Trial Counsel Response Ltr re: evidence of 11 Sep 2025
PHO 3: Trial Counsel Ltr of 19 Sep 2025
PHO 4: Defense Counsel Ltr of 23 Sep 2025

4. The following information is provided in accordance with R.C.M. 405(m):

a. **PHO Qualification.** The Preliminary Hearing Officer (PHO) is CDR John F. Butler, JAGC, USN. I am a designated judge advocate who is certified under Article 26 and 27(b). I am senior in rank to the accused and senior in rank to counsel for the government and defense counsel.

I am not aware of any grounds for bias, prejudice, or impropriety that would disqualify me from serving as a PHO in the present case. No party objected to me serving as the PHO.

b. **Government Counsel.** The government was represented by CDR Lauren A. Mayo, JAGC, USN and LT Christopher B. Dempsey, JAGC, USN, who are assigned to the Office of Special Trial Counsel.

c. **Defense Counsel.** The accused was represented by LCDR Amanda M. Serfess, JAGC, USN and LCDR Clifton E. Morgan, III, JAGC, USN, who are assigned to Defense Service Office Southeast.

d. **Victim's Legal Counsel.** LCDR Jason Kim (CSSN S.S.); Marshall Griffin for (CS3 A.R.'s mother, Ms. C.)

e. **Delays.** None.

f. **Recording.** Government Counsel is in possession of the recording of the hearing.

g. **Format and Personal Data on the Charge Sheet.** The charge sheet was reviewed by the PHO, government counsel, and defense counsel. No errors were noted.

h. **Issues related to production of evidence.** In a letter dated 8 Sep 2025, Defense counsel requested the production of evidence. *See* PHO Exhibit 1. R.C.M. 405(a) provides that the issues for determination at a preliminary hearing are limited to: 1) whether each specification alleges an offense; 2) whether there is probable cause to believe that the accused committed the offense or offense charged; 3) whether the convening authority has court-martial jurisdiction over the accused and over the offense; and 4) to recommend the disposition that should be made of the case. The government provided a paragraph-by-paragraph response agreeing to produce some of what was requested and denying others. *See* PHO Exhibit 2. To the extent the government denied the defense evidence requests, I find those requests to be general in nature, and they are either cumulative to the 55 exhibits offered by the government or not relevant and not necessary to my determination under R.C.M. 405.

i. **Military Witnesses.** No military witnesses were requested.

j. **Civilian Witnesses.** No civilian witnesses were requested.

k. **Issues related to victims of alleged offenses.** None.

l. **Case Executive Summary:**

**Synopsis:**

This case involves twenty-year old Culinary Specialist Seaman (CSSN) Jermiah Copeland of Durham, North Carolina, who faces eight charges involving five female victims. From July

2024 through May 2025, the Accused is alleged to have sexually assaulted three women, strangled a fourth woman and murdered a fifth woman.

Victim #1 ABHAN C.R. – 23 July 2024

In the early morning hours of 23 July 2024 onboard the USS TRUMAN, the Accused grabbed the vulva, breasts, and buttocks (over the clothing) of ABHAN C.R. The victim reported that he grabbed her neck with one hand and applied enough pressure that it was difficult for her to breathe. She fought to get his hand off her, then the Accused forcibly kissed her. The victim immediately reported the incident to her Chief and to her boyfriend, who observed bruising on the victim's neck.

Victim #2 CSSN S.S. – 4 Nov 2024

Three months later, on 4 Nov 2024, while the ship was making a port call in Oslo, Norway, the Accused was at a bar with fellow shipmate and victim CSSN S.S. The victim consumed multiple shots of tequila, and several witnesses described her being heavily intoxicated (*e.g.*, slurred speech, difficulty walking, and vomiting). The Accused accompanied the victim to a bar bathroom and proceeded to have sexual intercourse with her while recording it on his cell phone. When he returned to the bar, he told two shipmates that he had just had sex with the victim and showed them the video he had recorded. Those who saw the video recognized the victim and the Accused in the video. Later, the Accused showed the videos to at least two others. He was interviewed by law enforcement on 18 November 2024 and admitted to having sex with CSSN S.S., recording it, and showing the video of it to others. When law enforcement asked for his phone, he claimed he had given it to a shipmate and later said it got lost after it fell out of his pocket.

Victim #3 CSSN S.R. – 11 April 2025

On 11 April 2025, the Accused was with CSSN S.R. in his barracks room onboard Naval Station Norfolk. While there, the victim, who had been dating the Accused since the previous month, took a phone call from another woman while the Accused was asleep. The woman who called told CSSN S.R. that she was in a relationship with him. This prompted the victim to go through the Accused's phone and when he discovered this, there was a confrontation. When she attempted to leave, he pushed her and began strangling her. He laughed after he strangled her.

Victim #4 Civilian Y.J. – 25 May 2025

A month later, on 25 May 2025, civilian female, Y.J., was driven by two males (including CSSN John Bradford) to the Accused's apartment on base. She engaged in consensual sexual activity with the two men. She was familiar with the Accused because earlier that summer she had engaged in consensual sex with him. Some time between 0500 and 0600 the Accused returned to the barracks, took her by the arm, and pulled her into his room. He requested oral sex, and she told him "no" and said that she was tired. Nonetheless, he penetrated her vagina without her consent, and she reported that it was painful. She remembered one of the males intervened and was able to get her out of the room. CSSN Bradford recalled hearing Y.J. tell the Accused "no" multiple times and that she was tired. He helped intervene and took her home.

Victim #5 CS3 A.R. – 29 May 2025

Several days later, on the evening of 28 May 2025, CS3 A.R. went to the Accused's barracks room to make tacos. At 0214, CS3 A.R.'s former boyfriend ET3 Daniel Rich received a frantic call from her requesting that she be picked up immediately. During this call, ET3 Rich spoke to another male, who asked him how long it would take for him to pick her up. He said it would take him about ten minutes. CS3 A.R. was put back on the phone, repeated her frantic request to be picked up, and told ET3 Rich she loved him. CS3 A.R.'s last cell tower connection occurred at 0455. Between approximately 0530 and 0645 several of the Accused's roommates reported seeing the Accused and a woman unclothed on the living room floor near the couch.

Based on the distress call that had been made at 0214 to ET3 Rich, multiple efforts were underway to locate CS3 A.R., including by another former boyfriend, HT3 Michael Gillespie. Those efforts were unsuccessful.

Between 0530 and 0645, one roommate and two suite mates getting ready for work walked through the living room space and observed an unclothed female and the Accused. They believed them to be sleeping. Two hours later, FCC Brad Parker, who had become aware of the efforts to locate CS3 A.R., went to the Accused's barracks room at approximately 0855. He reported having a conversation with the Accused and interacting briefly with CS3 A.R., who he observed wrapped in a blanket on a bed. He believed she had made a gesture with her arm indicating she was okay. At 1241 Chief Parker got a call from the Accused, who claimed he had returned CS3 A.R. to her barracks. The Accused was told to come to work and because he did not, he was put in an unauthorized status.

Three days later, HT3 Gillespie confronted the Accused about his night with CS3 A.R. The Accused told him that he had dropped A.R. off outside her building. Also, on 1 June 2025, the Accused was interviewed by NCIS, and he told law enforcement he drove A.R. back to her barracks around 1000. His story changed when he was interviewed two days later, on 3 June by NCIS. He told NCIS that she had taken a Z-trip ride service home. In the course of the interview he gave NCIS permission to search his phone. A search of that phone yielded two important discoveries: first and foremost, the location of CS3 A.R.'s body and second, the movements and actions of his phone from 29 May to 2 June.

According to a forensic analysis of the Accused's phone, he searched for "Parks" and "Trails" in Norfolk at 0432 on 2 June 2025. The Accused had borrowed his suitemate's 2014 white Jeep Compass, which was spotted departing and returning to the base consistent with the geolocation of the phone. Additionally, the vehicle and its license plate was captured at 0440 on its way to a Norfolk neighborhood called Broad Creek. The phone's geolocation data reflected the Accused's presence in Broad Creek from 0456 until 0515 – specifically near woods behind a residence on Cary Avenue. An analysis of the Accused's iWatch also reflected steps consistent with increased activity at the time his phone was located in Broad Creek. Critically, the phone contained a screen shot taken at 0515 (while in Airplane mode) of the area where CS3 A.R.'s body was subsequently found. The "My location" GPS feature of the phone appeared on a driveway

behind 2852 Cary Avenue and a "Marked Location" was made consistent with where CS3 A.R.'s body was found a week later by NCIS on 9 June 2025.

The victim's body was found in a large black duffel bag consistent with a black bag possessed by the Accused as seen in multiple photographs on his phone. Because of the advanced decomposition of her body, a medical examiner could not establish a cause or manner of death. She did, however, rule out stabbing, shooting and drug overdose. The medical examiner could not rule out asphyxia and opined that her death was unlikely to be the cause of a natural death. She also opined that the body was likely placed in the bag within 12 hours of her death.

A search of the Accused's barracks yielded several important discoveries: 1) a trained canine alerted to the presence of human remains in the Accused's closet; 2) positive results for blood in the Accused's closet and a trail of blood from the closet into the Accused's room; 3) the blood found in the Accused's closet matched the victim's DNA; 4) blood stains in the stairwell near the Accused's room also matched the victim's DNA; and 5) an Apple iWatch that the Accused confirmed was his provided health data including his heartrate as well as steps and stairs travelled.

Combining information analyzed from the Accused iPhone and that of his iWatch, investigators discovered the following information germane to the government's theory of premediated murder for the early morning hours of 29 May. At 0146 the Accused created a note on his iPhone and listed ingredients consistent with having prepared beef tacos, which was the activity CS3 A.R. told her friend she was going to do when she went to the Accused's room. Two minutes after creating the list, his heart rate was 61 beats per minute (bpm). Ten minutes later at 0158 his heart rate more than doubled to 128 bmp. It stayed elevated above 120 bpm through the time of the phone call to ET3 Rich at 0214 until 0230. It declined to a normal level for the next 30 minutes with 67 bmp recorded at 0302. Five minutes later the heart rate spiked at 130 bmp. Government Exhibit ("GE") 39a at 7.

Five hours later, from 0755 to 1131, the Accused watched 35 pornographic videos. GE 39b at 15 and 27.

On 3 June he was interviewed by NCIS and asked about CS3 A.R.'s whereabouts. He told the agents that he had nothing to do with her disappearance.

**Timeline:**

- **23 July 2024**: Sexual assault and strangulation of ABHAN C.R. on board USS TRUMAN.
- **4 Nov 2024**: Oslo, Norway bar bathroom sexual assault of CSSN S.S. Accused videoed it and showed the video to multiple sailors.
- **18 Nov 2024:** Accused interviewed by NCIS and claimed he had consensual sexual intercourse with CSSN S.S. He admitted to recording the incident and showing it to others. When agents asked for his phone, he claimed he gave it to another Sailor and later claimed he lost it.
- **11 April 2025** CSSN S.R. was pushed by the Accused in his barrack's room and strangled with both hands after confronting him about dating another woman.

- **25 May 2025** Sexual Assault of civilian Y.J. Others had to intervene to stop it.
- **28 May 2025** CS3 A.R. and CSSN Garcia-Barrera shop at Target after work. A.R. goes to Accused's barracks room to make tacos.
- **29 May 2025**
  - 0214 Distress call from CS3 A.R. to ET3 Rich.
  - 0307 Accused's heart rate is 130 beats per minute.
  - 0530-0645 Roommate travelled through the common area to go to work and see the Accused asleep on the living room floor in his underwear with a female. Two other suitemates travel through common area on their way to work and see a female and the Accused sleeping on the living room floor. They report seeing the Accused and the female undressed (with variations of undress).
  - 0855 CS3 A.R. and Accused seen by FCC Brad Parker in Accused's room.
  - 1241 FCC Parker received a call from the Accused claiming he had returned A.R. to her barracks room.
- **1 June 2025**. HT3 Gillespie confronted the Accused, who admitted he was the one to speak with ET3 Rich in the early morning hours of 29 May and that he dropped A.R. off outside her building. Accused interviewed by NCIS and told them he drove A.R. back to her barracks at 1000.
- **2 June 2025.** The Accused dumped A.R.'s body in the woods in Norfolk's Broad Creek neighborhood.
- **3 June 2025**. The Accused was interviewed by NCIS and told them CS3 A.R. left his room on her own and likely took a Z-Trip car service home. NCIS conducts a search of the Accused's barracks, phone, and iWatch.
- **6 June 2025:** The Accused was placed on restriction and ordered to report to the ship.
- **9 June 2025:** NCIS found CS3 A.R.'s body. The Accused was placed in Pretrial Confinement.

m. **Analysis of offenses.**

Standard for Probable Cause:

Meeting the legal standard of probable cause requires the Government to present evidence which supports a reasonable belief that a crime has been committed. *United States v. Leedy*, 65 M.J. 213 (C.A.A.F. 2007). The belief must be more than a bare suspicion but does not need to rise to the level of a certain probability. *Id*.

Jurisdiction:

While the Accused's Basic Individual Record was not submitted, no parties raised an objection about jurisdiction. With the evidence before me, I find that the Accused was on active duty at the time of the charged offenses and remained on active duty at the time of the Preliminary Hearing. Therefore, there is jurisdiction over him and the offenses.

Witness Availability for the Offenses: No issues noted.

Form of the charges:

All charges and each specification properly allege an offense under the U.C.M.J.

**(1) Charge 1, Specification 1: Article 120—Aggravated Sexual Contact**

Elements:

(1) That the accused committed sexual contact upon ABHAN C.R., by touching through the clothing, her vulva, breast, and buttocks; and
(2) That the accused did so by using unlawful force against ABHAN C.R.

Definitions:

"Sexual contact" means touching, or causing another person to touch, either directly or through the clothing, the vulva, breast, or buttocks of any person, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person. Touching may be accomplished by any part of the body or an object.
The "vulva" is the external genital organs of the female, including the entrance of the vagina and the labia majora and labia minora. "Labia" is the Latin and medically correct term for "lips."

"Unlawful force" means an act of force done without legal justification or excuse. "Force" means the use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or inflicting physical harm sufficient to coerce or compel submission by the victim.

Summary of Evidence:

At approximately 0200 on 23 July 2024 near the fantail of the USS TRUMAN, the Accused was alone with ABHAN C.R. when he sexually assaulted her. Through the mobile messaging platform Snapchat, the Accused previously reached out to ABHAN C.R. requesting to speak to her about her boyfriend, CSSN Fernando Cuestabravo. She agreed to meet and when he arrived, the Accused requested that they go somewhere private to talk.

Once they arrived in the area of the fantail, the Accused told ABHAN C.R. that her boyfriend was talking to other women and suggested that he was cheating on her. He further suggested that she should "get back at" him by getting romantically involved with the Accused. She declined, and then the Accused pretended to arrest C.R. As he did so, he forced her hands behind her back and grabbed her vulva over the clothing. She turned around and punched him in the stomach. He responded by telling her that he heard she liked to be choked, and he grabbed her neck with one hand with sufficient force that it was difficult for her to breathe. She fought to get his hand off her neck and as she did, he replaced it and continued to apply pressure. While doing so, he forcibly kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing. He did this for approximately one minute before he let her go. ABHAN C.R. left the fantail and texted her boyfriend about what happened. She then attempted to make a report by contacting the

Sexual Assault Prevention Response (SAPR) phone number. Her boyfriend, CSSN Cuestabravo, reported it to security and both he and C.R. observed bruising on her neck from where the Accused had strangled her.

Determination as to Whether this Specification Alleges an Offense: This specification alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: None.

Determination as to Probable Cause:

The government has established probable cause for this Specification. The government has also elected to charge this same conduct "as a contingency of proof" in Specification 2 as Abusive Sexual Contact, but the government has not articulated why it has two theories of criminal liability. Specification 2 (Abusive Sexual Contact) is a lesser included offense of Specification (Aggravated Sexual Contact), so it appears that the government has charged it both ways in the event the jury does not find that the Accused used "force" as Specification 2 only requires that it was without the victim's consent. While it is permissible to proceed this way, the facts convincingly show "force" was used, and as such, I recommend that the government proceed only with Specification 1. If "force" became an issue at trial, the government could ask the Court to include the lesser included offense instruction for Abusive Sexual Contact. Simplifying the charging scheme for the jury in a case as complex as this is recommended.

Alternatively, the government could proceed with both Specifications and dismiss Specification 2 at sentencing should there be convictions on both. While that would be the most conservative approach, it is not necessary given the facts. Aggravated sexual contact is appropriate when there is clear force, which is present here: the Accused restrained the victim by physically pretending to arrest her, then choked her, then she attempted to fight him off, and he continued to strangle her and touched her vulva, breasts, and buttocks. She resisted, fled, and immediately reported it. Abusive Sexual Contact would be appropriate had there been sexual contact without force—*e.g.*, touching without consent but not involving physical violence. Here, there is clear force (restraining, choking, and grabbing). The facts strongly support proceeding on Specification 1 alone. The facts strongly support the elements of this Specification and the government should proceed confidently on this Specification alone. Doing so will simplify the case for the jury.

**(2) Charge I, Specification 2: Article 120—Abusive Sexual Contact**

Elements:
(1) That the accused committed sexual contact upon ABHAN C.R. by touching through the clothing, the vulva, breast, and buttocks of ABHAN C.R.; and
(2) That the accused did so without the consent of ABHAN C.R.

Definitions:

"Sexual contact" means touching, or causing another person to touch, either directly or through the clothing, the vulva, penis, scrotum, anus, groin, breast, inner thigh, or buttocks

of any person, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person. Touching may be accomplished by any part of the body or an object.

"Consent" means a freely given agreement to the conduct at issue. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance does not constitute consent. Submission resulting from the use of force, threat of force, or placing another person in fear also does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent. All the surrounding circumstances are to be considered in determining whether a person gave consent.

Summary of Evidence: See Summary of Evidence section above for Specification 1 of Charge I.

Determination as to Whether this Specification Alleges an Offense: This specification alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I recommend dismissing this Specification in favor of pursuing Specification 1 above.

Determination as to Probable Cause: I find Probable Cause for Specification 2 of Charge I. *See* Probable Cause section above for Specification 1, Charge I for additional details and recommendations.

**(3) Charge I, Specification 3: Article 120—Sexual Assault – Incapable of Consenting**

Elements:
(1) That the accused committed a sexual act upon CSSN S.S. by penetrating her vulva with his penis;
(2) That the accused did so when CSSN S.S. was incapable of consenting to the sexual act due to impairment by a drug, intoxicant, or other similar substance; and
(3) That the accused knew or reasonably should have known CSSN S.S. was incapable of consenting to the sexual act due to impairment by drug, intoxicant, or other similar substance.

Definitions & Instructions:
"Incapable of consenting" means the person is incapable of appraising the nature of the conduct at issue or physically incapable of declining participation in, or communicating unwillingness to engage in, the sexual act at issue.

"Consent" means a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance does not constitute consent. Submission resulting from the use of force, threat of force, or placing another person in fear also does not constitute

consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent.

A sleeping, unconscious, or incompetent person cannot consent.

A "competent person" is a person who possesses the physical and mental ability to consent. An "incompetent person" is a person who is incapable of appraising the nature of the conduct at issue, or physically incapable of declining participation in or communicating unwillingness to engage in the sexual act at issue.

"Mistake of fact" means the accused held, as a result of ignorance or mistake, an incorrect belief that the other person consented to the sexual conduct. The ignorance or mistake must have existed in the mind of the accused and must have been reasonable under all the circumstances. To be reasonable, the ignorance or mistake must have been based on information, or lack of it, that would indicate to a reasonable person that the other person consented to the sexual conduct. Additionally, the ignorance or mistake cannot be based on the negligent failure to discover the true facts. "Negligence" is the absence of due care. "Due care" is what a reasonably careful person would do under the same or similar circumstances. You should consider the inherent probability or improbability of the evidence presented on this matter. You should consider the accused's (age) (education) (experience), along with the other evidence in this case. The prosecution has the burden of proving beyond a reasonable doubt that the defense of mistake of fact did not exist. Furthermore, even if you conclude the accused was under a mistaken belief that the alleged victim consented to the sexual conduct, if you are convinced beyond a reasonable doubt that at the time of the charged offense, the accused's mistake was unreasonable, the defense does not exist.

Summary of Evidence:

On the evening of 4 November 2024, a group of sailors, including the Accused and CSSN S.S. were drinking at Heidi's Bier Bar in Oslo, Norway. According to the victim, she had four shots of tequila and did not recall periods of time at the bar. She remembered dancing with the Accused and throwing up at some point but does not remember how she got back to the ship. She also reported feeling vaginal pain, swelling, and cramping the next day. She confronted the Accused about what happened, and he denied having sex with her or recording it. He threatened to kill himself in a text message to the victim.

Multiple witnesses described CSSN S.S. as very intoxicated. They observed her throwing up, having trouble keeping balance, unable to walk, dragging her feet, slurring her speech, not appearing to recall where she was, and being carried back to the Fleet Landing space where she required medical clearance before being transported back to the ship.

One witness who was at the bar, CSSN Kaylee Parks, described how the Accused and CSSN S.S. were "all over each other", holding hands, and kissing each other on the neck and lips. About 30 to 40 minutes later, Parks observed the Accused trying to keep the victim's head upright.

Parks described the victim as very intoxicated with slurred speech and having trouble keeping her balance. She later heard the victim ask the Accused if he would help her to the bathroom. She saw the Accused hold her hand leading her to the bathroom.

The Accused told at least four Sailors that he had sex with CSSN S.S. (CSSA Jackobie Gant, CSSN Kaulise Cousins, CSSA Jacqueline Bita, and CSSN Jada Knight). After returning from the bathroom, the Accused approached Bita and Knight and said, "you'll never believe what happened, if I show you, you can't tell anyone." GE 13. He proceeded to show them a video of him having sexual intercourse with CSSN S.S. in the bar bathroom. Both Sailors recognized the Accused in the video and CSSN S.S. based on her hair and clothing. The gray sweatshirt she was wearing belonged to Bita. Knight specifically recalled seeing the Accused's penis penetrating the victim's vagina. Knight also provided a video to NCIS showing the victim taking a shot that night. A third sailor, CSSA Gant, also recalled being shown the video by the Accused. Gant told NCIS that CSSN S.S. did not appear conscious as her face was down against a toilet.

Once CSSN S.S. became aware of what the Accused had done to her, she contacted him by text message and by phone. He denied having had sex with her or videotaping it. He wanted to know why she was trying to get him in trouble and then said he was going to kill himself.

The Accused was first contacted by NCIS on 6 November 2024. At that time, he was asked for his phone. He told the reporting agent that he did not have it and had given it to his friend, CSSN Cousins. The Agent then contacted Cousins, who said the Accused had never given him his phone. Cousins relayed that the Accused told him about having sex with CSSN S.S. and that he felt bad about it because he knew she had a boyfriend. He also told Cousins that he would kill himself. Cousins described how the Accused refused to come back to the ship, and it appeared he was attempting to kill himself by stepping in front of several trains.

The Accused was contacted by NCIS again on 18 November 2024. He admitted to having intercourse with CSSN S.S. and recording it. He believed the victim had consented to intercourse but was not aware of whether she knew he was recording it. He also admitted to showing the video to Cousins, Knight, and others. When confronted with his claim that he had given his phone to Cousins, he said the phone was lost as it had fallen out of his pocket and shattered. He also admitted to intentionally walking in front of vehicles after being confronted with the allegation.

Determination as to Whether this Specification Alleges an Offense: This specification alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I have no recommended changes to the form of this Specification.

Determination as to Probable Cause: I find probable cause for this Specification. While the video no longer exists, four Sailors recall seeing it, identifying both the victim and the Accused in the video, and hearing the Accused tell them that he had sexual intercourse with CSSN S.S. The Accused also admitted this to NCIS as well as making a video of the incident. The Accused is likely to make a mistake of fact defense, but this will be challenging given the extensive evidence of the victim's heightened level of intoxication – and his knowledge of it (*e.g.*, propping up her

head in the bar (GE 19)). The fact that the Accused was stepping in front of vehicles in the wake of this incident, telling people he would kill himself, lying to CSSN S.S. by denying they had sex, and lying to NCIS about the whereabouts of his phone will go to his consciousness of guilt. That together with evidence of the victim's state of intoxication—including four eyewitnesses who saw the video, who will describe how she did not appear to apprise the nature of what was happening—will likely overcome any mistake of fact defense. Based on the evidence presented, I find that CSSN S.S. was not a "competent person" capable of consenting as those terms are defined above.

**(4) Charge I, Specification 4: Article 120—Sexual Assault – Without Consent**

Elements:
(1) That the accused committed a sexual act upon Y.J. by penetrating Y.J.'s vulva with his penis; and
(2) That the accused did so without the consent of Y.J.

Definitions:

"Sexual act" means: the penetration, however slight, of the penis into the vulva or anus or mouth; or the penetration, however slight, of the vulva or penis or anus of another by any part of the body or any object, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person.

The "vulva" is the external genital organs of the female, including the entrance of the vagina and the labia majora and labia minora. "Labia" is the Latin and medically correct term for "lips."

Summary of Evidence:

On 25 May 2025, civilian female, Y.J., was driven by CSSN John Bradford and another male to the Accused's barracks apartment on base. She engaged in consensual sexual activity with the two men who had driven her to base. Y.J. was familiar with the Accused because earlier that summer she had engaged in consensual sex with him. Between approximately 0500 and 0600 the Accused returned to the barracks, took her by the arm, and pulled her into his room. He requested oral sex, and she told him "no" and told him she was tired. Nonetheless, he penetrated her vagina, and she described it as painful (The NCIS report documenting its interview with her does not specify how the Accused penetrated Y.J.). She reported that one of the males intervened and was able to get her out of the room. CSSN Bradford recalled hearing Y.J. tell the Accused multiple times "no" and that she was tired. He helped intervene and took her home.

Determination as to Whether this Specification Alleges an Offense: This specification of the charge alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I have no recommended changes to this specification.

Determination as to Probable Cause: I find probable cause that Y.J.'s vulva was penetrated without her consent, but I will note that Y.J. was not asked directly how the penetration occurred. Circumstantial evidence suggests that it was with his penis since just prior to the penetration, the Accused requested oral sex from Y.J. The evidence for this Specification is strong. It is not typically the case to have multiple witnesses overhear a victim repeatedly tell an Accused "no" and to have a bystander stop a sexual assault.

**(5) Charge II and its sole Specification: Article 128—Aggravated Assault (Strangulation)**

Elements:
(1) That the accused assaulted ABHAN C.R.;
(2) That the accused did so by strangulation; and
(3) That the strangulation was done with unlawful force or violence.

Definitions:

An assault by strangulation is an assault committed intentionally, knowingly, or recklessly, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.

"Strangulation" means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the alleged victim.

Summary of Evidence: See summary of evidence section for Charge I, Specification 1 above.

Determination as to Whether this Specification Alleges an Offense: This charge alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I have no recommended changes to the form of the charge.

Determination as to Probable Cause: I find probable cause for this charge. See the Determination as to Probable Cause above for Charge I, Specification 1 above. Additionally, the PHO notes that this charge should not be considered a "contingency of proof for Charge I, Specification 1" as asserted by the government in its post-hearing comments. *See* PHO Exhibit 3 at 5. Article 128 could be a lesser included offense of Article 120, but as charged in this case, it is not necessary. Charge I, Specification 1 makes no mention of strangulation. Charge II is supported by strong evidence, contains different elements, and is not an unreasonable multiplication of charges for the conduct captured in Charge I, Specifications 1 and 2.

**(6) Charge III and its sole Specification: Article 117(a)—Wrongful Broadcast**

Elements:

i. That the accused knowingly and wrongfully broadcasted an intimate visual image of CSSN S.S.;
ii. That CSSN S.S. was at least 18 years of age when the visual images was created;
iii. That CSSN S.S. is identifiable from the visual image or from information displayed in connection with the visual images;
iv. That CSSN S.S. did not explicitly consent to the broadcast of the visual image;
v. That the accused knew or reasonably should have known that the visual images was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding any broadcast of the visual image;
vi. That the accused knew or reasonably should have known that the broadcast of the visual image was likely to cause harm, harassment, intimidation, emotional distress, or financial loss for CSSN S.S., or to harm substantially CSSN S.S. with respect to her health, safety, business, calling, career, financial condition, reputation, or personal relationships; and
vii. That the accused's conduct, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

Definitions:

An act is done "knowingly" when it is done intentionally and on purpose. An act done as the result of a mistake or accident is not done "knowingly."

The term "broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

The term "intimate visual image" means a visual image that depicts a private area of a person. The term "private area" means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

The term "reasonable expectation of privacy" means circumstances in which a reasonable person would believe that a private area of the person, or sexually explicit conduct involving the person, would not be visible to the public.

A "reasonably direct and palpable connection to a military mission or military environment" means conduct that has a measurably divisive effect on unit or organization discipline, morale, or cohesion, or must be clearly detrimental to the authority or stature of or respect toward a Servicemember. The connection between the conduct and a military mission or military environment is contextually oriented and cannot be evidenced by conduct that is connected only in a remote or indirect sense.

Summary of Evidence and Finding of Probable Cause:

I find probable cause for Charge III. Incorporating the Summary of Evidence for Charge I, Specification 3 (pages 12-13 of this report), and emphasizing for purposes of this charge that (1) the Accused admitted to having recorded his sexual intercourse with CSSN S.S. and that he did not ask her consent in recording it; (2) showed or broadcast the video to at least four people (Bita, Knight, Gant, and Cousins), who reported seeing intercourse, the victim's buttocks, and identifying the Accused and CSSN S.S. in the video; (3) that CSSN S.S. did not consent to the making of the video as she was incapable of giving consent due to the heightened level of her intoxication; (4) the Accused knew CSSN S.S. was in a relationship with someone else and reasonably should have known broadcasting the video of her face down in a toilet stall to others, especially shipmates who knew and worked with CSSN S.S., would cause her emotional distress; and (5) by asking Bita and Knight not to tell anyone, the Accused knew his conduct would adversely impact CSSN S.S. and the military environment with which all of the witnesses involved operated.

Determination as to Whether this Specification Alleges an Offense: This specification alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I recommend dismissing this Charge and pursuing Charge IV, Specification 2 only. The Government contends that Charge III and its sole specification is charged as a "contingency of proof" for Charge IV, Specification 2, but it does not articulate why. The "intimate visual area" definition under Article 117(a) is the same as the "private area" definition under Article 120(c). Even if witnesses testified at trial that they only saw the victim's buttocks and not her vulva in the video, the elements for both have been met. So, if that is not the factual contingency the government is concerned with, then what is? Based on what has been presented to me, including this charge is unnecessary and invites unnecessary litigation on an unreasonable multiplication of charges. Judicial economy is better achieved by simplifying the charging scheme.

**(7) Charge IV, Specifications 1 & 2: Article 120c—Indecent Recording**

*Specification 1 (Indecent Recording)*

Elements:

(1) That the accused, without legal justification or lawful authorization, knowingly made a recording of the private area of CSSN S.S.;
(2) That the accused did so without the consent of CSSN S.S.; and
(3) That said recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

Definitions:

An act is done "knowingly" when it is done intentionally and on purpose. An act done as the result of a mistake or accident is not done "knowingly."

"Private area" means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

"Under circumstances in which that other person has a reasonable expectation of privacy" or "reasonable expectation of privacy" means: (A) circumstances in which a reasonable person would believe that he or she could disrobe in privacy, without being concerned that an image of a private area of the person was being captured; or (B) circumstances in which a reasonable person would believe that a private area of the person would not be visible to the public.

A "recording" is a still or moving visual image captured or recorded by any means.

*Specification 2 (Indecent Broadcasting)*

Elements:

(1) That the accused, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S.;
(2) That the recording was made without the consent of CSSN S.S.;
(3) That the accused knew or reasonably should have known that the recording was made without the consent of CSSN S.S.;
(4) That the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy; and
(5) That the accused knew or reasonably should have known that the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

"Broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

Summary of Evidence: See Charge III above.

Determination as to Whether these Specifications Allege an Offense: The two specifications of this charge allege offenses under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: For the conduct involving the Accused recording CSSN S.S., I recommend dismissing Charge III and only pursuing Charge IV, Specifications 1 and 2. See the Recommendation for Charge III above for more details.

Determination as to Probable Cause: Probable Cause has been established for both Specifications of Charge IV.

**(8) Charge V, Specifications 1-3: Article 131b—Obstruction of Justice**

Elements:

(1) That the accused wrongfully did a certain act, that is, hide his cellular phone;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;
(3) That the acts was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

Definitions:
"Criminal proceedings" includes lawful searches, criminal investigations conducted by police or command authorities, Article 32 preliminary hearings, courts-martial, and state and federal criminal trials.

"Disciplinary proceedings" includes summary courts-martial and Article 15 non-judicial punishment proceedings.

"Wrongfully" means without legal justification or excuse.

While the prosecution is required to prove beyond a reasonable doubt the accused had the specific intent to influence or impede the due administration of justice, there need not be an actual obstruction of justice. It is not necessary that charges be pending or even that an investigation be underway. The accused also does not have to know that charges have been brought or proceedings begun. The government must, however, prove beyond a reasonable doubt that the accused had reason to believe there were or would be criminal proceedings against himself or that some law enforcement official of the military would be investigating the accused's actions.

Summary of Evidence and Probable Cause:

*Specification 1 (Oslo Investigation)*

The Accused knew he was under investigation because he told his friend, CSSN Cousins that the victim "put a charge on him" and that his life was ruined. GE 14. He also told CSSA Gant, that CSSN S.S. had "put a case on" him. GE 17. Further, as evidenced by the Accused's text exchange with CSSN S.S., he knew an allegation of sexual assault had been made against him. *See* GE 8 ("why y tryna get me introuble over a lie" "ima just kill myself"). His phone, which contained the video he made of that sexual assault, would contain key evidence in an investigation into the matter. When NCIS asked for the phone, he lied and told them he gave it to CSSN Cousins. Cousins was contacted by NCIS and denied ever having received the Accused's phone. And, not surprisingly, the Accused provided no reasonable explanation as to why he would give his phone to someone else. The obvious explanation is that he knew it contained key evidence, and he did not want law enforcement to have it since he knew he was under investigation. He later told NCIS that he lost his phone further undercutting his credibility and adding more weight to his intent to obstruct justice. The fact that he attempted to kill himself by walking in front of three trains after becoming aware that the victim had "put a charge on him" and had to be escorted back to the ship by Shore Patrol is strong consciousness of guilt evidence for both this Specification and Charge I, Specification 3 (Sexual Assault Incapable of Consenting), Charge III (Wrongful Broadcast), and both Specifications of Charge IV (Indecent Recording and Indecent Broadcasting).

Specification 1 of Charge V alleges an offense under the U.C.M.J., and I have no recommended changes to the form of the Specification and Charge.

*Specification 2 (Murder Investigation – Concealed Body)*

There is Probable Cause for Specification 2. On 1 June 2025, the Accused was interviewed by NCIS in the barracks lounge and was asked about CS3 A.R.'s whereabouts. He lied to agents and told them he drove CS3 A.R. back to her barracks at 1000 on 29 May 2025. He said that was the last time he saw her. On 3 June 2025, the Accused was interviewed again and gave NCIS permission to search his iPhone 15. In connection with NCIS's interview, his barracks room was also searched. He confirmed that the iWatch they found was his. As a result of obtaining his iPhone, NCIS found CS3 A.R.'s body in the Broad Creek area of Norfolk consistent with a screen shot that was on his phone, which contained a GPS pin of the vicinity where CS3 A.R.'s body was found in a black duffel bag. A forensic examination of his phone also showed that he searched for "Parks" and "Trails" in Norfolk just before dumping her body. *See* GE 44a at 2. Pictures of the black duffel bag were found on the Accused's phone (*e.g.*, at the top of a set of stairs holding the black duffle bag and in an elevator with the black duffle bag) and in a social media post. *See* GE 47g.

A canine alerted for human remains in the Accused's closet. *See* GE 48a at 10. Blood matching the victim's DNA was also found in the Accused's closet and in the adjoining stairwell to the Accused's barracks room. *See* GE 48b. Law enforcement also used Bluestar, a chemiluminescent reagent, to detect the presence of blood in the Accused's bedroom in the area between his bathroom and the common living space. *See* GE 48a at 13 (Figure 20). The highlighted marks could be consistent with the path tracks of a large, wheeled duffle bag.

YN3 Monaghan, the roommate of the Accused, told investigators that the Accused kept a black rolling suitcase locked in his closet. GE 35. He participated in a deep clean of their room on 2 June and noticed a stain on the bathmat in front of the toilet; a stain he believed to be blood. PS1 Impelidodayoan and NCC Carter accompanied YN3 Monaghan at 0900 on 2 June for the HM-12 room inspection and the body had already been moved by the Accused and dumped in the Broad Creek neighborhood.

Specification 2 of Charge V alleges an offense under the U.C.M.J., and I have no recommended changes to the form of the Specification.

*Specification 3 (Murder Investigation – Hidden Cellular Phone)*

There is probable cause for Specification 3. On 3 June 2025, the Accused was interviewed by NCIS and asked about an iPhone (GE 55) and an iWatch that were located during a search of his barracks room. He confirmed that the items were his but told NCIS that the phone did not work. NCIS did not seize the phone at that time. When he was placed on restriction, he was told to bring his belongings from his barracks room to the barge associated with his ship. On 10 June 2025, NCIS executed a search of his berthing onboard the barge and seized the iWatch. The iPhone, that was seen in his barracks room on 3 June was not found and remains missing.

Nonetheless, the government obtained a search warrant for the Accused's iCloud account and found a selfie photo taken by the Accused on 8 June, just one day before he was placed in pretrial confinement. The photo depicts the Accused in his uniform holding a white iPhone (similar to the one investigators saw on 3 June) in a space that appears consistent with the barge.

At the Article 32 hearing, I asked the government about what evidence they believed was contained on the iPhone that is the subject of this Specification. The government is right that they are not required to describe the evidence they believe they would find; in fact, how could they possibly know without examining the phone? The fact that the iCloud return showed the Accused taking a selfie five days after he told NCIS that the phone did not work is relevant evidence. It shows he lied to them about its operability. Also, the relevance is compounded when considering the context of the Oslo investigation, which involved the Accused lying to investigators about giving his phone to a shipmate and later losing it. Objectively, people understand that iPhones contain so much information about our day to day lives (*e.g.*, what we search, where we go, what we read, what we see), so it is reasonable that the Accused would want to get rid of the very thing he knew law enforcement wanted to find especially considering he had been in this situation before (Oslo)—now however, the stakes were even higher given he was under investigation and on restriction for a case involving a missing CS3 A.R.

Specification 3 of Charge V alleges an offense under the U.C.M.J., and I have no recommended changes to the form of the Specification.

**(9) <u>Charge VI, Specification 1: Article 128b—Domestic Violence – Strangulation</u>**

<u>Elements</u>:
(1) That (state the time and place alleged), the accused assaulted CSSN S.R. the intimate partner of the accused;
(2) That the accused did so by strangling CSSN S.R.; and
(3) That the strangulation was done with unlawful force or violence.

<u>Definitions</u>:
The term "intimate partner" means either (a) one's former spouse, a person with whom one shares a child in common, or a person with whom one cohabits or with whom one has cohabited as a spouse; or (b) a person with whom one has been in a social relationship of a romantic or intimate nature, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term "dating partner," in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of- (A) the length of the relationship; (B) the type of the relationship; (C) the frequency of interaction between the persons involved in the relationship; and (D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.") The relative weight given to each of the named criteria in making the "dating partner" determination may vary depending on the facts and circumstances presented.

The term "strangulation" means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.

Recommendations for Changes to the Form of both Specifications of the Charge:

The government asked the PHO to comment on the use of "intimate partner" or "dating partner" in this case. The definition of "intimate partner" in the statute appears to be a broader term than "dating partner". All "dating partners" could qualify as "intimate partners" but not all "intimate partners" are necessarily "dating partners" (*e.g.*, cohabitant or ex-spouse could qualify as "intimate" but not "dating").

Given the brevity of the relationship (less than 2 months), the safer classification is "dating partner." The shorter the relationship, and the less frequent interaction or intimacy, the more likely a factfinder would treat it as a "dating partner" rather than elevate her to the "intimate partner" category (unless there is other evidence of closeness, exclusivity, shared finances, joint plans, etc.). If the relationship had frequent contact, emotional dependence, planning for future, exclusivity even in two months, "intimate partner" would be appropriate via the residual social relationship clause. Using the term "dating partner" is a better and more defensible position having only reviewed the description of the relationship in Government Exhibits 21 and 22 (Statement of CSSN S.R.). I recommend amending the Specifications and using the term "dating partner".

Summary of Evidence and Determination of Probable Cause:

On 11 April 2025, the Accused was with CSSN S.R. in his barracks room onboard Naval Station Norfolk. While there, the victim, who had been dating the Accused since the previous month, took a phone call from another woman while the Accused was asleep. The woman who called told CSSN S.R. that she was in a relationship with him. This was upsetting to CSSN S.R. because she believed she was in an exclusive relationship with the Accused. As a result, the victim began to go through the Accused's phone and when he discovered this, there was a confrontation. When the victim attempted to leave, he pushed her and began strangling her. He laughed after he strangled her.

In her interview with NCIS, she described how the Accused pushed her down and then he used both hands to strangle her for ten seconds. She said she could not breathe and was visibly upset in the video of the interview when asked to recall the incident. *See* GE 22a at 12:20.

I find probable cause for this specification, and it properly alleges an offense.

**(10) Charge VI, Specification 2: Article 128b—Domestic Violence – Violent Offense**

Elements:

(1) That the accused committed a violent offense, to wit: unlawfully pushing her with his hands; and
(2) That the violent offense was committed against CSSN S.R., who was an intimate partner of the accused.

Summary of Evidence: See description above for Specification 1 of Charge VI.

This specification alleges an offense under the U.C.M.J. and I find probable cause to support it. I recommend amending the Specification to reflect "dating partner" instead of "intimate partner. See discussion above for more details.

**(11) Charge VII, Specifications 1 & 2: Article 107—False Official Statement**

Elements:

(1) That the accused made to Special Agent Jessica Gokey, that is: (Specification 1: he returned CS3 A.R. to her barracks room; and Specification 2: he did not know where CS3 A.R. went after she left his barracks);
(2) That such statement was totally false;
(3) That the accused knew it to be false at the time he made it; and
(4) That the false statement was made with the intent to deceive.

Definitions:

"Intent to deceive" means to purposely mislead, to cheat, to trick another, or to cause another to believe as true that which is false.

A statement is official when the maker is either acting in the line of duty or the statement bears a clear and direct relationship to the maker's official military duties, or where the receiver is either a military member carrying out a military duty when the statement is made or a civilian necessarily performing a military function when the statement is made. The rank or status of the person intended to be deceived is immaterial if that person was authorized in the execution of a particular duty to require or receive the statement from the accused.

Summary of Evidence & Determination of Probable Cause:

*Specification #1 (Returned CS3 A.R. to her barracks)*

On 1 June 2025, NCIS Special Agent Jessica Gokey interviewed the Accused in the lounge area of his barracks to inquire into the whereabouts of CS3 A.R. The accused told her that he borrowed his roommate's vehicle and drove CS3 A.R. back to her barracks at approximately 1000. He said that this was the last time he saw her. *See* GE 38 at 2.

Geolocation data for the Accused's cell phone indicated that he never left his barracks during the period of 29 to 31 May. *See* GE 41 at 1. Additional geolocation and cell phone data

detailed above show that he dumped the victim's body in a wooded area in the Broad Creek section of Norfolk on 2 June.

The Accused was interviewed again on 3 June 2025, at which time he told Special Agent Gokey that CS3 A.R. left in a Z-Trip (transportation service). *See* GE 51 at 2 and GE 52.b at 2:21.

> 02:21:04: Special Agent: Okay. So, what – so, she got in an Uber then, now?
> 02:21:10: CSSN Copeland: Yes.
> 02:21:11: Special Agent: Okay, do you know if it was an Uber or Z-Trip?
> 02:21:15: CSSN Copeland: Probably a Z-Trip. I mean obviously most Ubers you have to be like on base or base access.

I find probable cause for Specification 1 of Charge VII and have no recommendation for changing the form of the Specification.

*Specification #2 (Didn't know the whereabouts of CS3 A.R. after she left his barracks)*

Incorporating the facts above and adding that during the Accused's interview with NCIS Special Agent Gokey on 3 June, he told her that he didn't know where she was and had nothing to do with her disappearance. See GE 52b at 2:25:55 – 2:26:02.

> 02:25:55: Special Agent 2: You know that we're just trying to find [CS3 A.R.], right. So, do you know where she is?
> 02:25:59 CSSN Copeland: No, ma'am.
> 02:26:00 Special Agent 2: Did you have anything to do with her disappearance?
> 02:26:02 CSSN Copeland: No, ma'am

I find probable cause for Specification 2 of Charge VII.

Determination as to Whether this Specification Alleges an Offense: The two specifications of Charge VII allege offenses under the U.C.M.J.

Recommendations for Changes to the Form of Specification 2: While it was a false official statement to tell the Special Agent he did not know where CS3 A.R. went after she left his barracks, the government could capture the more aggravating and direct false official statement that he had nothing to do with her disappearance. By doing this, it would track the transcript more precisely. For example:

Specification 2 (*False Official Statement*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 3 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he *had nothing to do with the disappearance of* CS3 A.R., U.S. Navy, ~~went after she left his barracks room on the morning of 29 May 2025 or words to that effect,~~ which statement was totally false, and was then known by the said CSSN Copeland to be so false.

**(12) Charge VIII and its sole Specification: Article 118(1)—Premeditated Murder**

Elements:

(1) That A.R. is dead;
(2) That her death resulted from the act of the accused;
(3) That the killing of A.R. by the accused was unlawful; and
(4) That, at the time of the killing, the accused had a premeditated design to kill.

Definition and Explanation:
A murder is not "premeditated" unless the thought of taking life was consciously conceived and the act or omission by which it was taken was intended. Premeditated murder is murder committed after the formation of a specific intent to kill someone and consideration of the act intended. It is not necessary that the intention to kill have been entertained for any particular or considerable length of time. When a fixed purpose to kill has been deliberately formed, it is immaterial how soon afterwards it is put into execution. The existence of premeditation may be inferred from the circumstances.

Lesser Included Offense:
Depending on the evidence presented at trial (*e.g.*, the Accused testifies and introduces new evidence), the government and defense counsel could request that the military judge provide an instruction on the lesser included offense of premeditated murder—unpremeditated murder: Article 118(2) Intent to Kill or Inflict Great Bodily Harm. The first three elements remain the same and the fourth element reads: That, at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

When the evidence indicates that the passion of the accused may have affected his capacity to premeditate, as in the case where there was a lapse of time between adequate provocation and the act, but the passion of the accused persists, the court may be instructed substantially as follows:

An issue has been raised by the evidence as to whether the accused acted in the heat of sudden "passion." "Passion" means a degree of rage, pain, or fear which prevents cool reflection. If sufficient cooling off time passes between the provocation and the time of the killing which would allow a reasonable person to regain self-control and refrain from killing, the provocation will not reduce murder to the lesser offense of voluntary manslaughter. However, you may consider evidence of the accused's passion in determining whether he possessed sufficient mental capacity to have "the premeditated design to kill." An accused cannot be found guilty of premeditated murder if, at the time of the killing, his mind was so confused by (anger) (rage) (pain) (sudden resentment) (fear) (or) (__) that he could not or did not premeditate. On the other hand, the fact that the accused's passion may have continued at the time of the killing does not necessarily demonstrate that he was deprived of the ability to premeditate or that he did not premeditate. Thus, if you are convinced beyond a reasonable doubt that sufficient cooling off time had passed between the provocation and the time of the killing which would allow a reasonable person to regain his/her self-control and refrain from killing, you must decide

whether the accused in fact had the premeditated design to kill. If you are not convinced beyond a reasonable doubt that the accused killed with premeditation, you may still find him guilty of unpremeditated murder, if you are convinced beyond a reasonable doubt that the death of CS3 A.R. was caused, without justification or excuse, by an (act) (failure to act) of the accused and (the accused intended to kill or inflict great bodily harm on the victim) (the act of the accused was inherently dangerous to others and showed a wanton disregard for human life).

Determination as to Whether this Specification Alleges an Offense: The sole specification of the charge alleges an offense under the U.C.M.J.

Recommendations for Changes to the Form of the Charge: I have no recommended changes to the form of the charge.

Summary of Evidence: The facts outlined in pages 6 and 7 of this report are incorporated herein as are the following additional facts.

AR John Calisse, a suitemate of the Accused reported hearing the Accused and an unknown female singing karaoke in the Accused's room around 0200 on the morning of 29 May. GE 36. He estimated that he left for work around 0530 on 29 May and at that time saw an unknown female laying naked in the middle of the common room floor with the Accused laying on her thigh. He said he believed the female to be breathing at the time he left. When he returned at 1700 they were not in the barracks room. At approximately 0630 on 2 June, he observed the Accused driving his jeep back into the barracks parking lot.

PSSN Gordillocruz is AR Calisse's roommate and the suitemate of the Accused. GE 34. He reported that he awoke on 29 May around 0620 and exited his room at 0645 with his roommate AR Calisse. He observed the Accused, who was naked, and a female laying on her back with her breasts exposed. He believed her chest was rising and falling. He had to maneuver around them to get to the front door. Around 1900 on 1 June he, Calisse, and the Accused went to get food at Chipotle and returned to the barracks. GE 36 at 2. The Accused asked Calisse if he could borrow his Jeep to get food, which Gordillocruz thought was strange since they had just eaten. GE 34.

YN3 Sean Monaghan was the Accused's roommate. He reported waking up on 29 May at around 0500 to get ready for work and noticed no one was in his room. GE 35. Around 0640 he walked into the common room and saw the Accused asleep on the floor of the living room in his underwear next to a female he did not recognize. When he returned at 1300 no one was in the room. He spoke to the Accused about the female and asked if they had been naked. The Accused responded and said they had been in their underwear.

FCC Parker went to the Accused's room on the morning of 29 May after receiving GroupMe messages that people were looking for CS3 A.R. The Accused answered the door as if he had just woken up and informed the Chief he was not alone by confirming that CS3 A.R. was also there. Chief Parker, who had been CS3 A.R.'s Chief for the last two months and interacted with her approximately four times a week, recognized her in bed. GE 37. He believed that she looked up, dismissively waved, rolled over and went back to sleep. He remembered seeing her

wrapped in a blanket with only her feet exposed. At 0855 he sent a text message to LSC Janson to confirm that the Accused and CS3 A.R. were in the Accused's room. He asked the Accused if CS3 A.R. was in any imminent danger, and the Accused said, "I don't think so" and explained how she was having problems with her boyfriend in Texas and that they had been watching movies. FCC Parker told the Accused to return her to her barracks and get to work. At 1148 FCC Parker texted LSC Janson, "[CS3 A.R.] was awake long enough to tell me she was "okay" and went back to bed." At 1251 he sent another message, "I just talked to Copeland. He just dropped [CS3 A.R.] back at her place."

Despite Chief Parker's insistence that the Accused report to work, the Accused did not go to work on 29 May. Geolocation data from the Accused's phone reflects that he did not leave the barracks for four days from the period of 31 May through 1 June. On 1 June the Accused was interviewed by NCIS about the disappearance of CS3 A.R. Later that evening, the Accused sent a text message to CS3 A.R.'s phone asking her if she was okay and indicated that they had both been marked in an unauthorized status. GE 25d at 6.

The Accused's roommate's command scheduled a room inspection for the morning of 2 June, and at 0345 that morning, the Accused's iWatch detected him moving 330 steps across two floors. GE 44b.

Discussion and Determination as to Probable Cause:

There are some complicated facts for the government to navigate, but they have a strong case, and I find probable cause for this charge. There are several witnesses (Monaghan, Calisse, and Gordillocruz), who saw CS3 A.R. at approximately 0645 lying on the living room floor with the Accused lying on her thigh. Two of them believe they saw her breathing. Chief Parker arrived at the room two hours later although at this time, CS3 A.R. was now located in the Accused's bed. He believed he saw her wave at him dismissively and texted another Chief that she had said she was "okay". The panicked phone call to ET3 Rich combined with the iWatch data and the multitude of steps the Accused took to cover up his crime should be enough to overcome the complicated facts referenced here.

The government's theory of the case for premeditated murder—which is supported by the evidence—is that the Accused attempted to engage in sexual activity with CS3 A.R. He told CS2 Taylor that they had been drinking and began making out and that CS3 A.R. wanted to take it further, but that he stopped it. GE 53. CS3 A.R.'s ex-boyfriend ET3 Rich described how attempts at sexual activity could cause a severe reaction by CS3 A.R. It seems plausible this happened when considering the Accused's claim he had been making out with and the panicked call she made at 0214 to ET3 Rich repeatedly asking him to pick her up. Defense counsel argued that there was nothing to suggest that she was under duress, scared for her life, or that she had been threatened by the Accused because she said nothing to ET3 Rich about a sexual assault or about being frightened or threatened by the Accused. *See* PHE 4. That argument is not convincing for two reasons. First, the Accused was with her when she made the call, so if she was terrified of him, it is unlikely she would have articulated that in front of him to ET3 Rich. Second, the tone of her voice was alarming enough to ET3 Rich that he immediately went looking for her in the middle of the night, coordinating his effort with another one of her ex-boyfriends, and multiple Master-at-

Arms. Clearly, the panic and tone of her call without the substance of what had caused her to make it was sufficient to initiate a concerted effort to find her in the middle of the night.

The government cites a couple of cases that outline a variety of factors that can be considered when determining premeditation, including precautions made to avoid detection. The government cites the following evidence to support consciousness of guilt and the kind of precautions and actions taken by the Accused to avoid detection: (1) the number of lies the Accused told (*e.g.*, to Chief Parker that A.R. did not have her phone[1] and that he walked her home; to NCIS that he had taken her home; a subsequent version to NCIS that she took a Z-Trip ride service home; and that he had nothing to do with her disappearance); (2) his efforts to conceal her body (that he kept her body in a duffle bag for four days and that he searched for a "Parks" and "Trails" in Norfolk where he could dispose of her body); (3) his decision to avoid work and stay in his barracks for four days (arguably to work out how he would dispose of her body and to keep guard to ensure people would not find her); and (4) sending CS3 A.R.'s phone a text message at 7:01 p.m. on 1 June asking her if she was okay (assuming the NCIS interview on 1 June was prior to 7:01 p.m., he did this to throw law enforcement off from suspecting him). Additionally, the PHO would note that (5) his use of "Airplane" mode on his iPhone on 2 June, while unsuccessful, is yet another example of his attempt to avoid detection. *See* GE 44d and 44f. Finally, while it does not go to concealment, it is relevant that friends of the Accused noticed behavioral changes in him. Following the murder of CS3 A.R., ABHAA Deondre Williams noted the Accused's increased interest to hang out together. *See* GE 45. The Accused's roommate, YN3 Monaghan remembered the Accused looked skittish on the morning of 2 June and was startled when YN3 Monaghan opened the door to their room. GE 35.

The health data of the Accused's iWatch supports the government's theory of premeditated murder. Two minutes after creating a note on his iPhone with ingredients for preparing beef tacos his heart rate was 61 beats per minute (bpm). Ten minutes later at 0158 his heart rate more than doubled to 128 bmp. It stayed elevated above 120 bpm for the next thirty minutes (including during the call to ET3 Rich at 0214 and for 16 minutes thereafter). It declined to a normal level for the next 30 minutes with 67 bmp recorded at 0302, but five minutes later his heart rate spiked at 130 bmp. Thirty minutes is a considerable time to have such an elevated heart rate. It suggests that the murder was not a sudden impulsive act or an accidental moment, but something that been deliberately executed. While what happened during this hour will be debated at trial, the instruction for premeditated murder is important to remember: "When a fixed purpose to kill has been deliberately formed, **it is immaterial how soon afterwards it is put into execution**. The existence of premeditation may be inferred from the circumstances." Emphasis added. The government pointed out that the Accused had a significant reaction to the second sexual assault allegation—

[1] The Government convincingly argues that because CS3 A.R.'s phone's last cell tower contact was made at 0456, she was already dead at the time Chief Parker came to check on the Accused and saw her. If she was alive in the morning when Chief Parker arrived and waved at him as he thought he may have seen, it is reasonable that she would have checked her phone. If it was not operating, she would have plugged it back in. It would have been unusual for her to recognize a Chief from her command, blow him off when he told them they needed to go to work, and simply rolled over and gone back to sleep.

that he considered killing himself. They argue that a third sexual assault allegation put him over the top and that he made the decision to eliminate the possibility of that threat by killing CS3 A.R. The fact that he could have made that decision in the minutes or seconds it took him to kill CS3 A.R. is "immaterial" to negate premeditated murder.

The evidence for premeditated murder is made even stronger if the government is successful in admitting intrinsic evidence or evidence permitted under Military Rule of Evidence (M.R.E.) 404(b)(2) (motive, opportunity, intent, preparation, plan, knowledge, absence of mistake, or lack of accident) and M.R.E. 413 (Similar Crimes in Sexual Offense Cases)–namely his history of strangling women and history of sexual assault.

405(l) Matters

Trial and Defense Counsel submitted 405(l) matters in a timely manner. *See* PHE 4 and 5. Defense Counsel requested that I provide comments on the reasonable likelihood of success at trial if the offenses related to CS3 A.R.'s death were severed from the charges involving the other four victims. The Defense has good reason to raise this issue before the Court: Does severing the murder-related counts (Chage VI, Specifications 2 and 3, Charge VII, and Charge VIII) become necessary to avoid unfair prejudice that cannot be effectively handled by instructions or other safeguards?

The R.C.M. explicitly contemplates severance of capital versus non-capital counts: "In a capital case (*i.e.*, death-eligible), if the joinder of unrelated non-capital offenses appears to prejudice the accused, the military judge may sever the non-capital offenses from the capital." R.C.M. 906(b)(10)(B)). Here, however, the government explicitly stated its desire to pursue a sentence of life in prison without the possibility of parole. Further, as required by R.C.M. 601(e)(2), if the government intended to pursue this as a Capital case, they would need to indicate such on the charge sheet.[2]

The military justice system explicitly favors joinder of all known offenses[3] in a single trial. R.C.M. 601(e)(2). The factors considered by appellate courts in reviewing denials of severance motions include: (1) whether evidence of one offense would be admissible in the trial of the other offense, (2) whether the military judge gave a limiting instruction to keep the evidence of the offenses separate from impermissible "spillover"; and (3) whether the findings reflect an impermissible cross-over (*i.e.*, the verdicts on one offense improperly rely on evidence that should have been limited to another). *United States v. Southworth*, 50 M.J. 74 (C.A.A.F. 1999). There is a "general policy in the military favoring trial of all known charges at a single court-martial." *Southworth*, at 76. Courts recognize that properly tailored members' instructions will considerably

[2] But note in the Discussion section of the Rule: "The failure to include a special instruction that a case is to be tried as a capital case at the time of the referral does not bar the referral authority from later adding the required special instruction provided that the referral authority has otherwise complied with the applicable notice requirements."

[3] "In the discretion of the referral authority, two or more offenses charged against an accused may be referred to the same court-martial for trial, whether serious or minor offenses or both, regardless of whether the offenses are connected."

reduce the danger of prejudice. *United States v. Duncan*, 53 M.J. 494, 498 (C.A.A.F. 2000); *United States v. Haye*, 29 M.J. 213, 215 (C.M.A. 1989); *United States v. Hogan*, 20 M.J. 71, 73 (C.M.A. 1985).

The trial court has wide discretion in determining whether to sever offenses. An abuse of discretion will be found only "where the defendant is able to show that the denial of a severance caused him actual prejudice in that it prevented him from receiving a fair trial; it is not enough that separate trials may have provided him with a better opportunity for an acquittal." *Duncan* at 497-8 (citations omitted). Additionally, "unified sentencing by a court-martial favors joining all known offenses into a single trial, thus exposing the accused to only one sentence for his criminal misconduct, rather than a series of separate sentences." *United States v. Giles*, 59 M.J. 374, 379, citing *Haye* at 215.

The Government will argue that in a complex, multi-victim sexual assault or violent misconduct case such as this, there is overlapping evidence, like the behavioral patterns and modus operandi of the Accused (strangling and sexual assault combined with violent acts). The government would argue that some of the evidence in the non-murder charges are cross-admissible under a "common scheme, plan, or pattern" theory, or that the evidence is intrinsic to proving the charges. However, the Defense will argue that the murder evidence would "taint" the non-murder charges, especially by introducing gruesome photos to prove death that would not normally be admissible in a sexual assault trial. The defense could argue that the emotional weight of the murder case will sway the members unfairly on the others, even subconsciously. But, the Defense must show actual prejudice for severance, not just that separate trials might increase the chance of acquittal.

Even if some spillover risk exists, the military judge will be able to mitigate it by voir dire (*e.g.*, probing whether members can compartmentalize and resist emotional influence from murder evidence to other non-murder charges) and through instructions (that could be given before openings, during the trial, and after closings) that members consider each specification separately and not to use evidence from one to infer guilt on another. Courts often assume members follow instructions, unless the record shows otherwise. The military judge could also segment the trial – that is ordering that the government present evidence by victim or grouping so that the jury is not inundated with overlap.

Given the facts of this case, it is my opinion that it will be highly unlikely for a military judge to sever the charges related to the murder from the others as there is a strong institutional and doctrinal preference for joinder. The Defense could however request that there be a partial severance—that is severing the murder counts into a separate phase of the trial.

n. **Evidence of uncharged offenses.** N/A.

o. **Objections.** None.

p. **Chronology.**

| **Date** | **Event** |
|---|---|
| 22 Aug 2025 | Preferred Charges |
| 3 Sep 2025 | Appointment of PHO |
| 5 Sep 2025 | Government Exhibit and Witness List Due |
| 12 Sep 2025 | Defense Exhibit and Witness List Due |
| 18 Sept 2025 | Preliminary Hearing held |
| 28 Sept 2025 | Preliminary Hearing Officer Report Submitted |

q. **Recommendation regarding disposition in the interest of justice and discipline.**

General Court-Martial is the only appropriate forum for this case.

5. Should you need to contact me with any additional questions, I may be contacted at john.f.butler7.mil@us.navy.mil.

BUTLER.JOHN.FARRELL.[redacted]
Digitally signed by BUTLER.JOHN.FARRELL[redacted]
Date: 2025.09.28 17:20:51 -04'00'

J. F. Butler

Copy to:
Counsel for the Accused

**DEPARTMENT OF THE NAVY**
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK, VA 23511-2737

5800
Ser N00J/528
3 Sep 25

From: Commander, Navy Region Mid-Atlantic
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer

Subj: APPOINTMENT AS ARTICLE 32 PRELIMINARY HEARING OFFICER IN THE CASE OF THE UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

Ref: (a) Article 32, UCMJ
(b) R.C.M. 405 (2024 ed.)
(c) R.C.M. 707(c) (2024 ed.)
(d) Article 6b, UCMJ
(e) M.R.E. 412 MCM
(f) M.R.E. 513 MCM
(g) M.R.E. 514 MCM

Encl: (1) Preferred Charge Sheet (DD Form 458) of 22 Aug 25

1. Pursuant to references (a) and (b), you are hereby appointed as the Preliminary Hearing Officer (PHO) to conduct a preliminary hearing into all matters set forth in the charges and specifications preferred against CSSN Jermiah Copeland, U.S. Navy, on 22 August 2025, as set forth in enclosure (1). Your investigation shall be conducted in accordance with the relevant provisions of the 2024 Manual for Courts-Martial, references (a) through (c), and current case law relating to preliminary hearings.

2. The following additional personnel are detailed to the preliminary hearing for the purpose indicated:

**Counsel for the Government**

CDR Lauren Mayo, JAGC, USN, and LT Christopher Dempsey, JAGC, USN, are certified under Article 27(b), UCMJ and previously sworn under Article 42(a), UCMJ.

**Defense Counsel**

LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN, are certified under Article 27(b), UCMJ and previously sworn under Article 42(a), UCMJ.

3. The preliminary hearing shall be held on **18 September 2025**. Authority to grant no more than two (2) continuances for a total of 30 days is delegated to the PHO pursuant to reference (c). Any additional delay must be approved by the convening authority. Requests for delay shall be submitted to you in writing, via the counsel for the government, for approval or disapproval. Pursuant to reference (c), you are also authorized to make a finding of excludable delay for any

requests for delay; this finding must be in writing and included in your report. All requests for delay, regardless of decision, shall be included in your final report.

4. All requests by defense counsel for production of witnesses or evidence shall be submitted to you, via the counsel for the government, at least **seven calendar days** prior to the start of the hearing. The counsel for the government shall provide you a response to the defense's request at least **three calendar days** prior to the start of the hearing. All witness and evidence production requests shall contain sufficient information to meet the production of witness requirements contained in reference (b).

5. As provided in references (a) and (b), the purpose and scope of the preliminary hearing is limited to the following:

a. Determination as to whether there is probable cause, an offense has been committed, and the accused committed the offense;

b. Determination as to whether the convening authority has jurisdiction over the offense and the accused;

c. Consideration of the form of the charges; and,

d. Recommendation as to the disposition of the case.

The preliminary hearing is not meant as a means of discovery for any party, and all evidence presented must be relevant to the purpose of the hearing.

6. As provided in references (a) and (d), the victim has a right to be informed of the date, time, and location of the hearing, to refuse to testify, and to confer with the counsel for the government. The victim also has a right not to be excluded from the hearing unless you receive clear and convincing evidence that the victim's testimony would be materially altered if the victim heard other testimony at the hearing. Pursuant to references (a) and (e) through (g), any party intending to introduce evidence in accordance with references (e) through (g) must provide notice at **least five days prior** to the preliminary hearing. This notice and any relevant filings must be provided to the victim's legal counsel, if represented, and the victim has a right to be heard on these matters. You must close the courtroom for any hearings upon reference (e) and you may close the courtroom for any hearings pursuant to references (f) and (g) upon motion of any party and good cause shown. You are specifically directed to seal any exhibits or testimony received pursuant to references (e) through (g).

7. I authorize the use of audio-visual technology between you and the parties, in accordance with R.C.M. 405(k)(4) and section 0132 of JAGINST 5800.7G, CH-2. The prescribed uniform is Service Uniform.

8. You are directed to provide a report of the preliminary hearing to the detailed special trial counsel as soon as possible after the conclusion of the investigation, but no later than 10 calendar days after the conclusion of the investigation. Any request for delay in submitting the report shall be submitted to the convening authority in writing.

Subj: APPOINTMENT AS ARTICLE 32 PRELIMINARY HEARING OFFICER IN THE CASE OF THE UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

9. My point of contact in this matter is CDR Roni Bealey-Ledet, JAGC, USN, and she may be reached by phone at 757-322-2936 or email at ronisha.t.beasleyledet.mil@us.navy.mil.

[redacted]
R. BEASLEY-LEDET
By direction

Copy to:
Government Counsel
Defense Counsel

5 Sep 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: REQUEST FOR A TWO-HOUR DELAY OF THE ARTICLE 32 INVESTIGATION ICO CSSN JERMIAH COPELAND

Ref: (a) Article 32, Uniform Code of Military Justice
(b) R.C.M. 405
(c) PHO Appointment Letter of 3 Sep 25

Encl: (1) Defense motion and enclosures of 26 Aug 25
(2) Email from Brig OIC of 28 Aug 25

1. Pursuant to references (a) through (c), defense counsel seeks a two-hour delay of the Article 32 hearing in the case of United States v. CSSN Jeremiah Copeland so that defense counsel can confer with CSSN Copeland privately in person.

2. On 22 August 2025, charges were preferred against CSSN Copeland. As of this filing, the government has not provided the defense any discovery.

3. On 26 August 2025, after many attempts to resolve the issue outside of the court room, the defense filed the motion and enclosures in enclosure (1). The military judge scheduled a hearing for 15 September 2025.

4. To properly prepare for an Article 32 hearing, the defense requires discovery and the ability to consult with CSSN Copeland.

5. The defense requests a two-hour delay in the start time of the Article 32 proceeding in order to allow the government time to get CSSN Copeland to building A-50 to consult with his attorneys prior to the hearing.

6. For the reasons stated above, the defense requests a two-hour delay of the Article 32 preliminary hearing.

7. The defense reserves the right to ask for further continuances depending on when/if the defense receives discovery.

8. The defense reserves the right to waive the Article 32 hearing.

[redacted]
A. M. SERFESS

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION FOR APPROPRIATE RELIEF**<br><br>**(REVIEW OF PRETRIAL CONFINEMENT AND ORDER GOVERNMENT TO REFRAIN FROM INTERFERING IN CSSN COPELAND'S ATTORNEY CLIENT RELATIONSHIP AND PREPARATION WHILE HE IS IN PRE-TRIAL CONFINEMENT)**<br><br>**26 Aug 2025** |

## MOTION

Pursuant to Article 30a and Rule for Courts-Martial (R.C.M.) 309(b)(6), the defense moves this Court to order the government to permit the defense to meet with CSSN Copeland, in private, in order to prepare for trial – including the Article 32 preliminary hearing – or order the release of CSSN Jermiah Copeland from pretrial confinement.

## SUMMARY

On 9 June 2025, CSSN Copeland was ordered into pretrial confinement. On 16 June 2025, a 7-day reviewing officer held a hearing and approved continued confinement. That same day, the defense began requesting to confer privately with CSSN Copeland. The trial counsel, the brig, and CSSN Copeland's commanding officer denied those requests. Pursuant to Article 30a and R.C.M. 309, this Court can review the pretrial confinement of an accused prior to referral. The defense requests that this Court review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room to have confidential meetings in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or at another location in Hampton Roads, Virginia. Alternatively, this Court should order the release of CSSN Copeland from pretrial confinement.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

Enclosure (1)

## FACTS

1. On 9 June 2025, CSSN Copeland was ordered into confinement. (Enclosure (1): Confinement Order of 9 Jun 25).

2. CSSN Copeland is confined at the Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a maximum status prisoner. This means, he is in his cell alone for at least 22 hours per day. At least one military judge has ruled that this type of confinement is illegal pretrial punishment. (Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25).

3. On 16 June 2025, an Initial Review Officer (IRO) hearing was held at the NCBC, where the defense team met with CSSN Copeland for the first time. That same day, a 7-day reviewing officer approved continued confinement. (Enclosure (3): IRO Memo of 17 Jun 25).

4. Based on CSSN Copeland's status, his defense team cannot have a contact visit with him at the brig. The brig will only allow the defense team to meet with him behind glass. This room makes it difficult, if not impossible, for the attorneys to hear our client and makes it difficult for CSSN Copeland to hear his attorneys. Additionally, communications from outside this room can be heard while inside, which means communications within the room can also be heard. Further, there is no means to review discovery with CSSN Copeland in this room as there are only tiny slots to pass a few sheets of folder paper and no way for CSSN Copeland to review a video or electronic evidence. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 16; Enclosure (5): Mrs. Hoffmeister Affidavit).

5. On 16 June 2025, the defense demanded a speedy trial and requested that CSSN Copeland be brought to building A-50 to meet with his defense counsel. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 10; Enclosure (6): Demand for Speedy Trial of 16 Jun 25).

6. On 24 June 2025, after the defense followed up on our initial request, the trial counsel responded to inquire as to why the defense wanted to meet with our client in-person. The defense responded and explained. The same day, the Staff Judge Advocate for the USS JAMES E. WILLIAM's ISIC stated that the command was standing by to assist. However, on 30 June 2025, the trial counsel stated that "the government would not be able to support…." The defense asked the trial counsel for justification as to why the government would not support our request. However, the trial counsel never responded. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 4-6).

7. Despite the trial counsel not responding to the defense's request for justification, on 1 July 2025, the trial counsel submitted a request for excludable delay from 10 June 2025 to 25 July 2025. (Enclosure (7): Excludable Delay Request of 1 Jul 25). That same day, the defense objected to that request. (Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25).

8. On 9 July 2025, the convening authority granted the government request for excludable delay until 25 July 2025. (Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25).

9. On 25 July 2025, CSSN Copeland again demanded a speedy trial. (Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25). The Office of Special Trial Counsel neither acknowledged nor responded to this request.

10. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for Professional Responsibility because the defense requires and is entitled to fairness and equal access to discovery. Further, the defense explained that discovery would reduce the risk of prejudicial speedy trial issues if charges were ever preferred in this case. The trial counsel neither acknowledged nor responded to this request. (Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25).

11. Instead, on 8 August 2025, the trial counsel once again requested excludable delay. (Enclosure (12): Second Excludable Delay Request of 8 Aug 25).

12. On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 13).

13. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request and later refused to provide any reasoning. (*Id.* at 21).

14. On 11 August 2025, the defense objected to the second request for excludable delay. (Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25). As of this filing, the convening authority has not responded to the trial counsel's request.

15. On 13 August 2025, CSSN Copeland filed a complaint pursuant to Article 138, UCMJ. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25).

16. As of this filing, no response has been issued to CSSN Copeland.

17. On 21 August 2025, NCIS was permitted to meet with CSSN Copeland at the brig and have a contact visit. The special agents were allowed to be in a room with CSSN Copeland. Touch him and take a buccal swap, get his fingerprints, and take his photograph. (Proffered testimony from SA Fritzer Philemon).

18. On 22 August 2025, the government preferred charges in this case. On that same day, the defense reached out about scheduling the Article 32 hearing and meeting with our client in preparation for the hearing. (Enclosure (14): Emails with the trial counsel of 22 Aug 25).

19. As of this filing, the defense has not been able to coordinate a means to have a private in-person meeting with CSSN Copeland.

## LAW

20. "In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense."[1] Necessarily included in the Sixth Amendment right to counsel is the right of an accused to *confer privately* with his attorney.[2]

21. The accused has the right to be represented by counsel during an investigation under Article 32, UCMJ, and before a general or special court-martial.[3] In the military justice system, the right to counsel includes the right to counsel detailed under Article 27, UCMJ. The right to the services of detailed counsel "is substantial, and extends to both the pretrial and the trial proceedings."[4]

22. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel…. [A defendant] is unfamiliar with the rules of evidence…. He lacks both the skill and knowledge adequately to prepare his defense, even though he [may] have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him."[5] Courts have concluded that an order preventing a defendant from consulting his attorney even during an overnight recess infringes upon this substantial right.[6]

23. "A concomitant right is the right to confidential communications between the attorney and client."[7] M.R.E. 502(a) requires confidential communications "for the purpose of facilitating the rendition of professional legal services to the client."

24. Article 30a of the UCMJ states that "the President shall prescribe regulations for matters relating to proceedings conducted before referral of charges and specifications to court-martial for trial, including the following: … Pre-trial confinement of an accused…."

25. Article 30a was revised to include review of the pretrial confinement of the accused under a provision called "Expansion of pre-referral matters reviewable by military judges and military magistrates in the interest of efficiency in military justice."[8]

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[1] U.S. CONST. amend. VI.
[2] *United States v. Brooks*, 66 M.J. 221, 223 (C.A.A.F. 2008) (citing *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996); *Geders v. United States*, 425 U.S. 80, 88-91 (1976)) (emphasis added).
[3] Article 38(b)(1), UCMJ. *See* U.S. CONST. amend. VI; *United States v. Davis*, 60 M.J. 469, 473 (2005).
[4] *United States v. Tellier*, 13 C.M.A. 323, 327 (1962); s*ee United States v. Eason*, 21 C.M.A. 335, 337-39 (1972).
[5] *Geders v. United States*, 425 U.S. 80, 88-89 (1976) (quoting *Powell* v. *Alabama,* 287 U.S. 45, 68-69 (1932); *see also Argersinger* v. *Hamlin,* 407 U.S. 25, 31- 36 (1972); *Gideon* v. *Wainwright,* 372 U.S. 335, 343-345 (1963).
[6] *Id.* (referencing *United States* v. *Venuto,* 182 F. 2d 519 (CA3 1950); *People* v. *Noble,* 42 Ill. 2d 425 (1969); *Commonwealth* v. *Werner,* 206 Pa. Super. 498 (1965)).
[7] *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996) (citing Mil. R. Evid. 502).
[8] National Defense Authorization Act For Fiscal Year 2020, Subtitle D – Military Justice (available at https://www.govinfo.gov/content/pkg/PLAW-116publ92/html/PLAW-116publ92.htm).

26. "A military judge detailed under regulations of the Secretary concerned may conduct proceedings under Article 30a, before referral of charges and specifications to court-martial for trial, and may issue such rulings and orders as necessary to further the purpose of the proceedings. A military judge may issue such orders and rulings only when the matters would be subject to consideration by a military judge in a general or special court-martial."[9]

27. After action by the 7-day reviewing officer under R.C.M. 305(j)(2)(C), a military judge may, upon application of an accused for appropriate relief, *review the propriety of pretrial confinement*.[10]

28. "Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of offenses."[11] It is "not punishment and shall not be used as such."[12] Moreover, "[a] person should not be confined as a mere matter of convenience or expedience."[13] In fact, "[p]retrial confinement inevitably makes defense of a case more difficult," so "unless there is a need for it, pretrial confinement should be avoided."[14]

29. An accused is presumed innocent until proved guilty, and, therefore, punishment for an alleged offense is prohibited before trial.[15]

30. The Department of the Navy Corrections Manual (SECNAV M-1640.1 of May 2019) permits military judges to make exceptions to brig policies. This includes allowing a confinee in any status (including "MAX" and "MDI") to meet without escorts or restraints.[16]

## ARGUMENT

31. **This Court has the authority to detail a military judge to this proceeding to review the pretrial confinement of the accused.** R.C.M. 309 states that a military judge may conduct proceedings pursuant to Article 30a, before referral of charges. R.C.M. 309(a)(6) states that after action by a 7-day reviewing officer, a military judge may review the propriety of pretrial confinement. Propriety means "the quality or state of being proper or suitable."[17] Here, there was action by the 7-day reviewing officer. Therefore, this court may review the quality of CSSN Copeland's confinement and issue remedies "as necessary to further the purpose of the proceedings."[18]

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[9] R.C.M. 309(a)(1).
[10] R.C.M. 309(a)(6).
[11] R.C.M. 304(a)(4).
[12] R.C.M. 304(f).
[13] R.C.M. 305(i)(B), Discussion.
[14] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[15] E.*g.,* 10 U.S.C. § 813.
[16] Department of the Navy Corrections Manual at 4-6, 4-7.
[17] MERRIAM-WEBSTER'S DICTIONARY (available at https://www.merriam-webster.com/dictionary/propriety).
[18] R.C.M. 309(a)(1).

32. Further, it is clear that the expansion of Article 30(a) to ruling on matters relating to the pretrial confinement of the accused was intended to increase "efficiency in military justice." That is evident from the title of the section of the NDAA that included the expansion. Ordering the government to stop interfering with CSSN Copeland's rights to counsel at the prereferral stage will increase efficiency and prevent speedy trial issues and other litigation in the future. This Court should hear this application pursuant to Article 30a, as it is a proper review of the propriety of CSSN Copeland's pretrial confinement.

33. **A review of CSSN Copeland's pretrial confinement demonstrates that his pretrial status is interfering with his rights to counsel.** CSSN Copeland has the right to counsel, included in that right is the right to meet and confer privately with counsel. CSSN Copeland has been unable to confer privately with his attorneys despite numerous requests.

34. The defense and CSSN Copeland have repeatedly requested to be able to meet in-person privately and have a confidential meeting. The brig will only permit the defense a "no-contact" visit. This occurs in a room where defense counsel would have to shout and CSSN Copeland would have to shout back through a Plexiglass window. This is unacceptable considering conversations from outside the door can be heard within the room. That is neither private nor in-person. Even according to the Navy's correctional manual "MAX" and "MDI" prisoners must be escorted at all times; however, a military judge may order exceptions.[19] Additionally, CSSN Copeland's command could escort him to another secure location outside of the brig to allow him to meet with counsel. However, the government continues to deny the defense's reasonable requests to facilitate a private, confidential meeting with our client. Further, despite these restrictions put in place to keep CSSN Copeland from meeting with his counsel, NCIS has been permitted to be in the same room with him and have contact visits. Finally, no brig policy or instruction can interfere with CSSN Copeland's rights to counsel – or his right to confer privately with his attorneys.

35. While the phone does allow communication with the client that the defense presumes are confidential, it is not sufficient to prepare for trial or pretrial hearings, now or on a consistent basis. For instance, the defense cannot review discovery with the client over the phone. Further, if CSSN Copeland desires to testify in his own defense, whether at the preliminary hearing, an Article 39(a), or at trial, his defense counsel could not properly prepare him for that decision or the hearing over the phone.

36. This Court must review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room for a confidential meeting in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or another location in Hampton Roads, Virginia.

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[19] Department of the Navy Corrections Manual, SECNAV M-1640.1 of 15 May 19 at 4-6, 4-7.

## RELIEF REQUESTED

Pursuant to Article 30a and R.C.M. 309(b)(6), the defense moves this Court to order the government to permit the defense to privately meet with CSSN Copeland in-person in order to prepare for trial, including the Article 32 preliminary hearing, or order the release of CSSN Jermiah Copeland from pretrial confinement. If the government cannot facilitate CSSN Copeland's right to confer with counsel while he is in pretrial confinement, this Court should order CSSN Copeland's release.

## EVIDENCE & HEARING

37. The defense requests the production of SA Fritzer Philemon for in person or telephonic testimony at the Article 30a hearing.

38. The defense offers the following enclosures as evidence in support of this Motion:

a. Enclosure (1): Confinement Order of 9 Jun 25
b. Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25
c. Enclosure (3): IRO Memo of 17 Jun 25
d. Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls
e. Enclosure (5): Mrs. Hoffmeister Affidavit
f. Enclosure (6): Demand for speedy trial of 16 Jun 25
g. Enclosure (7): Excludable Delay Request of 1 Jul 25
h. Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25
i. Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25
j. Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25
k. Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25
l. Enclosure (12): Second Excludable Delay request of 8 Aug 25
m. Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25
n. Enclosure (14): Emails with the trial counsel of 22 Aug 25

39. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter. The defense is available for an Article 39(a) motions hearing on the following dates: 8-19 September 2025.

[redacted]
LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 August 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]
LCDR, JAGC, USN
Detailed Defense Counsel

Prescribed by: DoDI 1325.07

CUI (when filled in)

# CONFINEMENT ORDER

## PRIVACY ADVISORY

Disclosure of this information is voluntary and will be used to record information about military member ordered into confinement pretrial, post-trial or as a result of nonjudicial punishment. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PERSON TO BE CONFINED**

| a. NAME *(Last, First, Middle Initial)* | b. SOCIAL SECURITY NUMBER | 2. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JERMIAH TAYLOR | [redacted] | 20250609 |

| c. BRANCH | d. GRADE | e. UNIT/AGENCY *(Parent unit)* |
|---|---|---|
| USN | E-3 | USS JAMES E. WILLIAMS |

**3. TYPE OF CONFINEMENT**

| a. PRETRIAL | b. RESULT OF NJP | c. RESULT OF COURT-MARTIAL: |
|---|---|---|
| ☐ NO ☒ YES | ☒ NO ☐ YES | ☒ NO ☐ YES |

d. TYPE OF COURT-MARTIAL: ☐ SCM ☐ SPCM ☐ GCM ☐ VACATED SUSPENSION

**4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED** *(List all charge(s) if prisoner is pretrial. List guilty finding(s) only if prisoner is post-trial.)*

UCMJ ARTICLE 118- MURDER

| 5. SENTENCE ADJUDGED *(Annotate sentence from the result of trial)* | b. ADJUDGED DATE *(YYYYMMDD)*: |
|---|---|
| | |

**6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED** *(YYYYMMDD)*:

**7. PERSON DIRECTING CONFINEMENT**

| a. TYPED NAME *(Last, First, Middle Initial)*, GRADE AND TITLE | b. SIGNATURE | c. DATE *(YYYYMMDD)* | d. TIME |
|---|---|---|---|
| WINTERS, TIMOTHY M., CDR COMMANDING OFFICER | WINTE S.TIMOTHY.MAR[redacted] Digitally signed by WINTERS.TIMOTHY.MARK[redacted] Date: 2025.06.09 23:37:00 -04'00' | 20250609 | 2337 |

**8. LEGAL REVIEW AND APPROVAL REQUIRED** *(Review required by different name at 7.a and b.)*

a. INCIDENT # NFNF-00237-7MNA ORI

b. DNA PROCESSING COLLECTED: ☐ IS ☐ YES ☐ NO ☐ IS NOT REQUIRED PURSUANT TO DODI 5505.14. KIT# Date DNA collected *(YYYYMMDD)*

c. SEX OFFENDER REGISTRATION ☐ IS ☐ IS NOT REQUIRED UNDER 42 U.S.C. 14071.

| d. TYPED NAME *(Last, First, Middle Initial)*, GRADE AND TITLE | e. SIGNATURE | f. DATE *(YYYYMMDD)* |
|---|---|---|
| | | |

**9. MEDICAL CERTIFICATE**

a. The above named prisoner was examined by me at 0154 *(Time)* on 20250610 *(YYYYMMDD)* and found to be ☒ Fit ☐ Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement ☐ will ☒ will not produce serious injury to the prisoner's health.

b. The following irregularities were noted during the examination: *(List only non-medical information. Refer to SF 600 for all medical information, including HIV, TB and pregnancy tests and results.)*

**10. EXAMINER**

| a. TYPED NAME *(Last, First, Middle Initial)*, GRADE AND TITLE | [redacted] | c. DATE *(YYYYMMDD)* | d. TIME |
|---|---|---|---|
| KALODNER, LAUREN, B LCDR, MC | | 20250610 | 0200 |

**11. RECEIPT FOR PRISONER** *(Completed by the correctional facility staff upon arrival of the prisoner)*

a. THE PRISONER NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT *(Facility Name and Location)*
NCBC DETACHMENT CHESAPEAKE
on 2025 06 10 *(YYYYMMDD)* AND TIME: 0247 *(Time)*

| b. PERSON RECEIPTING FOR PRISONER *(Typed name (Last, First, Middle Initial), Grade and Title)* | [redacted] | d. DATE *(YYYYMMDD)* | e. TIME |
|---|---|---|---|
| BASS, BRYANNA, C BM2 RTR SUP | | 20250610 | 0247 |

DD FORM 2707, NOV 2022
PREVIOUS EDITION IS OBSOLETE.

CUI (when filled in)

Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r-mbx-up-legal-policy@mail.mil



Enclosure (1)

Enclosure (1)

# GENERAL COURT-MARTIAL
# UNITED STATES COAST GUARD

| | |
|---|---|
| UNITED STATES<br><br>v.<br><br>DC3 RUDOLPH P. REIMONENQ IV,<br><br>U.S. Coast Guard | RULING on Defense Motion for Appropriate Relief (Confinement Credit)<br><br>14 March 2025 |

**1. Relief Sought**

The Defense filed a motion for administrative credit for various alleged violations of Article 13, UCMJ. AE 46. The Government filed a response opposing the Defense motion. AE 48. An Article 39(a) session was held to hear arguments on this motion on 28 January 2025.

**2. Issues Presented**

a. Did the Government violate Article 13, UCMJ, when it placed and kept the accused as a maximum-security prisoner, and, if so, what administrative credit is the accused entitled to, if any?

b. Did the Government violate Article 13, UCMJ, when it kept the accused shackled during his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

c. Did the Government violate Article 13, UCMJ, when it failed to provide the accused a Coast Guard uniform for his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

**3. Findings of Fact**

In reaching its findings of fact and conclusions of law, the Court considered all legal and competent evidence presented and the reasonable inferences drawn therefrom and resolved all issues of credibility. The Court finds the following facts by a preponderance of the evidence.

a. Procedural History

(1) DC3 Rudolph Reimonenq, USCG, is accused of attempted premeditated

murder, two specifications of carrying a concealed weapon, and one specification of dereliction of duty. The charges and specifications arise from an incident when the Accused brought a rifle, revolver and ammunition with him when he reported to duty aboard the United States Coast Guard Cutter (USCGC) LEGARE in the early morning hours of 26 March 2024. The accused later admitted to CGIS that he intended to kill the Commanding Officer of the *Legare*.

(2) The accused was ordered into Pre-Trial Confinement (PTC) at NCBC DET Chesapeake on 28 March 2024. He has remained in PTC since that time.

b. NCBC DET Chesapeake

(1) The Naval Consolidated brig in Chesapeake, Virginia, is a brig detachment under the supervision of NCBC (NCBC), South Carolina. NCBC DET Chesapeake does not have an independent Commanding Officer (CO). Instead, it has an Officer-in-Charge (OIC) that is subordinate to the Commanding Officer of NCBC.

(2) CDR IM is the OIC for NCBC DET Chesapeake. He reports to CDR JB as the CO for NCBC.

(3) CDR IM testified that on 28 January 2025 there were 14 prisoners housed at NCBC DET Chesapeake, which is a typical number for that facility.

(4) CDR IM's career has been as a Navy helicopter pilot. His current assignment is the first in the Military corrections field. In addition to a generic leadership course offered to all entering a command position, CDR IM also attended a Brig Officer Management course, which was either 4 or 5 days.

(5) Similarly, CDR JB's background has not been in military corrections, instead he entered his current position after a career as a Surface Warfare Officer.

(6) Both NCBC and NCBC DET Chesapeake have civilian corrections professionals to advise the command on corrections matters and corrections policy. Ms. RR is the Technical Director for NCBC, and Mr. PM is the Program and Service Department Head at NCBC DET Chesapeake. He also serves as the Facilities Manager and the Safety Manager.

c. Prisoner custody classification

(1) Medium-In (MDI)

(a) MDI is the lowest level of classification for a pre-trial confinee.

(b) Generally, an MDI prisoner is in their cell overnight from 2130 until 0530. Once they wake up, an MDI prisoner exits their cell and remains outside

of it until they go back in at 2130.

(c) An MDI prisoner is not required to wear restraints while moving within the brig, and there are generally no restrictions on their interactions with other prisoners.

(d) An MDI prisoner will work in assigned work details from after breakfast until approximately 1530.

(e) After 1530, MDI prisoners get to participate in rec call, where they can work out or play sports with other prisoners.

(f) After dinner (generally around 1700), prisoners can enjoy personal time until they must return to their cells at 2130. During personal time MDI prisoners can be outside of their cells in their housing unit, watch TV, make phone calls, or talk with other prisoners.

(g) MDI prisoners are permitted to have contact visits with family and counsel.

(2) Maximum (MAX)

(a) MAX prisoners are confined to their cells for up to 22 hours a day. They are permitted one hour of recreation, and one hour of personal time. Both recreation time and personal time are performed alone without any other interaction with other prisoners.[1]

(b) MAX prisoners are not permitted to make contact with anyone other than the brig staff. Brig staff must physically observe a MAX prisoner every 15 minutes and record their observations on a DD 509 form.

(c) MAX prisoners eat all of their meals in their cell.

(d) MAX prisoners are fully restrained (hand irons, leg irons, and transport belt) and escorted by two brig staff members when outside of their housing unit – even within the brig's fenceline. They are not required to wear restraints during their recreational or personal time; however, they must be restrained and escorted to the recreation yard.

(e) Only a military judge or the brig OIC can order a MAX prisoner's restraints removed.[2]

(f) MAX prisoners may not have any contact visits with either family or counsel, which means a MAX prisoner must be separated from their

[1] CDR IM testified that MAX prisoners were permitted additional personal time if there were sufficient staff resources to support it.
[2] MAX prisoners may move unrestrained in emergency situations.

visitor by some form of partition.

(3) Classification & Adjustment (C&A) Board

(a) Each brig is required to have a C&A Board which must meet daily (excluding weekends and holidays). The board evaluates the classification status for each prisoner, generally once every 30 days or at the prisoner's request, using objective criteria:

| 5. CLASSIFICATION CRITERIA *(Enter point values)* |
|---|
| a. OFFENSE SEVERITY = 1 - 8 |
| b. NUMBER OF DISCIPLINARY BOARDS *(Last 90 days)*<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS *(Last 90 days)*<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS *(Last 90 days)*<br>NONE = 0 ONE OR MORE = -1 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 *(only if no program completed)*<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE *(See DoDI 1325.07, Severity Code Tables)* |
| j. TOTAL POINTS |

(b) After adding up the points assigned to the objective criteria, the C&A board can recommend reduction in classification (for 0-6 points), remain the same (7-10 points), or increase the classification (11 or more points).

(c) There are also subjective criteria which the board can use to override the recommendation generated by the objective criteria. To override a reduction in classification, the board may consider the following:

i. Assaultive behavior;

ii. Disruptive behavior;

iii. Serious drug abuse;

iv. Serious civil or military criminal record (convicted or alleged);

v. Low tolerance of frustration;

vi. Intensive acting out or dislike of the military;

vii. History of previous escape(s);

viii. Pending civil charges or detainers filed;

ix. Serving a sentence that the individual considers unjust or severe;

x. Poor home conditions or family relationships;

xi. Emotional or mental instability;

xii. Indication of unwillingness to accept responsibility for personal actions, past and present;

xiii. Demonstrated pattern of poor judgment;

xiv. Length, or potential length, of sentence;

xv. Gang affiliation or ties with disruptive organizations;

xvi. Awaiting transfer;

xvii. A sentence length exceeding the designated length of confinement authorized at the MCF; and

xviii. Refusal to accept or participate in recommended treatment or education programs.[3]

(d) To override an increase in classification, the board may consider the following:

i. Clear military record, aside from present offense;

ii. Close family ties - good home conditions;

iii. The offense(s) charged is not serious;

iv. Emotional and mental stability;

v. Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

vi. Behavior during confinement, and

vii. Successful completion of, or active participation in, offense-related treatment programs or groups.

(e) Finally, the facility commander may override the C&A board's recommendation using the same criteria.

d. Navy & NCBC policies

(1) Navy Corrections policy

(a) Section 4202 of SECNAVINST M1640.1 addresses classification criteria. It notes that "Ultra-conservative custody classification results in a waste of prisoner and staff manpower. … Classification systems must follow established, but flexible, procedures." It also states that "Prisoners will be placed in a lower custody classification as soon as practical and as warranted."

[3] Pre-Trial Confinees are generally ineligible to participate in treatment programs.

(2) NCBC policy

(a) NCBC has a policy that any pre-trial confinee who is charged with a "serious crime" will be classified as a MAX prisoner.

(b) This policy is not written. CDR IM testified that CDR JB relayed to them that "most people who are accused of murder, they're normal, they have a bad day and then something bad happens," and that they were going to keep those accused of murder classified as MAX prisoners to keep everybody safe, both staff and prisoners.

(c) There was no evidence of data supporting CDR JB's assertion that, as a general matter, prisoners accused of murder were more likely to do "something bad" and that they posed a safety risk for brig staff and inmates.[4]

(d) Further, as the policy was not written, there was not a definition of "serious crime," however, CDR IM understood that murder and attempted murder qualified as "serious."

(e) At the time the accused was ordered into PTC, CDR IM was not aware of this policy. In June 2024 there was a use-of-force incident with a different pre-trial confinee accused of a serious crime that brought to light NCBC DET Chesapeake's non-compliance with NCBC's policy.

e. The accused's confinement at NCBC DET Chesapeake

(1) When the accused was ordered into PTC, the confinement order specified he was suspected of violating Articles 80 (attempted murder), 92 (failing to obey an order or regulation), 114 (endangerment offenses) and 115 (communicating a threat), UCMJ.

(2) Because NCBC DET Chesapeake was not classifying pre-trial confinees accused of serious crimes as MAX prisoners, the accused was initially classified as an MDI inmate.

(3) From 28 Mar 2024 until 19 July 2024 the accused performed as an MDI prisoner without any disciplinary incidents.

(4) On 19 July 2024 the accused was served with the preferred charge sheet. At that point, the NCBC DET Chesapeake staff and OIC realized he had been

[4] The only evidence in the record of a pre-trial confinee acting in a manner that threatened other staff or prisoners occurred in June, 2024, when HM3 Pate (another pre-trial confinee accused of a serious offense) had an adverse interaction with a staff member. However, the evidence is not clear about whether the staff member bore some responsibility for instigating the incident, and, in any event, the staff member involved did not regard the prisoner as a physical threat.

misclassified and reclassified the accused to a MAX prisoner.[5]

(5) At the following C&A board on 20 Aug 2024, the board recommended again reclassifying the accused to an MDI prisoner. The OIC overrode the board's recommendation and ordered the accused remain as a MAX prisoner.

(6) At every subsequent C&A board (occurring approximately every 30 days), the board recommended downgrading the accused's classification to MDI. Every time the OIC overrode the board's recommendation and ordered the accused remain a MAX prisoner.[6] At times, the OIC noted the seriousness of the crime as the justification, others he merely noted that the accused should "remain MAX." The OIC was unaware of the specifics of the accused's offense, only that he was accused of attempted pre-meditated murder.

(7) In November 2024, the licensed clinical social worker assigned to NCBC DET Chesapeake informed the OIC of the following concern:

> Based on a brief assessment that was conducted recently with SNP Reimonenq, SNP is demonstrating/expressing an increased level of emotional [decompensation] due to being isolated and confined in a cell for an [extended] period of time. In my clinical judgement, SNP Reimonenq would benefit from increased interaction with others to reduce [further] decompensation.

(8) In each of the DD Form 2711-1 documenting the accused's C&A board results, the board noted the accused was dealing with mental health challenges.

(9) Mr. PM disagrees with the NCBC's policy about keeping prisoners accused of serious crimes as MAX prisoners. He termed the policy "cookie cutter" and expressed concerns about being unable to justify the decisions based upon the prisoner's observed behavior.

f. <u>The Article 32 hearing</u>

(1) On 9 October 2024, CDR KW presided over an Article 32, UCMJ, hearing into the charges against the accused.

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[5] At the C&A board that led to the accused's reclassification to a MAX prisoner, the board had to recommend overriding the objective criteria because, based upon his lack of disciplinary issues since being confined, the objective criteria directed that his classification remain the same (i.e. MDI). The OIC concurred with the board's recommendation.

[6] Prior to the Article 39(a) session where this motion was litigated, the OIC again overrode the C&A board's recommendation on 13 Jan 2025. The C&A board's evaluation on 13 January 2025 noted the objective criteria—for the first time—should require the accused to remain in his current classification. However, the board overrode the objective criteria to recommend reclassification to MDI due to "period of observation and evaluation." The OIC overrode the board's recommendation.

(2) The hearing was conducted in the Coast Guard courtroom in Main Street Tower in Norfolk, VA. The hearing was open to the public and members of the public attended the hearing, including members of the accused's family.

(3) By agreement of the parties, CDR KW participated remotely, as did civilian defense counsel. Detailed defense counsel was present with the accused.

(4) The accused was attired in a brown prisoner's uniform and remained shackled throughout the proceeding.

(5) Defense counsel requested that the shackles be removed. Government counsel joined in this request. However, the brig personnel refused to do so because it was not a "court proceeding" and the Preliminary Hearing Officer was not a judge.

(6) At the outset of the hearing, CDR KW noted that the accused was not attired in the proper uniform but noted that he would take into consideration the fact that the accused was a third-class petty officer in the Coast Guard and also took note of his awards.

(7) Shortly before he was ordered into PTC, the accused was re-assigned to LANTAREA. In July 2024, the LANT staff received notice that the *Legare* command had sent the accused's personal effects to his mother in Louisiana, however, they were unaware that his personal effects included his uniforms.

(8) The accused did not ask the LANT staff about his uniforms for upcoming proceedings during their weekly brig visits. Neither the LANT legal staff nor Government counsel asked the accused new command (i.e. LANT-1) about his uniforms.[7]

(9) The accused was in the proper uniform for all subsequent court-martial proceedings.

*Further facts necessary for an appropriate ruling are contained within the Analysis section.*

## 4. Principles of Law

a. Burden

As the moving party, the Defense bears the burden of persuasion by a preponderance of the evidence. R.C.M. 905(c).

[7] While there isn't direct evidence that the LANT legal staff or government counsel engaged with LANT-1 about the accused's uniforms, given the commendable efforts expended by the LANT-1 staff to ensure the accused was properly attired for his court-martial, the Court infers that no such inquiries were made prior to the Article 32 hearing.

b. Article 13

Article 13, UCMJ provides that:

> No person, while being held for trial, may be subjected to punishment or penalty other than arrest or confinement upon the charges pending against him, nor shall the arrest or confinement imposed upon him be any more rigorous than the circumstances required to insure his presence, but he may be subjected to minor punishment during that period for infractions of discipline.

"Article 13, UCMJ prohibits two things: (1) the imposition of punishment prior to trial, and (2) conditions of arrest or pretrial confinement that are more rigorous than necessary to ensure the accused's presence for trial." *United States v. King*, 61 M.J. 225, 227 (C.A.A.F. 2005).

A service member may not be detained under conditions that amount to punishment prior to trial. *United States v. James*, 28 M.J. 214, 215 (C.M.A. 1989). One significant factor in determining whether the conditions or terms of confinement violate Article 13 is the intent of the detention officials. *Id.* at 216. Thus, "[a] court must decide whether the disability is imposed for...punishment or whether it is but an incident of some other legitimate governmental purpose." *Id.* (quoting *Bell v. Wolfish*, 441 U.S. 520, 538 (1979). In *United States v. Howell*, 75 M.J. 386 (C.A.A.F. 2016), the court held that for an Article 13 violation to occur the record "must disclose an intent to punish on the part of the Government."

If there was not an intent to punish, the court must then decide whether the government action furthered a legitimate, non-punitive government interest. *Id*. at 393. Irrespective of the intent to punish, Article 13 may still be violated if the activity serves no legitimate, non-punitive purpose. *Id*. This analysis is exclusive to the intent of the government's action and is not informed by the impact of the action, even if punitive in nature. *Id*. at 393-94.

Confinement in violation of service regulations does not create a *per se* entitlement to relief but can shed light on whether impermissible intent to punish should be attributed to confinement officials. A command's disregard for service regulations may lead a military court to infer an improper purpose, such as to punish, even where an accused's status as a flight risk or a threat of continuing misconduct justifies the decision to confine him. *United States v. West*, No. 201200189, 2013 WL 1209934, at *4 (N-M. Ct. Crim. App. Mar. 21, 2013).

**5. Analysis**

a. The accused's continued classification as a MAX prisoner did not further a legitimate government interest

As an initial matter, there was no evidence presented that the NCBC classification policy was intended to punish the accused, and the Defense disclaimed any such claim. Therefore, the Court may only find a violation of Article 13 if the continued classification of the accused as a MAX prisoner did not serve a legitimate government interest.

The Court finds that the *initial* classification of a prisoner accused of a serious crime to a MAX prisoner to serve a legitimate government interest. The concerns articulated by the NCBC DET Chesapeake OIC (albeit vaguely) could be present when a member is placed in pre-trial confinement for serious crimes, and those factors are also captured in the SECNAVINST (seriousness of the alleged crimes and potential sentence). This interest is heightened at the imposition of confinement because the brig staff lack information about how the confinee will react to being incarcerated.

In this case, though, prior to reclassifying the accused as a MAX prisoner, they had nearly four months of data on how the accused responded to incarceration, during which the accused had no disciplinary infractions. Nonetheless, the Court is loath to second-guess brig staff in ensuring they were following their parent command's policies for classifying prisoners, especially where the initial classification furthers a legitimate government interest.

However, the Court finds the *continued* classification of the accused in face of repeated recommendations from corrections professionals to downgrade his status to MDI does not serve a legitimate governmental interest. The C&A board's repeated recommendations to return the accused to MDI status undercuts the government's theory that prisoners accused of serious crimes "might" pose to staff and other prisoners. It does so because the objective criteria not only consider the seriousness of the crime (the only source for the government's concern)[8] as well as the observations of this *particular* accused.

The legitimate government concern is further undercut by the informality and lack of support of the NCBC policy. While a formally issued (and presumably legally reviewed) policy may not overcome the persistent recommendations of the C&A board (based upon repeated interactions with the accused), the fact that the policy was communicated to the NCBC DET Chesapeake OIC orally with scanty support weakens the government's purported interest.

Finally, while the SECNAVINST does permit overriding of the objective classification recommendation based upon the seriousness of the crime and the potential

[8] The Court does not minimize the seriousness of the crimes with which the accused has been charged. However, the charge of attempted premeditated murder can encompass a wide range of conduct, from arriving at a location with the means and motive to kill an individual to grievously injuring the victim (while not causing the victim's death). The fact the OIC was unaware of the facts of the accused's alleged conduct and thus could not take that into account in his classification decision, further detracts from the government's asserted interest.

length of the sentence, the SECNAVINST also directs that classification should follow "established, but flexible, procedures." Further, the SECNAVINST commands that "Prisoners *will* be placed in a lower custody classification as soon as practical and as warranted." (emphasis added). NCBC's policy is anything but flexible, as the OIC testified that there was no circumstance where the accused would be eligible for a lower classification.

Having found a violation of Article 13, the Court must determine the appropriate credit to be awarded. As an initial matter, the accused was confined for 22 hours each day, as compared with 8 for a typical MDI prisoner, resulting in the accused spending 175% more time locked in his cell (22 hours is 175% of 8 hours). However, a credit of only 1.75 days for each day in MAX after 20 August 2024 doesn't adequately encompass the additional hardships imposed upon the accused, because the accused was also denied the opportunity to interact with other prisoners in social settings. This restriction has caused psychological harm. Further, it is harm that was made known to the brig command. Additionally, his status has prevented him from contact visitation with his family and his attorneys. Thus, the Court finds that an appropriate amount of credit is 3 days for each day after 20 August 2024, resulting in 438 days of confinement credit.[9]

b. Shackling of the accused during the Article 32 hearing furthered a legitimate government objective

The SECNAVINST restricts who may order restraints removed from a MAX prisoner, limiting it to Brig command staff and a military judge. In doing so, it furthers a legitimate government objective to maintain security over a prisoner who, by some criteria, is deemed to be a danger to himself or others. Additionally, it avoids having the brig chasers make case-by-case determinations and prevents any arguments from strong willed advocates from swaying either junior personnel or the brig staff.

The defense arguments to the contrary are unpersuasive. First, even though an Article 32 hearing is a legal proceeding, the PHO is not a military judge and thus does not meet the objective criteria outline in the SECNAVINST. Second, the rules cited in the defense motion apply before *courts-martial*, and not any legal proceeding. The accused is not entitled to credit for being shackled during the Article 32 hearing.

c. Forcing the accused to appear in a prisoner's uniform at his Article 32 hearing did not further a legitimate government objective

As an initial matter, the Court does not find an intent to punish the accused by forcing him to wear a prisoner's uniform to his Article 32 hearing. As is clear from the affidavit submitted by Mr. TL of LANT-1, once alerted to the accused's lack of uniforms took

[9] This is calculated from 21 August 2024 up to and including 13 January 2025, the last day for which the Court has evidence of the OIC overriding the C&A board's recommendation.

appropriate measures to ensure the accused was appropriately attired, evincing a lack of intent to punish.

Even assuming, as the Court does, that the government's inability to ensure the accused had access to his uniforms was an oversight, it nonetheless decided to proceed with the Article 32 hearing with the accused in a prisoner's uniform. While it is true that the accused (and Defense counsel) agreed to go forward with the accused attired in a prisoner's uniform, the accused should not have been put into that position. When it imposes pre-trial confinement, the government has a responsibility to ensure the accused is attired in the proper uniform.[10] Further, they had 195 days from when they imposed pre-trial confinement and 83 days from when they preferred charges to ensure the accused had a proper Coast Guard uniform.

The government's decision to proceed is mitigated somewhat by the accused not inquiring about his uniforms during the weekly command brig visits because a military member bears responsibility to appear in the prescribed uniform of the day.

Nonetheless, the lion's share of the responsibility falls upon the government, a responsibility they failed to uphold (albeit without any malice towards the accused). In so doing, they did not further any legitimate government objective and thus violated Article 13. The accused shall be awarded an additional 4 days of confinement credit.

**6. <u>Conclusions of Law</u>**

a. The Government violated Article 13 by continuing to classify the accused as a MAX prisoner after 20 August 2024 and until and including 13 January 2025. The accused shall be awarded 438 days of confinement credit.

b. The Government did not violate Article 13 when the accused remained shackled for his Article 32 hearing.

c. The Government violated Article 13 when it failed to provide the accused with a proper Coast Guard uniform. The accused shall be awarded 4 days of confinement credit.

[10] The Court takes judicial notice of Article 1.F.5.e of the Coast Guard Discipline and Conduct Manual, COMDTINST M1600.2(series), which states that "Prisoners shall be delivered in the appropriate Service Dress uniform," and "Accordingly, it is important that the prisoner be delivered with a sufficiently full seabag to sustain his/her needs during the anticipated period of confinement."

**7. Ruling and Order**

The Defense motion is **GRANTED IN PART** and **DENIED IN PART,** consistent with the above conclusions of law.

**So ordered this 14th day of March, 2025**.

[redacted]

Digitally signed by
BARNUM.JEFFERY.C[redacted]
Date: 2025.03.14 17:19:53 -04'00'

Jeffery C. Barnum
Commander, U.S. Coast Guard
Military Judge

**INITIAL REVIEW OFFICER'S**
**7-DAY REVIEW OF PRETRIAL CONFINEMENT**

| | | |
|---|---|---|
| U N I T E D S T A T E S | ) | R.C.M. 305(j)(2)(D) Memorandum |
| v. | ) | **Initial Review Officer Findings, Conclusions, and Action** |
| JEREMIAH T. COPELAND<br>CSSN / E-3 USN | ) | Date: 17 June 2025 |

1. **Background**. I, CDR Jason A. Pfeil, JAGC, USN was detailed as the Initial Review Officer (IRO) for the review of pretrial confinement in the case of CSSN Jeremiah T. Copeland, USN (Confinee). The 7-day review hearing was at Naval Consolidated Brig Chesapeake, Virginia (NCBC) on 16 June 2025. This memorandum is prepared pursuant to Rule for Courts-Martial (R.C.M.) 305(j)(2)(D), Manual for Courts-Martial.

2. **Findings of Fact**. After considering the evidence and statements provided at the 7-day review hearing, the preponderance of the evidence supports the following factual findings:

A. The Confinee is from Durham, North Carolina.
B. The Confinee is 20 years of age.
C. The IRO received no evidence of substantial ties to the Hampton Roads area of Virginia other than that his command is based out of Naval Station Norfolk, Virginia.
D. *Facts Pertinent to Alleged Violation of Article 118 (murder)*
    a. 28 May 2025
        i. CSSN A.R. was with the Confinee in his barracks room, building X-2, room 335B and she spent the night.
        ii. CSSN A.R. last used her bank accounts.
        iii. CSSN A.R. was in authorized liberty status 28-29 May 2025.
    b. 29 May 2025
        i. At 0645, PSSN Irbin Gordillocruz, one of the Confinee's roommates, saw CSSN A.R. in the Confinee's barracks room, naked and laying on the floor with the Confinee, also naked, was laying on the floor with his head resting on CSSN A.R.'s stomach area.
        ii. PSSN Gordillocruz observed CSSN A.R. breathing.
        iii. At 0645, CSSN A.R. was alive.
        iv. Some time afterward, FCC Brad Parker from USS JAMES E. WILLIAMS (DDG 95) went to the Confinee's barracks room to make contact with him because he did not report for work.
        v. When FCC Parker knocked on the Confinee's door, the Confinee opened the door wearing shorts and no shirt. FCC Parker recognized CSSN A.R. in the Confinee's barracks room.

vi. CSSN A.R. waved at FCC Parker and then rolled over into a blanket.
vii. FCC Parker ordered CSSN Copeland to report to work and then left the Confinee's barracks room.
viii. CSSN A.R. was alive when FCC Parker left the Confinee's barracks room on 29 May 2025.
ix. No JAMES E. WILLIAMS personnel, other than the Confinee, had further positive contact with CSSN A.R. after FCC Parker saw her.
x. The Confinee did not report to work as ordered and was placed in an unauthorized absence (UA) status.
xi. CSSN A.R.'s cell phone was last used in the evening.
xii. CSSN A.R. was still in an authorized liberty status.

c. 30 May 2025
   i. CSSN A.R. did not report for duty and was placed in a UA status.
   ii. The Confinee remained in a UA status.

d. 31 May 2025
   i. Both the Confinee and CSSN A.R. remained in a UA status.

e. 1 June 2025
   i. The Confinee and CSSN A.R. remained in a UA status.
   ii. At approximately 1900, the Confinee and his roommates PSSN Gordillacruz and AR John Calisse went to dinner at Chipotle.
   iii. At approximately 2000, after eating dinner, the Confinee asked AR Calisse if he could use his vehicle to "go get something to eat" and AR Calisse agreed.
   iv. The Confinee mustered on board the ship to terminate his UA status.
   v. The Confinee's whereabouts after mustering are unknown.

f. The Confinee was in a UA status for approximately four days: from 29 May until the evening of 1 June 2025.

g. FCC Parker is the last known person, other than the Confinee to see CSSN A.R. alive.

h. As part of its investigation, NCIS interviewed the Confinee who told NCIS the following:
   i. CSSN A.R. came to his room on 28 May 2025 for dinner and drinks.
   ii. His relationship with CSSN A.R. was platonic friendship.
   iii. No sexual acts ever happened between them.
   iv. She spent the night in his barracks room the night of 28 May but she had her clothes on the entire time she was in his barracks room.
   v. He was late for work on the morning of 29 May 2025 and FCC Parker knocked on the door to tell him he was going to be marked UA.
   vi. At approximately 1000 on 29 May 2025, he and CSSN A.R. got dressed and one of his roommates took them to her residence at Miller Hall on board Naval Station Norfolk.

i. NCIS investigation revealed the following:
   i. CSSN A.R. never checked into Miller Hall on 29 May 2025 or thereafter.

ii. All of the Confinee's roommates told NCIS they did not give a ride to the Confinee or CSSN A.R. on the morning of 29 May 2025.
iii. CSSN A.R.'s cell phone last pinged on 29 May 2025 at the Confinee's barracks building.

j. NCIS searched the Confinee's barracks room and found the following:
i. There was a potential blood trail leading from inside his closet onto the carpet of the room; and a stain was found inside his bathroom.
ii. A swab taken from inside the Confinee' barracks room closet and his bathroom both tested positive for human blood.

k. NCIS searched the Confinee's cell phone and found the following:
i. At approximately 0514 on 2 June 2025, the Confinee was in the vicinity of 2842 Cary Ave., Norfolk, VA 23504, as determined by GPS analysis of a cached location on his phone.
ii. The Confinee was actively moving around the vicinity of 2842 Cary Ave., Norfolk, VA at the time he was in that area, as determined by analysis of his phone's recording of health and activity data.
iii. The Confinee saved a screenshot of a map application depicting a wooded area near a reservoir or pond in the vicinity of 2842 Cary Ave., Norfolk, VA on 2 June 2025 at 0515 as reflected in the screenshot and digital forensic analysis.
iv. The Confinee saved a location in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA as shown by a dropped pin on the screenshot saved on 2 June 2025 at 0515.

l. Between when the Confinee terminated his UA status and approximately 0514 on 2 June 2025, his whereabouts are unknown.

m. On 9 June 2025, NCIS searched the area reflected in the screenshot obtained from the Confinee's cell phone.

n. A black duffel bag was located beneath a tree within the perimeter captured by the Confinee's screenshot.[1]

o. After partially opening the black duffel bag, NCIS observed a pair of human legs inside.

p. NCIS found a photo from 23 September 2024 depicting the Confinee in service dress blues next to a black duffel bag that is visually similar to the one located in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA.

q. On 10 June 2025, an autopsy was performed on the body found in the black duffel bag with the following initial results:
i. The body was determined to be a female.
ii. Her body was in an extreme state of decomposition.
iii. An E-3 uniform patch was located in her hair.
iv. She was identified as CSSN A.R. by the distinctive tattoo on her back.

[1] The IRO notes that the NCIS affidavit refers to this duffel bag both as a suitcase and a duffel bag. However, based on the evidence the IRO concluded that both terms refer to the same object that the IRO refers to as a duffel bag in this memorandum.

E. *Facts Pertinent to Alleged Violation of Article 120(d) (abusive sexual contact)*

a. In the early morning hours of 23 July 2024 ABHAN C.R. was on the mess decks of USS HARRY S. TRUMAN (CVN 75) with her boyfriend CSSN Fernando Cuestabravo. CSSN Cuestabravo left to go to sleep.
b. Shortly after CSSN Cuestabravo left, ABHAN C.R. began receiving SnapChat snaps from the Confinee; he wanted to talk to her about CSSN Cuestabravo.
c. ABHAN C.R. agreed and the Confinee requested they go somewhere private to talk. They went to the fantail of the ship.
d. The Confinee told ABHAN C.R. that CSSN Cuestabravo was talking to other women and not treating her the way she should be treated; the Confinee suggested they should be in a relationship to get back at CSSN Cuestabravo.
e. After talking with the Confinee about her relationship with CSSN Cuestabravo, the Confinee began to play a "game" where he pretended to arrest her.
f. The Confinee forced ABHAN C.R.'s hands behind her back and grabbed her vulva over the clothing.
g. ABHAN C.R. turned around and punched the Confinee in the stomach.
h. The Confinee said he heard she liked to be choked and he grabbed her neck with one hand, applying pressure. ABHAN C.R. had difficulty breathing. ABHAN C.R. tried to push the Confinee's hand away but he kept putting it back.
i. While the Confinee was applying pressure to ABHAN C.R.'s neck, he kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing.
j. The Confinee then stopped and left.
k. ABHAN C.R. texted CSSN Cuestabravo afterward.
l. The next day they discussed what happened and ABHAN C.R. made a report of sexual assault.
m. On 16 August 2024, NCIS interviewed the Confinee and he said the following:
    i. He and ABHAN C.R. saw each other on the mess decks and went to the fantail to talk.
    ii. The Confinee was sitting in a chair and ABHAN C.R. on the deck.
    iii. ABHAN C.R. told him CSSN Cuestabravo does not treat her well and was cheating on her; she asked the Confinee for advice.
    iv. They flirted but he denied being romantically or sexually interested in ABHAN C.R.
    v. The two hugged and he got close to her face but denied trying to kiss her.
    vi. He denied touching ABHAN C.R. anywhere else.
    vii. NCIS asked if he had strangled ABHAN C.R. He responded, "oh okay yeah I have but it wasn't in like a weird way." He said he put one hand around her neck without applying any pressure.
    viii. He also denied touching any of ABHAN C.R.'s intimate areas and denied telling her she should have sex with him to get back at CSSN Cuestabravo.
n. Additional NCIS investigation revealed:
    i. The Confinee told CSSN Jaelen Owens that ABHAN C.R. was "feeling on" and "leading on" the Confinee.

ii. CSSN Cuestabravo observed bruises on the sides of ABHAN C.R.'s neck but neither of them took photos of the bruises.

F. *Facts Pertinent to Alleged Violation of Article 120(b) (sexual assault)*

a. On 4 November 2024, during a port call in Oslo, Norway, CSSN S.S. reported the Confinee sexually assaulted her in the head of a bar at approximately 2200 hours.
b. CSSN S.S. was intoxicated and did not remember having sexual intercourse with the Confinee, however other Sailors told her on 5 November that the Confinee showed them a video on his phone of the two of them having sexual intercourse.
c. CSSN S.S. confronted the Confinee about him making a video of sexual intercourse with her and he denied it.
d. Two Sailors interviewed by NCIS stated the Confinee had shown them a video of him and CSSN S.S. having sexual intercourse.
e. Another Sailor interviewed by NCIS reported the Confinee told him he had sex with CSSN S.S. and seemed excited about it.
f. NCIS searched the Confinee' person, his berthing, rack, and personal spaces to find his phone but his phone was never found.
g. On 18 November 2024, NCIS interviewed the Confinee:
    i. He confirmed that he and CSSN S.S. had sexual intercourse in the bathroom in a bar in Oslo, Norway and that he had video recorded it.
    ii. He stated the sexual intercourse was consensual.
    iii. He said he lost his phone before returning to the ship on 5 November.

G. *Facts Pertinent to Alleged Violation of Article 128 (assault consummated by a battery / aggravated assault) or Article 128b (domestic violence)*[2]

a. In April 2025, the Confinee was in his barracks room with his then-girlfriend, CS2 S.R.
b. While in the Confinee's barracks room, CS2 S.R.[3] received a phone call from another woman claiming to be his girlfriend. She confronted the Confinee.
c. The Confinee denied the relationship with the other woman and they argued.
d. The Confinee then strangled CS2 S.R.
e. Afterward, he laughed and said he was just playing with CS2 S.R.
f. CS2 S.R. left the Confinee's barracks room and went home. She continued to communicate with the other woman.
g. CS2 S.R. returned to the Confinee's barracks room and confronted him again.
h. They argued and the Confinee grabbed CS2 S.R.'s phone from her hand.
i. CS2 S.R. punched the Confinee in the chest, slammed his PlayStation 5 to the ground, and left.

[2] These offenses were not included in the command's 72-hour review letter as offenses; however, the facts support that they were committed and helped inform the IRO's analysis.
[3] The IRO notes that there are what appear to be significant typographical errors in the email that documents the alleged assault. Specifically, after initially identifying the Confinee's then-girlfriend as CS2 S.R., the narrative refers to a CS2 Williams multiple times. Additionally, the narrative refers to the Confinee alternatively as CSSN Copeland and CSSN Williams. The IRO used context to relate the facts found from the narrative supplied in the 72-hour letter's enclosures.

j. One of the Confinee's roommates told law enforcement CS2 S.R. waved a knife around while arguing with the Confinee but no knife was found.

H. On 6 June 2025, the Confinee received nonjudicial punishment for his period of UA from 29 May to 1 June.

3. **Applicable Law**

Per R.C.M. 305(j)(2)(A)(iii), the Government must prove by a preponderance of the evidence the requirements for continued confinement under R.C.M. 305(i)(2)(B).

4. **Victim Information**

Ms. Esmerelda Castle, CIV, ABHAN C.R., USN, CSSN S.S., USN, and CS2 S.R., USN were identified as victims in this matter.

The victims were not represented by counsel. The victims were given the opportunity to confer with the representative of the command. The victims were given a reasonable opportunity to be heard; only Ms. Castle exercised her right to be heard.

The IRO will also note that CSSN A.R., USN is considered a victim for the purposes of the Article 118 allegation, however she is deceased.

5. **Conclusions**. Based on the evidence presented at the IRO hearing, the IRO finds the Government has proven the following by a preponderance of the evidence:

A. The following offenses triable by court-martial were committed:[4]
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

B. The Confinee committed the following offenses triable by court-martial:
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

C. Continued pretrial confinement is necessary because it is foreseeable that:
   a. the Confinee will not appear at trial, pretrial hearing, or preliminary hearing due to:
      i. the seriousness of the charge of murder and its punishments, specifically a maximum punishment of death or confinement for life without the possibility of parole;
      ii. the fact that the Confinee was in a UA status for four days during and after the murder of CSSN A.R.;
      iii. though the Confinee voluntarily terminated his UA status, after doing so he hid CSSN A.R.'s body in a duffel bag that he dumped in a wooded

[4] The IRO notes that the Government did not prove by a preponderance of the evidence that the Confinee committed the offense of sexual assault in violation of Article 120(b).

area, indicating that his decision to terminate his UA status was part of a plan to avoid accountability for his actions leading to CSSN A.R.'s death and would likely impel him to leave the area if he were not confined;

iv. that the Confinee attempted to cover up his involvement in the death of CSSN A.R. by both lying to NCIS investigators and hiding her body in a duffel bag in a wooded area; and

v. the Confinee lacks substantial ties to the Hampton Roads area of Virginia beyond the presence of his command in Norfolk indicating the Confinee has no incentive to remain in the Hampton Roads area were he to be free.

b. the Confinee will engage in serious criminal misconduct due to:

i. the nature and circumstances of the offenses suspected, specifically:

1. that the Confinee committed at least two violent offenses[5] while under investigation by NCIS for two other violent offenses;
2. the Confinee sought to obstruct the investigation into CSSN A.R.'s disappearance by hiding her body in a duffel bag and dumping it in a wooded area, all while keeping his phone in airplane mode to prevent it from confirming his presence where he had dumped CSSN A.R.'s body;

ii. the weight of the evidence against the Confinee, specifically:

1. evidence of his consciousness of guilt from his attempt to mislead NCIS in both the investigation of the abusive sexual contact allegation against him and the disappearance of CSSN A.R.;
2. the strong evidence provided by his phone's GPS, health data, and the screenshot he took that he dumped CSSN A.R.'s body;
3. the presence of human blood in his barracks room; and
4. that he was the last person known to have seen CSSN A.R. alive;

iii. the pattern of escalating violent conduct of the Confinee;[6] and

iv. the fact that the Confinee committed multiple violent offenses against different women all while under investigation for other violent offenses.

D. Less severe forms of restraint are inadequate given:

a. the severity of the allegations against the Confinee as outlined above;

b. the weight of the evidence against him as outlined above;

c. the pattern of escalating violent conduct despite being under multiple criminal investigations from NCIS shows that the moral threat of being held accountable for misconduct is insufficient to deter him from engaging in criminal acts;

d. that the Confinee was willing to be UA before he knew he was suspected of murder of CSSN A.R., despite receiving a direct order to report to the ship shortly

[5] Article 118 (murder) and Article 128 (assault consummated by a battery) or 128b (domestic violence). The IRO recognizes that the Article 128 or 128b offense was not specifically stated in the 72-hour memorandum as the offenses for which CO, JAMES E. WILLIAMS found continued confinement appropriate; however, it is a significant fact that he committed this violent offense while under investigation for two other violent sexual offenses and shortly before the Article 118 (murder) offense.

[6] From abusive sexual contact to assault consummated by a battery / aggravated assault / domestic violence to murder

after his UA period began and he continued being UA for another three days; this shows the IRO that he is willing to disobey orders and that moral restraint is insufficient to ensure the Confinee will be present; and

e. the IRO is not persuaded that less severe forms of restraint are adequate by his presence at NJP on 6 June 2025 because of the substantial difference in the severity of the offenses for which he was placed into pretrial confinement and the significant difference between the punishment available for these offenses at court-martial compared to the maximum punishments available at NJP.

The IRO considered the evidence presented by the Confinee via his counsel but notes that it deals only with the conditions of confinement at NCBC and does not address whether confinement itself is appropriate. While there may be avenues for redress of unduly severe conditions of confinement under other R.C.M.s,[7] they do not provide a basis for finding that continued pretrial confinement is not necessary.[8]

6. **Action of 7-Day Reviewing Officer**

**Continued pretrial confinement for the Confinee is APPROVED.** The Confinee will remain in pretrial confinement.

The Government shall provide a copy of this memorandum to the Confinee, the Defense Counsel, and the confinement facility.

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.17 16:33:13 -04'00'

CDR, JAGC, USN
Initial Review Officer

[7] *See* R.C.M. 305(l).
[8] R.C.M. 305(h)(2)(B) (continued confinement is only permitted where "(i) An offense triable by a court-martial has been committed; (ii) The confinee committed it; (iii) Confinement is necessary because it is foreseeable that: (a) The confinee will not appear at trial, pretrial hearing, or preliminary hearing, or (b) The confinee will engage in serious criminal misconduct; and (iv) Less severe forms of restraint are inadequate.").

13 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commander, Naval Surface Force Atlantic
Via: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS UNDER ARTICLE 138, UCMJ

Ref: (a) Article 138, UCMJ
(b) JAGINST 5800.7G, Chapter III.

Encl: (1) Emails with trial counsel and defense counsel
(2) Emails with defense counsel and the staff judge advocate advising the USS JAMES E. WILLIAMS
(3) CSSN Copeland's Request for Redress of 29 Jul 25
(4) Email from staff judge advocate advising the USS JAMES E. WILLIAMS notifying the defense that the request for redress was denied of 7 Aug 25
(5) Email with Brig Staff
(6) Email from staff judge advocate advising the USS JAMES E. WILLIAMS stating that formal response was not required of 11 Aug 25

1. This complaint of wrong under reference (a) is submitted on behalf of CSSN Jermiah Copeland by his defense counsel, LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN. It is submitted in compliance with reference (b).

2. Complainant information:

a. Current command: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

b. Command at time of alleged wrong: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

c. EAOS: 12 July 2027

d. Current mailing and email address: CSSN Copeland is being held in pretrial confinement in Naval Consolidated Brig Chesapeake. He can be reached through his defense counsel.

3. Respondent information: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

4. Complaint:

a. Alleged wrong: CSSN Copeland has been held in pretrial confinement for 63 days without preferred charges. CSSN Copeland has been in a "maximum status" while at the brig. He remains in his cell 22 hours per day. He is not permitted to have "contact" visits with his defense

counsel. CSSN Copeland has requested to have a private, in-person, meeting with his defense counsel. However, this request was denied.

b. Details:

(1) For 63 days, CSSN Copeland has been held in confinement without preferral of charges.

(2) Per enclosure (1), on 16 June, CSSN Copeland requested through counsel to meet with his attorney's in-person in a private setting. The trial counsel stated that the government could not support this request. The trial counsel ignored the defense's request for more information.

(3) On 3 July 2025, the staff judge advocate advising the USS JAMES E. WILLIAMS reached out to defense counsel. In response, the defense counsel provided her additional information. Namely, that at least one trial court has found that the current policies and procedures in place at Naval Consolidated Brig Chesapeake for pretrial confinees in a "maximum" confinement status is illegal pretrial punishment.

(4) On 23 July 2025, the defense followed up with our original request. This follow up was ignored.

(5) On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting.

(6) On 7 August 2025, CSSN Copeland's request was denied. USS JAMES E. WILLIAMS provided no reasoning for the denial.[1]

c. Relief requested: CSSN Copeland respectfully requests to be able to meet with his attorneys in a private room to have a private conversation without the risk of being heard by people who are not members of his defense team. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig.[2] This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to

[1] Per enclosure (6), the staff judge advocate reads Section 0305.a of the JAGMAN to state that a response to a request for redress is not required. Section 0305.a of the JAGMAN states that

> The commanding officer must act upon a request for redress within 30 calendar days of receipt, and notify the complainant in writing of the action taken, if applicable. If the commanding officer does not respond to the request within 30 calendar days or denies the requested redress, then the complainant may submit an Article 138 complaint to the GCMCA via the commanding officer, as the respondent.

[2] See enclosure (5).

hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of the Sixth Amendment.

Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if they cannot meet and openly discuss the case. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

5. I certify the above information is true and correct to the best of my knowledge, and this complaint is submitted per the guidelines and procedural requirements in Chapter III, Manual of the Judge Advocate General.

6. Please contact me with any questions or concerns you may have at 850-452-5572 or via email Amanda.m.serfess.mil@us.navy.mil.

[redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 1:45:00 PM

CDR Mayo,

Who has decided that CSSN Copeland cannot come to A-50? OSTC? The RLSO? Why can't the government support CSSN Copeland coming to A-50? We have confined clients from other command come to A-50.

Can you please provide me with the name and contact information of the lead agent in this case?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Monday, June 30, 2025 2:10 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister,

Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: SN Copeland"s Initial Review Hearing
**Date:** Wednesday, July 23, 2025 1:16:00 PM

---

Elisabeth,

I just wanted to circle back to our request to meet with our client in the same room privately. I emailed the brig today and it will not allow us to visit our client in a contact room – we would only be able to meet with him through glass in non-private area. Is it possible for the command to bring him to A-50 or another location to allow us to meet with him? (Similar to how we will meet with him when he come to the court room for hearings).

Please and thank you

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Thursday, July 3, 2025 2:46 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** FW: SN Copeland's Initial Review Hearing

Elisabeth,

Please see attached. We presented these to the IRO at Copeland's hearing.

There are plenty of spaces at the brig where we could meet with the client and the staff could still see us. CDR Mayo asked them if we could use the IRO room (no windows, but a place we meet with other clients) but the brig said no. We would also agree to have more than one of the defense team in the room during any meeting if it is our safety they are concerned about. We are not concerned about our safety and haven't seen any indication that CSSN Copeland would do anything to harm his defense

team.

Let me know if you have questions or need anything else from me.

Have a Happy Independence Day!!!

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 6:37 AM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** SN Copeland's Initial Review Hearing

Your Honor,

The defense requests that you consider the attached two exhibits for today's seven day review hearing as they go to the severity of CSSN Copeland's confinement, and therefore, to whether less severe forms of restraint are adequate.

I will bring printed copies to the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: 703-213-9620
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Green, Deonta J PO1 USN (USA)
**Subject:** RE: CSSN Copeland
**Date:** Wednesday, July 23, 2025 1:04:43 PM

Good afternoon Ma'am,

His status was changed, however his classification remains the same and that is what requires visitation using the non-contact area.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Wednesday, July 23, 2025 12:16 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA) <franklin.j.fejeran.mil@army.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

Now that CSSN Copeland's status has been upgraded, can he do contact visits with his attorneys?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

[redacted]

**From:** Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA)
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Request for Redress CSSN Copeland
**Date:** Wednesday, August 13, 2025 12:56:20 PM

---

LCDR Morgan,

As it is not required, JWS CO does not wish to provide the additional response requested.

Very Respectfully,

Elisabeth Maddrell Hall
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
*NOTE NEW NIPR EMAIL *: elisabeth.m.hall6.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.m.hall6.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Wednesday, August 13, 2025 1:51 PM
To: Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.m.hall6.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Okay. If the CO is not refusing, will he provide us the formal response like we requested, despite whether it's required or not. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Tuesday, August 12, 2025 2:39 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>;
Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Apologies, no. I meant a formal letter, in addition to the denial notification below, with justification signed by the CO is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>

Sent: Monday, August 11, 2025 3:47 PM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

For clarification, are you saying that the CO is refusing to provide us a formal response?

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Monday, August 11, 2025 3:21 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Per JAGMAN 0305(a), a formal response is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 10:43 AM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Good morning. Received. We request a formal response, signed by the CO. Additionally, in his response, we request the CO provide justification as to why he will not accommodate our request. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 8:20 AM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**OF**<br>**CINDY HOFFMEISTER**<br><br>**26 August 25** |

1. I, Mrs. Cindy Hoffmeister, serve as a Defense Paralegal for Defense Service Office Southeast and have been assigned to this case since June 2025. I have been a defense paralegal since 26 February 2023. I have accompanied defense attorneys during visits to clients located at Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake on many occasions. This includes contact and no-contact visits. There is a room at the Chesapeake Brig that is used to facilitate no-contact visits with clients. The client is placed in the room on the other side of a plexiglass wall. The defense team enters the room on the other side of the Plexiglass. The defense can see the client. However, it is difficult for the client to hear his defense attorneys. The attorney will have to talk very loud limiting privacy as there are brig employees outside of the room. Further, it is very hard for the defense team to hear the client. There are small slots next to the plexiglass. However, in order to pass a document to the client, you have to fold it in half for it to fit through the slot. There are no outlets in this room. There is no way to have the client view a video on a computer. There is no way to have the client use a computer. There is no phone in the room to have the client contact other members of the defense, experts, or anyone else.

2. On 16 June 2025, I was present during the no-contact visit at the NCBC Detachment Chesapeake, along with LCDR Amanda Serfess, LCDR Clifton Morgan and CSSN Copeland. The following is a summary of the issues regarding communication that I observed during the meeting:

a. CSSN Copeland and his defense team can only visit through a no-contact room which is a small room that can barely hold four chairs, with Plexiglass between the attorneys and the client. While speaking with the client in this room, me and the other paralegal could not hear what the client was saying. The attorneys had to put their ears to the plexiglass and/or try to read his lips. The attorneys had to repeat themselves a few times as the client could not hear them. You have to speak in a slightly louder voice to be heard on the other side of that plexiglass, risking brig employees and any others not apart of the defense team to hear the conversation.

b. This room makes it nearly impossible for the attorneys to hear the client, and in turn, hard for the client to hear his attorneys.

c. Communications from inside the no-contact room can be heard from outside the room, in the main contact visit sitting area.

Signed today, 26 August 2025.

[redacted]

CINDY HOFFMEISTER, CIV

**Enclosure (5)** Enclosure (1)

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

1 Jul 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: Commander, Navy Region Mid-Atlantic
Via: Staff Judge Advocate, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 10 June 2025 through 25 July 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

3. Taken alone, any of one of these offenses is extremely complex and several lengthy investigative steps remain. Specific to the allegation of murder, these steps include receipt and analysis of digital evidence, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, and interviews of several witnesses. NCIS and counsel for the Government are working on this case daily to further the investigation and move with reasonable diligence toward trial. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Therefore, the Government respectfully requests the time beginning on 10 June 2025 through 25 July 2025 be excluded.

4. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at lauren.a.mayo2.mil@us.navy.mil or via phone at (757) 341-4598.

[redacted]
L. A. MAYO[redacted]

Copy to:
Detailed Defense Counsel

1 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25

Encl: (1) Emails with the special trial counsel
(2) Additional emails with the special trial counsel

1. Per references (a) through (d), CSSN Copeland, through counsel, once again demands a speedy trial or immediate release from pre-trial confinement. Further, CSSN Copeland objects to any excludable delay.

2. CSSN Copeland has been held in pre-trial confinement for 23 days without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e).

4. The defense objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). There must be a required higher degree of specificity before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and the defense's access to our client has been restricted.[2]

[1] A status that at least one military judge has held is illegal pretrial punishment.

5. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel provided no evidence or documents supporting the reason for the delay. The generalized notion of the need to conduct further investigation does not amount to the specificity required under the Rules. Why does the government need until 25 July 2025? What do they expect will be completed by that date? Based on the enclosures to Commanding Officer's 48/72 hour letter for CSSN Copeland's initial review officer hearing, the Art. 120 investigation started in July 2024 – a year ago. However, according to the trial counsel's request for excludable delay there "several lengthy investigative steps" remaining. You should demand more specificity. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 23 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with any documents, or communications with NCIS, the name and contact information of all investigators, and a written response to the government's excludable delay request.

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

9. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil

[redacted]

A. M. SERFESS

Copy to:

CDR Mayo
CSSN Copeland
NCIS

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 2:10:03 PM

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia

757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM

**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Crossley, Shelley L CIV (USA)
**Subject:** RE: ICO Copeland: Defense Request for In Person Meeting in A-50
**Date:** Tuesday, June 24, 2025 9:20:58 PM

CDR Mayo,

Copy all and standing by.

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil

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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 4:13 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA)

<cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>
**Subject:** ICO Copeland: Defense Request for In Person Meeting in A-50

LT Maddrell -

Forwarding defense request below.

I'll also call the brig tomorrow and see if I can help with a contact visit. The room LCDR Serfess is referring to with the glass does require folks to get closer to the glass to talk. I've dealt with it, too. It's doable, but I understand the preference to meet in a different room. I don't have any SA on what RLSO Security will require here though. So - I'll get more information on that as well. MTF.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:45 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

We need to have a confidential meeting. The brig will not allow us to have a "contact" visit. We can only meet with him in the room with the glass – where we have to yell for him to hear us (not confidential) and frankly we cannot hear him and do want him to have to yell. Building A-50 is where the rest of the defense team is so that seems like the best place. Further, it seems like the least risk of a potential member seeing him in shackles.

Please let me know if you need anything else.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:41 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Also - I don't want to presume the reason for your request - but can you pls foward me why you need to meet him in A-50? I will forward that request to the command with your requested date and cc you all.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598
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**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
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**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
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**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

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Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

DEPARTMENT OF THE NAVY
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK, VA 23511-2737

5810
Ser N00J/412
9 July 25

From: Commander, Navy Region Mid-Atlantic
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: RESPONSE TO GOVERNMENT'S REQUEST FOR EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Your ltr dated 01 Jul 25
(b) LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel ltr of 1 Jul 25

1. Pursuant to Rules of Courts-Martial 707, the Government's request for excludable delay, reference (a), from 10 June 2025 to 25 July 2025 is hereby approved. In response to that request, I received reference (b), Defense Counsel's objection to the Government's request.

2. In weighing the Government's request against Defense's objection, I have determined that the Government's request is reasonable in both length and rational based on the Government's stated basis.

3. My point of contact for this matter is Staff Judge Advocate, CDR Beasley-Ledet, JAGC, USN (757) 322-2936, or via email at ronisha.t.beasleyledet.mil@us.navy.mil.

[redacted]
C. A. LAHTI

Copy to:
Detailed Defense Counsel
File

**Enclosure (9)** Enclosure (1)

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]
C. E. MORGAN III

08 Aug 25

From: LT Patricia Cannaday, JAGC, USN, Trial Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 25 July 2025 through 15 August 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. On 1 July 2025, the Government requested excludable delay from 10 June 2025 through 25 July 2025. This request was granted 9 July 2025.

3. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

4. Although NCIS and the Government have exercised all expedience in this case, several lengthy investigative steps remain. First, as to the allegation of murder, outstanding steps include receipt of the final reports of investigation, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, a finalized toxicology report, and interviews of several witnesses. The Government is also waiting on returns from various providers relating to UCMJ Article 30a matters, and it is unclear when those results will be in the Government's possession. Second, regarding the sexual assault allegations, NCIS recently acquired information concerning pre-service incidents and a fifth post-service allegation, which may provide evidence regarding the current charges, or could constitute further charges. NCIS requires time to pursue these leads by interviewing witnesses, gathering court documents, and reviewing digital evidence.

5. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Accordingly, the Government respectfully requests the time beginning on 25 July 2025 through 15 August 2025 be excluded.

6. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at patricia.t.cannaday.mil@us.navy.mil or via phone at (757) 341-4509.

[redacted]

P. T. CANNADAY

Copy to: Detailed defense counsel

**Enclosure (12)**

Enclosure (1)

11 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO SECOND EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25
(f) Defense objection to excludable delay of 1 Jul 25 w/ encls
(g) Your ltr 5810 Ser N00J/421 of 9 Jul 25
(h) Second Request for excludable delay of 8 Aug 25

Encl: (1) Request for Redress to meet with counsel of 29 Jul 25
(2) Email from USS JAMES E WILLIAMS of 7 Aug 25
(3) Demand for speedy trial of 16 Jun 25
(4) Demand for speedy trial of 25 Jul 25
(5) Request for Discovery of 30 Jul 25

1. Per references (a) through (d), CSSN Copeland, through counsel, objects to any excludable delay and demands a speedy trial or immediate release from pre-trial confinement.

2. CSSN Copeland has been held in pre-trial confinement for 62 days – over two months – without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, despite the defense submitting a formal request to the trial counsel for discovery. Therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1) of reference (f).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e). That same day, the defense objected to that request as many of the alleged offenses occurred over year ago and the government failed to state with any specificity why excludable delay was necessary in a case where the accused remains in the most restrictive confinement without proper access to counsel. On 9 July 2025, you granted the government request for excludable delay until 25 July 2025. On 25 July 2025, CSSN Copeland again demanded a speedy trial. The Office of Special Trial Counsel neither acknowledged or responded to this request. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for professional responsibility because the

[1] A status that at least one military judge has held is illegal pretrial punishment.

defense requires and is entitled to fairness and equal access to discovery. Further, discovery would reduce the risk of prejudicial speedy trial issues if charges are ever preferred in this case. The trial counsel neither acknowledged or responded to this request. Instead, on 8 August 2025, the trial counsel once again requested excludable delay.

4. On 29 July 2025, the defense once again requested to meet with CSSN Copeland for an in-person private meeting. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request providing no reasoning.

5. The defense again objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). A higher degree of specificity is required before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and CSSN Copeland's access to defense counsel has been restricted.

6. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel once again provided no evidence or documents supporting the vague reason for the delay. The generalized notion of the need to "conduct further investigation" does not amount to the specificity required under the Rules. Why does the government require excludable delay until 15 August 2025? What specific actions do they expect to be completed by that date? What has trial counsel and NCIS done between 25 July 2025 and 8 August 2025 to take immediate steps to bring this case to trial? Why are there witnesses who have not been interviewed? The military has no jurisdiction over pre-service misconduct. CSSN Copeland should not linger in maximum confinement while law enforcement investigates civilian charges. You must demand more specificity; you must demand charges. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require

more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 62 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with the requested discovery and a written response to the government's excludable delay request.

9. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil

A. M. SERFESS

Copy to:

CDR Mayo
CSSN Copeland

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]
C. E. MORGAN III

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: Charge Sheet ICO CSSN Copeland
**Date:** Saturday, August 23, 2025 1:15:00 PM

CDR Mayo,

Additionally, we will need the command's assistance getting CSSN Copeland in the proper uniform for the Article 32.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:14 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** RE: Charge Sheet ICO CSSN Copeland

CDR Mayo,

We have our Art. 6 inspection from 8-19 – but no one is coming to Pensacola so I could really be anywhere for that. Right now, I will be in Jacksonville from 24 Sept – 3 October. So really I could make anything before that work. The week of the 15th being my preference. (But, let me talk to Clifton).

We would like to meet with our client before the Art. 32. We'd request to schedule the hearing in the afternoon so that we can meet with him in the morning. (NCIS can meet with him in person, but we cannot….).

Please let us know what you need from us.

V/r
Amanda Serfess
LCDR, JAGC, USN

Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Friday, August 22, 2025 3:09 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** Re: Charge Sheet ICO CSSN Copeland

LCDR Serfess,

Attached is the preferred charge sheet.

We are looking at mid-September. What does your schedule look like around that time?

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:41 PM

**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** Charge Sheet ICO CSSN Copeland

CDR Mayo/LT Dempsey,

I understand there are preferred charges in the CSSN Copeland case. Can you please send LCDR Morgan and I a copy of the charge sheet?

When are you thinking of doing the Article 32 hearing?

V/r

Amanda Serfess

LCDR, JAGC, USN

Officer in Charge

Defense Service Office Southeast

Detachment Pensacola, Florida

850-452-5572

amanda.m.serfess.mil@us.navy.mil

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Cc:** Welch, Sharell A CIV USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Cole, Amanda D CPO USN (USA); Busch, Kristina L SFC USARMY 42 MP BDE (USA)
**Subject:** RE: CSSN Copeland
**Date:** Thursday, August 28, 2025 10:49:15 AM
**Attachments:** SOP 806 PRISONER CORRESPONDENCE COMMUNICATIONS AND PUBLICATIONS.pdf

LCDR Serfess,

Please see the attached SOP regarding privileged correspondence. For safety and security, we may inspect incoming and outgoing privileged correspondence solely to ensure there is no contraband. We do not read the documents, and this inspection is done in the presence of the prisoner. He has been briefed on these procedures and understands his responsibilities WRT privileged correspondence.

Due to his custody classification, meeting in this facility would be conducted in the no contact booth. You can pass documents through the slots on either side of the plexiglass window. Video can be displayed through the same window. There would be nobody else in the room and we have sound machines that can be placed outside the room to create a layer of sound to mask conversations from the guards outside the room. Alternatively, his command could send escorts to take him to a legal office to meet which would allow for you to speak with him privately in the same room.

V/R,

CDR Brian Flanagan
NCBC Det Chesapeake OIC
Office: 757-421-8847
Cell: [redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Thursday, August 28, 2025 9:24 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Welch, Sharell A CIV USN (USA) <sharell.a.welch.civ@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA) <bryan.c.barletto.mil@us.navy.mil>
**Subject:** FW: CSSN Copeland

CDR Flanagan,

Please see below email. I'm trying to get some answers about bringing privileged documents to one of my clients confined at the Chesapeake Brig. Do you have an SOP for the prisoner management division. Will they review privileged documents?

Further, is it possible for CSSN Copeland's defense team to have an in-person, confidential, meeting with him at the brig, one where we can show our client evidence, including video evidence and speak with him privately in the same room.

I copied my XO for his SA.

Please and thank you in advance

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Wednesday, August 27, 2025 2:43 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

If I want to deliver documents to CSSN Copeland, those documents will go to the Prisoner Management Department? What will the Prisoner Management Department do with those documents? Is there an instruction or a point of contact in that department who I can speak with? How can I deliver privileged documents to a client at the brig and be assured that no one will look at those document?

Please and thank you in advance.

Enclosure (2)

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Sent:** Wednesday, August 27, 2025 2:39 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

Good afternoon Ma'am,

It can be delivered at the quarterdeck or emailed to myself and IC1 Green and we will get it to the Prisoner Management Department.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

NOTICE: This e-mail communication is for the sole use of the intended recipient(s) and may contain unclassified, confidential, law enforcement sensitive, and/or PII information. Any unauthorized disclosure, copying or dissemination of this communication is prohibited. If you are not the intended recipient, please notify the sender by telephone or e-mail and delete all copies received.

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Monday, August 25, 2025 11:54 AM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

How can we coordinate with the Prisoner Management Department to get paperwork delivered to CSSN Copeland?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X," as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 2 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 2 of 25, and Preliminary Hearing (PHE 2 through 44(a).



# PRELIMINARY HEARING

# CHARGE SHEET

## I. PERSONAL DATA

| 1. NAME OF ACCUSED (Last, First, Middle Initial) | 2. EDIPI | 3. GRADE OR RANK | 4. PAY GRADE |
|---|---|---|---|
| COPELAND, Jermiah T. | [redacted] | CSSN | E-3 |

| 5. UNIT OR ORGANIZATION | 6. EAS | 6b. CURRENT SERVICE | |
|---|---|---|---|
| | | a. INITIAL DATE | b. TERM |
| USS JAMES E. WILLIAMS (DDG 95) | 12 Jul 27 | 13 Jul 23 | 4 years |

| 7. PAY PER MONTH | | | 8. NATURE OF RESTRAINT OF ACCUSED | 9. DATE(S) IMPOSED |
|---|---|---|---|---|
| a. BASIC | b. SEA/FOREIGN DUTY | c. TOTAL | | |
| $2,733.00 | $0.00 | $2,733.00 | Pretrial Confinement | 9 June 2025 - Present |

## II. CHARGES AND SPECIFICATIONS

10.

Charge I: Violation of UCMJ, Article 120

Specification 1 (Aggravated Sexual Contact): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland by using unlawful force.

Specification 2 (Abusive Sexual Contact): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland without the consent of ABHAN C.R.

(See Supplemental Page)

## III. PREFERRAL

| 11a. NAME OF ACCUSER (Last, First, Middle Initial) | b. GRADE | c. ORGANIZATION OF ACCUSER |
|---|---|---|
| Cannaday, Patricia, T. | O-3 | Office of Special Trial Counsel |

[redacted] d. DATE (YYYYMMDD) 20250822

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 22nd day of August, 2025 and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.

Christopher B. Dempsey
*Typed Name of Officer*

Region Legal Service Office MIDLANT
*Organization of Officer*

LT/O-3
*Grade*

Judge Advocate
*Official Capacity to Administer Oath*
*(See R.C.M. 307 (b)_ must be commissioned officer)*

[redacted]
*Signature*

**DD FORM 458, MAY 2000** PREVIOUS EDITION IS OBSOLETE

12

On 22 August 2025, the accused was informed of the charges against him and of the names of the accusers known to me *(See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)*

Christopher Dempsey — Region Legal Service Office MIDLANT
*Typed Name of Immediate Commander* — *Organization of Immediate Commander*

LT/O-3
*Grade*

[redacted]
*Signature*

**IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY**

13.

The sworn charges were received at 1623 hours, 25 AUGUST 2025 at USS JAMES E. WILLIAMS
*Designation of Command or*

*Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)*

FOR THE [1] Commanding Officer

CDR TIMOTHY WINTERS
*Typed Name of Officer*

USS JAMES E. WILLIAMS
*Official Capacity of Officer Signing*

O5
*Grade*

WINTERS.TIMOTHY.MARK.[redacted] Digitally signed by WINTERS.TIMOTHY.MARK.[redacted]
[redacted] Date: 2025.08.25 16:23:41 -04'00'
*Signature*

**V. REFERRAL; SERVICE OF CHARGES**

| 14a DESIGNATION OF COMMAND OF CONVENING AUTHORITY | b. PLACE | c. DATE *(YYYY MMDD)* |
|---|---|---|
| | | |

Referred for trial to the _____ court-martial convened by _____.

Dated _____, subject to the following instructions: [2] _____

By _____ of _____
*Command or Order*

_____
*Typed Name of Officer*

_____
*Official Capacity of Officer Signing*

_____
*Grade*

_____
*Signature*

15.

On _____, I caused to be served a copy hereof on the above named accused.

_____
*Typed Name of Trial Counsel*

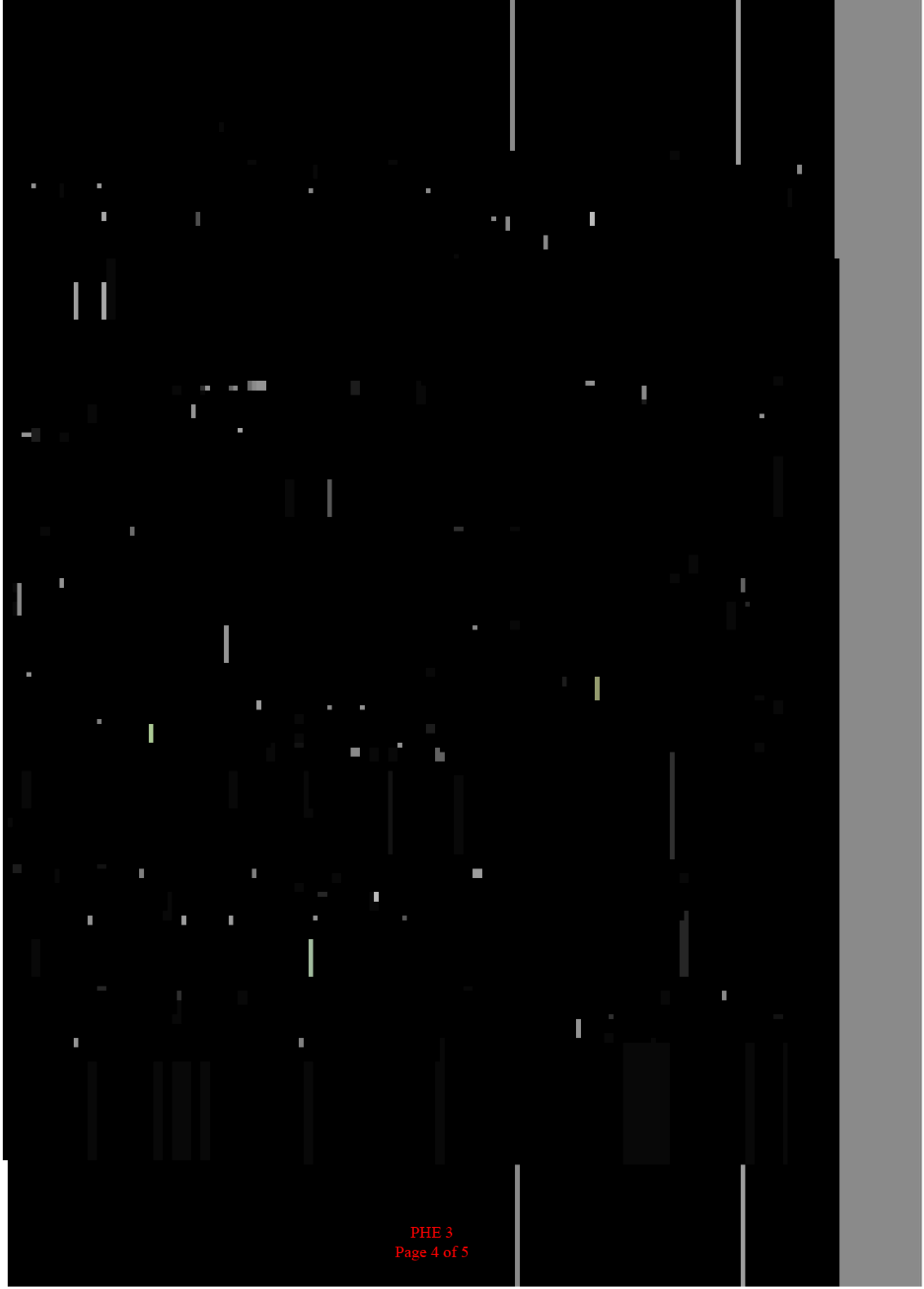
_____
*Grade or Rank of Trial Counsel*

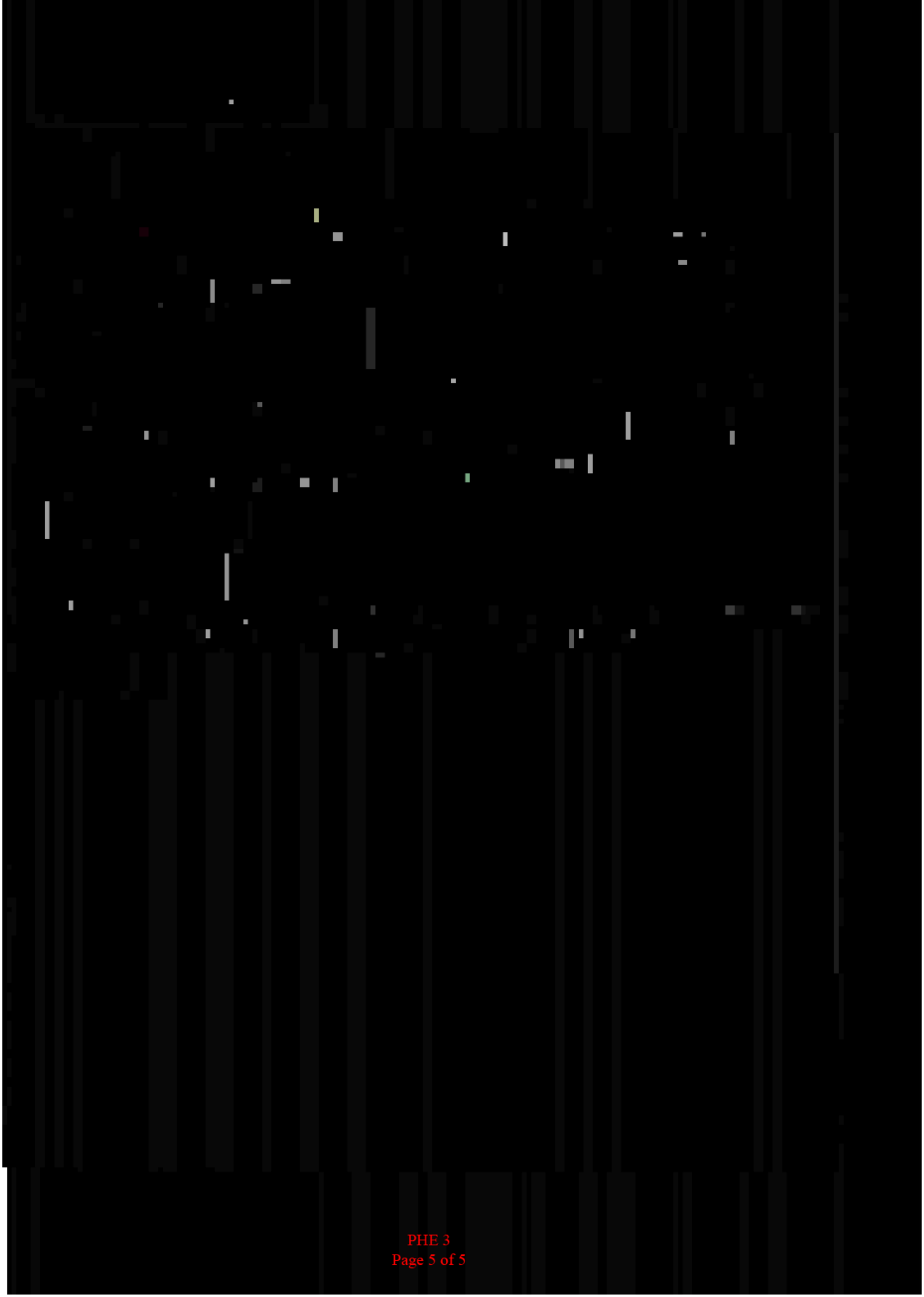
_____
*Signature*

*FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.*
*2 - See R.C.M. 601 (e) concerning instructions. If none, so state.*

**DD FORM 458 (BACK), MAY 2000**







# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF [redacted]

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported ABHAN [redacted] ([redacted] USN, CVN 75, reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe.

2. On 06Aug24 at approximately 2030 hours, [redacted] was interviewed by Reporting Agent (RA) aboard CVN 75, while at sea in compartment 02-88-4-Q. IT2 Morgan RODRIGUEZ, USN, Uniform Victim Advocate (UVA), CVN 75, was present for the entirety of the interview.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. [redacted] related she is in a relationship with CSSN Fernando CUESTABRAVO, USN, CVN 75, and was in the mess decks with him in the early morning hours of 23Jul24 when he stated he was going to sleep. [redacted] stated after CSSN CUESTABRAVO left, she began receiving SnapChat snaps from S/COPELAND, who stated he was headed to the ship and expressed he wanted to talk to her about CSSN CUESTABRAVO. [redacted] agreed, and stated S/COPELAND arrived and requested the pair go somewhere private to talk.

5. After arriving to the area of the fantail, S/COPELAND told [redacted] that CSSN CUESTABRAVO was talking to other women and asserted CSSN CUESTABRAVO was not treating [redacted] the way she should be treated. [redacted] related S/COPELAND suggested SHE engage in a relationship with him (S/COPELAND) to "get back at" CSSN CUESTABRAVO. [redacted] stated she told S/COPELAND she did not "do those types of things." [redacted] recalled discussing her relationship with S/COPELAND for a short period of time before S/COPELAND began to play a "game" with her wherein he pretended to arrest her. [redacted] stated S/COPELAND forced her hands behind her back and grabbed her vulva over the clothing.

6. [redacted] related she turned around and punched S/COPELAND in the stomach.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **06AUG24**

V/C.R. related S/COPLEAND told her he heard she liked to be choked, at which time S/COPELAND applied pressure to her neck with one hand so that it was difficult for V/C.R. to breathe. V/C.R. recalled pushing S/COPELAND's hand away from her throat but that he would immediately replace it and keep applying pressure. While applying pressure to her neck, V/C.R. recalled S/COPELAND kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing. V/C.R. related the physical contact lasted approximately a minute before S/COPELAND stopped of his own accord. V/C.R. stated she told S/COPELAND she was going to bed and left the fantail.

7. V/C.R. recalled being unsure if she should tell CSSN CUESTABRAVO because she was worried about his reaction, but texted him about what happened. V/C.R. stated CSSN CUESTABRAVO encouraged her to report the incident. V/C.R. stated she called the Sexual Assault Prevention and Response (SAPR) phone number she found on a poster aboard the ship, and was informed to get in touch with shipboard SAPR personnel. V/C.R. stated she did not know how, so CSSN CUESTABRAVO reported the incident to Security. V/C.R. stated she had bruising on her neck that CSSN CUESTABRAVO observed, but that it was now gone.

8. V/C.R. stated she told her Chief, CSC Gregory SIMMONS, USN, CVN 75, about the incident. V/C.R. related CSSN Jalen OWENS, USN, CVN 75, told CSSN CUESTABRAVO that S/COPELAND told her (CSSN OWENS) that V/C.R. had reported him.

9. V/C.R. provided RA screen shots of the texts she sent to CSSN CUESTABRAVA via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her consent; Enclosure (B) pertains. The screen shots were subsequently placed on an NCIS Photographic Template for inclusion into the case file; Enclosure (C) pertains.

11. At the conclusion of the interview, V/C.R. was provided a DD Form 2701 Victim Witness Assistance Pamphlet (VWAP).

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF
V/C.R. 06AUG24
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
V/C.R. 06AUG24
(C) NCIS PHOTOGRAPH TEMPLATE/06AUG24



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **06AUG24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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PHE 05a
Interview of C.R.
6Aug'25

**UNOFFICIAL TRANSCRIPT EXCERPT**
**ABHAN [redacted] V/C.R. USN INTERVIEW DATED 6 AUGUST 2024**

**00:09:21:** V/C.R. And then so after that, he was like, oh, yeah, you know, you should like, get back at him. And I was like, oh, I don't do this. I don't do stuff like that. And he's like, well, you should. And he's like, well, I'm the first person you should get back at him with and he's like me [sic]. And I was like, like for what? And I was like, I don't do stuff like that. And then after that then like a little later, like after he was talking, he started like, he got in my face, he got close to me, whatever. And then like I pushed him because I don't like people in my face, like close up to me. So I like pushed him away and he was like "push me again and push me again." And he kept coming in my face. And then like after that he grabbed me or whatever. And then like he put his hand like he asked me, he's like, "Do you like being choked?" I was like, "Who told you something like that?" And he said "Nobody." And then like after that, like he put his hand around my neck and then like I tried to get his hand off my neck and he like kept going. And like I go to the push him and he was like "keep pushing me. and I'm going to keep going harder." So then I kept squeezing it and he started like touching my areas, too.

**00:10:37: Special Agent:** So we don't have to use any which your comfortable with, but I'm just trying to establish...So when you say areas, you're showing me your breasts?

**00:10:42:** V/C.R. (Indicates yes).

**00:10:43: Special Agent:** OK, over the clothes, under the clothes, something else?

**00:10:46:** V/C.R. Over the clothes.

**00:10:47: Special Agent:** Anywhere besides your breasts?

**00:10:48:** V/C.R. (Indicates yes)

**00:10:48: Special Agent:** Where?

**00:10:49** V/C.R. Like my front and back.

**00:10:51: Special Agent:** Oh, OK. So was he like touching your vulva like over the clothes and then also your buttocks as well?

**00:10:56:** V/C.R. (Indicates yes)

**00:10:58: Special Agent:** OK, like running his hands over? Is he grabbing? Can you like describe that?

**00:11:02** V/C.R. Like, just like grabbing.

**********

**00:12:31: Special Agent:** So you said that he had his hands around on your neck and it really hurt. Ok it sounds like he was applying a lot of pressure. Was it just one hand, Two hands?

**00:12:40:** V/C.R. One.

**00:12:41: Special Agent:** One hand. OK. And were you able to breathe during that period of time?

**00:12:47:** V/C.R. Not like a lot, like just a little.

**00:12:50: Special Agent:** OK, this is going to sound like a strange question, but what did your body feel like at that time?

**00:12:55:** V/C.R. I feel like I couldn't like - my nose hurt - like it felt like i had something in it.

| *DEPARTMENT OF THE NAVY*<br>VOLUNTARY STATEMENT | 1. PLACE:<br>(2-128-1-L)<br>2. DATE<br>26JUL24 |
|---|---|

I, CUESTABRAVO, FERNANDO / CSSN / E-3 / SUP / S-2 / J:7772 make the following free and voluntary statement to MA1 CORTESELLI whom I know to be a Security Patrolman. I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of SEXUAL ASSAULT.

My girlfriend texted me around 0200 that something had happened to her, she didn't want to tell me over text because she said it was something important. I met up with her that same morning around 0700, told me what happened to her, how they was having a normal conversation and he just started saying weird stuff to her, then she said he proceeded to grab her neck, then he went for a kiss, she said she kept pushing him back then she started punching him, then she said he touched her breast, then her intimate parts. Then she said she punched him and then left. After everything had happened, she texted me.

The following Questions (Q) were asked by MA1 CORTESELLI and the following Answered (A) by CSSN CUESTABRAVO:

Q: How do you know this occurred?
A: My girlfriend texted me then I saw the marks on her neck later on.
Q: What is your girlfriends name?
A: ABHAN V/C.R.
Q: Is she currently safe?
A: Yes, she is cranking right now.
Q: Who did she say did that to her?
A: CSSN Copeland
Q: What day did she text you?
A: Wednesday the 24th in the morning.
Q: Have you witnessed anything like this from CSSN Copeland prior to that day?
A: No.
Q: Do you know if she went to medical for injuries?
A: No, I don't.
Q: Do you know if she contacted the SARC?
A: She said she was going to today.
Q: Why did you come to security to report it?
A: The guy who did it works in our department and I told my Chief that I don't feel comfortable working there and if I kept seeing him I might do something so they sent me to security.
Q: Who is your Chief?
A: CSC Simmons.
Q: Is there anything else you would like to add, change, or delete from your statement?
A: No that's it.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX **END OF STATEMENT** XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

I swear the above _1_ Page statement is true and correct to the best of my knowledge. I have initialed all corrections, additions, and/or deletions of the statement provided.

[redacted]

MA1 CORTESELLI

26JUL24 / 0708
DATE/TIME

CSSN CUESTABRAVO

26JUL24 0748
DATE/TIME

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 16AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN FERNANDO CUESTABRAVO, USN

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported [redacted] ([redacted]), USN, CVN 75, reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe. During the course of the investigation, CSSN Fernando CUESTABRAVO, USN, USS HARRY S TRUMAN (CVN 75), was identified as having information in reference to the investigation.

2. On 16Aug24 at approximately 2000 hours, CSSN CUESTABRAVO was interviewed by Reporting Agent (RA) and MAC Adam NORMAN, USN, CVN 75 aboard CVN 75, while at sea in compartment 02-88-4-Q.

3. CSSN CUESTABRAVO stated he and V/ROGERS have been dating and the two consider themselves to be boyfriend and girlfriend. CSSN CUESTABRAVO recalled at approximately 0200 hours on 24Jul24, he received text messages from [redacted] indicating something bad had happened. Later that morning, CSSN CUESTABRAVO stated [redacted] disclosed S/COPELAND had strangled her, grabbed her, and "touched her everywhere." CSSN CUESTABRAVO related [redacted] never mentioned S/COPELAND being creepy or weird prior to the incident. CSSN CUESTABRAVO recalled observing bruises on one side of [redacted]'s neck related to the strangulation. CSSN CUESTABRAVO stated neither he nor [redacted] took pictures of the bruises.

4. CSSN CUESTABRAVO stated he encouraged [redacted] to report the incident. When [redacted] was unable to contact Sexual Assault Prevention and Response (SAPR), CSSN CUESTABRAVO stated he went to the Security Department on 26Jul24 to report the offense.

5. CSSN CUESTABRAVO related he tries to avoid S/COPELAND, but S/COPELAND has made several attempts to talk to CSSN CUESTABRAVO about the incident. CSSN CUESTABRAVO recalled telling S/COPELAND he would not speak about it.

6. CSSN CUESTABRAVO stated CSSA Deontae WILLIAMS, USN, USS HARRY S TRUMAN (CVN 75) approached him after the incident and asked him if it was true S/COPELAND "fucked his girl." CSSN CUESTABRAVO opined S/COPELAND told CSSA WILLIAMS what had happened.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **16AUG24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII

RESULTS OF PRELIMINARY INTERVIEW OF V/S.S.

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN V/S.S. (V/S.S.), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 06Nov24, Reporting Agent (RA) met with V/S.S. in Medical spaces aboard the ship prior to her Sexual Assault Forensic Examination (SAFE) in order to glean preliminary information in reference to the assault.

3. V/S.S. recalled she went to Heidi's Bier Bar Oslo located at Fridtjof Nansens plass 8, 0160 in Oslo, Norway, on 04Nov24 in the evening hours with a group of sailors. V/S.S. stated she became extremely intoxicated and could not recall the events of the evening. The following day, V/S.S. stated multiple individuals approached her and stated S/COPELAND was showing others a video of him having sex with her. V/S.S. stated she did not recall having any sexual contact with S/COP D. V/S.S. stated she called S/COPELAND later that day and he denied having sex with her or recording the sexual encounter. V/S.S. stated S/COPELAND threatened to kill himself via text following the phone call.

4. V/S.S. requested a full interview in reference to the offense take place the following day.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 1 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 07NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF [redacted]

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted] ([redacted], USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 07Nov24 at approximately 1115 hours, [redacted] was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), USS HARRY S TRUMAN (CVN 75), was present for the entirety of the interview.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. [redacted] stated she knew S/COPELAND well prior to the assault and stated they became "really good friends" after he got to the ship. [redacted] stated he never expressed a romantic or sexual interest in her prior. [redacted] explained she and S/COPELAND work different shifts and stated she is on day shift in the galley and he is on night shift.

5. [redacted] stated she left the ship on 04Nov24 with a group of other Culinary Specialists and her liberty buddy was CSSN Alexis RODGERS, USN, CVN 75. [redacted] recalled they left the ship at approximately 1900 hours and walked to a mall, which was closed. At that time [redacted] stated the group moved to another bar but the group felt there were too many drunk sailors there so they eventually walked to Heidi's Bier Bar in Oslo, Norway. [redacted] stated the group began to drink alcohol and she estimated she had three (3) shots of tequila before "blacking out."

6. [redacted] stated others speculated she had been drugged, but [redacted] did not think that was likely. [redacted] stated she ate a normal dinner before leaving the ship at approximately 1900 hours. V/SIMPSON stated she took the shots with a period of time between them and could not explain why she blacked out.

7. [redacted] stated she has some memories of the evening to include



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **07NOV24**

S/COPELAND dancing with her and her friends. V/S.S. recalled after the evening, CSSN McKenzie SAUNDERS, USN, CVN 75, told CSSN Shamel EADDY, USN, CVN 75, she found V/S.S. in the bathroom following the assault. V/S.S. stated she did not remember how she got back to the ship but recalled throwing up upon her return.

8. The following morning, V/S.S. stated she woke up for work and did not feel well. When she used the bathroom, V/S.S. recalled she had vaginal pain and swelling and addition to cramps that felt similar to menstrual cramps. V/S.S. recalled at the time, she was not concerned because she was unaware of the incident with S/COPELAND. Later, V/S.S. stated she began to hear rumors that S/COPELAND was claiming he had sex with her in a bathroom at the bar and recorded the intercourse and was showing other people.

9. V/S.S. stated she and her boyfriend, CSSN EADDY, were discussing the rumors in the evening hours with CSSA Nicholas SPIVEY, USN, CVN 75. V/S.S. related she decided to call S/COPELAND and confront him about the rumors and CSSA SPIVEY provided her S/COPELAND's phone number. V/S.S. stated CSSA SPIVEY left before she called S/COPELAND but CSSN EADDY remained with her while she called S/COPELAND from the first class mess. V/S.S. stated CSSN EADDY attempted to record the entirety of the conversation but his phone died approximately one (1) minute in.

10. V/S.S. related she called S/COPELAND and confronted him about the rumors, which he emphatically denied. V/S.S. recalled after the phone call, he continued to text her and threatened to kill himself. V/S.S. agreed to provide RA with screen shots of the text messages via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her intentions; Enclosure (B) pertains. Six (6) screen shots of the text messages were subsequently placed on an NCIS Photograph Template for their inclusion into the case file; Enclosure (C) pertains.

11. At the conclusion of the interview, V/S.S. was provided a DD Form 2701 Initial Information for Victims and Witnesses of Crime.

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF V/S.S. 07NOV24
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY V/S.S. 07NOV24
(C) NCIS PHOTOGRAPH TEMPLATE/07NOV24



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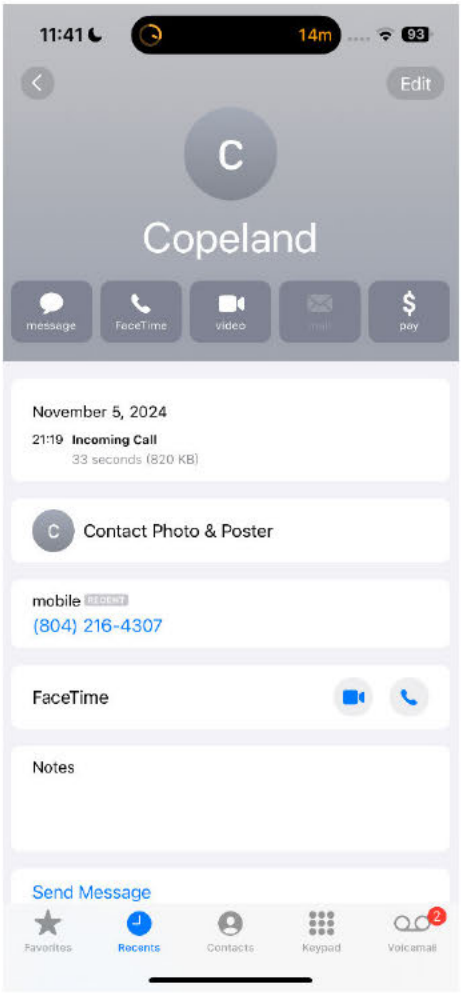
# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **07NOV24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 3 LAST JL V2 LNN*

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**1. OFFICE CODE:** NFXQ

| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JEREMIAH TAYLOR/SN USN | 06NOV24-NFXQ-00029-8SNA | SA BERNADETTE DUFFY |

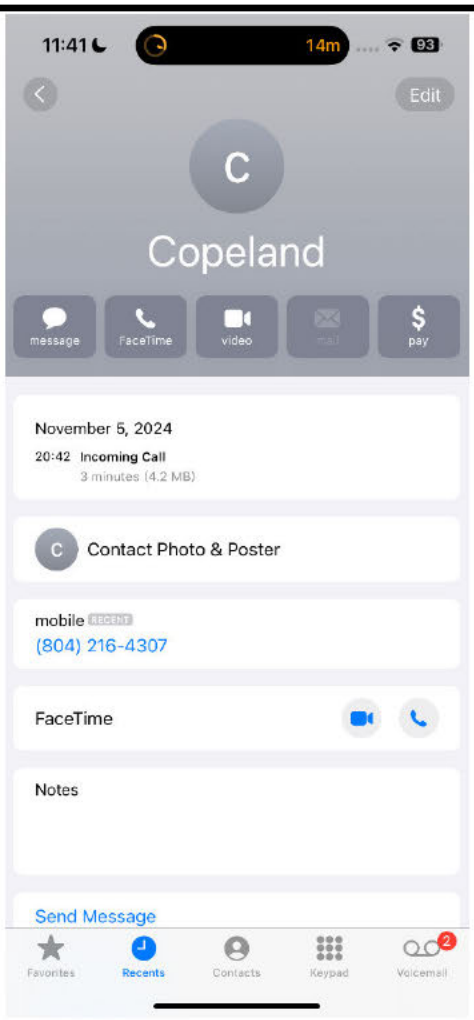
**5. SUMMARY/DESCRIPTION:**

SCREEN SHOT OF TEXT MESSAGE PROVIDED BY V/S.S. ON 07NOV24

**6. PHOTOGRAPHER/DATE PHOTO TAKEN:**

07NOV24

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| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JEREMIAH TAYLOR/SN USN | 06NOV24-NFXQ-00029-8SNA | SA BERNADETTE DUFFY |

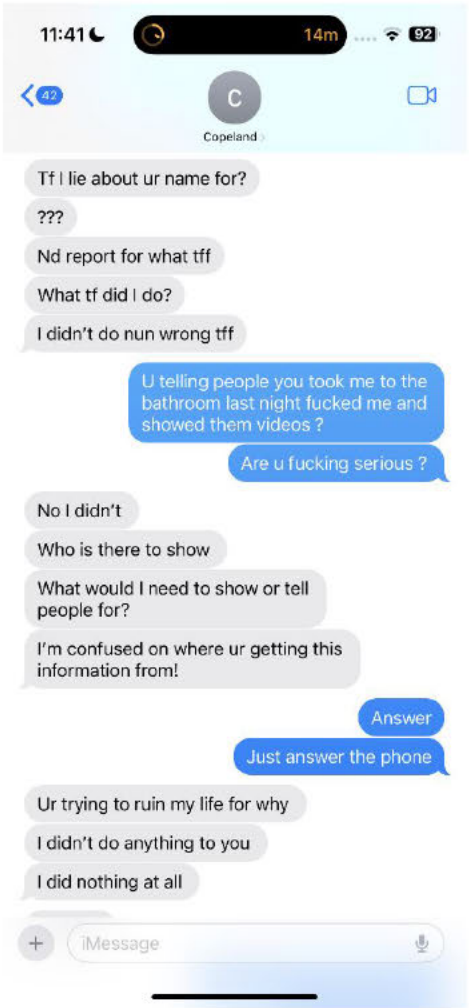
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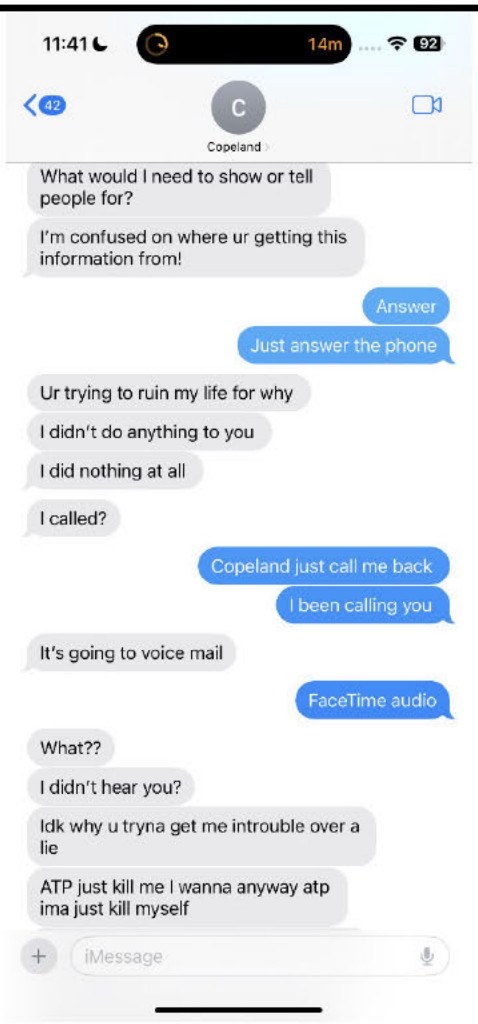
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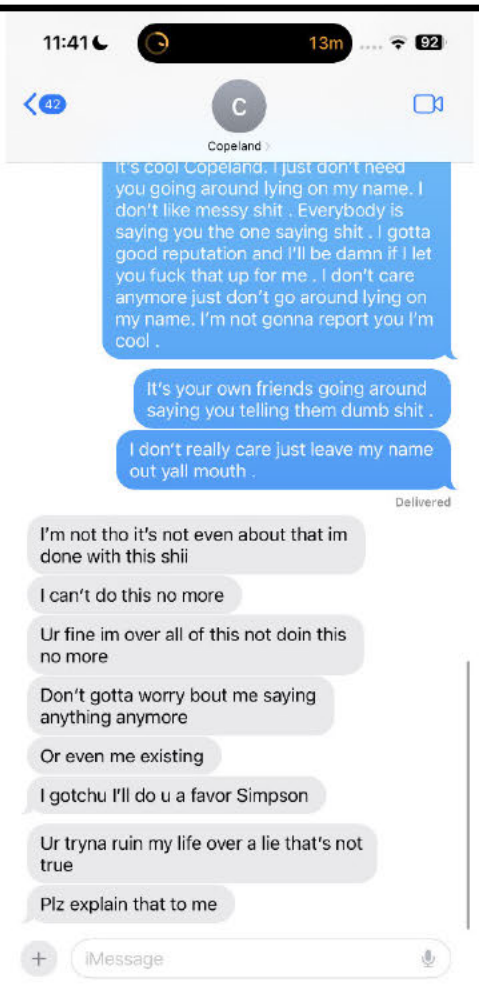



1. OFFICE CODE: **NFXQ**

| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| **S/COPELAND, JEREMIAH TAYLOR/SN USN** | **06NOV24-NFXQ-00029-8SNA** | **SA BERNADETTE DUFFY** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| SCREEN SHOT OF TEXT MESSAGE PROVIDED BY V/S.S. ON 07NOV24 | **07NOV24** |

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|---|---|---|
| S/COPELAND, JEREMIAH TAYLOR/SN USN | 06NOV24-NFXQ-00029-8SNA | SA BERNADETTE DUFFY |

**5. SUMMARY/DESCRIPTION:**

SCREEN SHOT OF TEXT MESSAGE PROVIDED BY [redacted] ON 07NOV24

**6. PHOTOGRAPHER/DATE PHOTO TAKEN:**

07NOV24

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# DoD SEXUAL ASSAULT FORENSIC EXAMINATION (SAFE) REPORT

**PRIVACY ACT STATEMENT**

**AUTHORITY:** 10 U.S.C. Chapter 55, Medical and Dental Care; DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program; and DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures.
**PRINCIPAL PURPOSE(S):** Information on this form will be used to document the medical/forensic examination of the sexual assault victim. The DD Form 2911 also documents the reporting preference (Restricted or Unrestricted) of the sexual assault victim as part of the sexual assault prevention and response program.
**ROUTINE USE(S):** None.
**DISCLOSURE:** Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 20241106

**Patient Identification**

**Sensitive Information Document**

**PART I (NOTE: Conduct a SAFE for up to one full week following a sexual assault, or longer if circumstances dictate.)**

**A. GENERAL INFORMATION** *(Print or type)*

| Name of Medical Facility: | Type of Examination: |
|---|---|
| USS HARRY S. TRUMAN CVN 75 MEDICAL DEPARTMENT | ☑ Victim ☐ Suspect |

| 1a. NAME OF PATIENT (Last, First, Middle Initial) (Skip if Restricted Report) | b. PATIENT ID NUMBER (Unrestricted Report only) |
|---|---|
| V/S.S. | PII |

| 2a. ADDRESS | b. CITY | c. COUNTY | d. STATE | e. ZIP CODE | f. TELEPHONE (Include Area Code) (1) Home: (2) Work: |
|---|---|---|---|---|---|
| | | | | | |

| 3a. AGE | b. DATE OF BIRTH (YYYY/MM/DD) | c. GENDER (X) | d. ETHNICITY (X) | e. RACE (X) |
|---|---|---|---|---|
| 20 | PII | ☐ M ☑ F | ☐ (1) Hispanic or Latino ☑ (2) Not Hispanic or Latino | ☐ (1) American Indian/ Alaska Native ☐ (2) Asian ☑ (3) Black or African American ☐ (4) White ☐ (5) Native Hawaiian/ Other Pacific Islander |

| 4a. ARRIVAL DATE (YYYY/MM/DD) | b. TIME | 5a. DISCHARGE DATE (YYYY/MM/DD) | b. TIME |
|---|---|---|---|
| 20241106 | 1000 | 20241106 | |

**B. NOTIFICATION AND AUTHORIZATION:**

**Location of Assault:** ☐ On Installation ☑ Off Installation **Jurisdiction:** ☐ City ☐ County ☐ Other **Civilian or Foreign Assisting Agency:**

| 1a. NAME OF SEXUAL ASSAULT RESPONSE COORDINATOR (SARC) (Last, First, Middle Initial) | ☐ b. VICTIM DECLINED SARC AND SAPR VA SERVICES | c. TELEPHONE (Include Area Code) |
|---|---|---|
| REICHARD, CHRIS | | 757-445-0876 |

| 2a. NAME OF SEXUAL ASSAULT FORENSIC EXAMINER (Last, First, Middle Initial) | b. RANK | c. TITLE | d. TELEPHONE (Include Area Code) |
|---|---|---|---|
| Dia, Rasheda, S. | LT | SAMFE/PA | V/S.S. |

| 3a. NAME OF VICTIM ADVOCATE (VA) (Last, First, Middle Initial) | b. TELEPHONE (Include Area Code) |
|---|---|
| EFF COURTNEY M | 7348079992 |

| 4a. NAME OF MILITARY CRIMINAL INVESTIGATIVE OFFICER (UNRESTRICTED REPORT) (Last, First, Middle Initial) | b. TELEPHONE (Include Area Code) |
|---|---|
| DUFFY, BERNADETTE | (360) 471-3856 |

| c. AGENCY | d. ID NUMBER | e. DATE (YYYY/MM/DD) |
|---|---|---|
| NCIS | 6394 | 11NOV24 |

| 5a. NAME OF SERVICE DESIGNATED EVIDENCE COLLECTING OFFICER (RESTRICTED REPORT) (Last, First, Middle Initial) | b. TELEPHONE (Include Area Code) |
|---|---|
| N/A | N/A |

| c. AGENCY | d. ID NUMBER | e. DATE (YYYY/MM/DD) | f. TIME | g. RESTRICTED REPORT CONTROL NUMBER (RRCN) |
|---|---|---|---|---|
| N/A | N/A | N/A | N/A | N/A |

**C. REPORTING INFORMATION**

| | (Initial) |
|---|---|
| 1. In unrestricted reporting, I understand that Military Medical Treatment Facilities and Healthcare Providers are required by Department of Defense regulations to report sexual assaults to Military Criminal Investigative Organization (MCIO) authorities (e.g., CID, NCIS, AFOSI). Under these circumstances, the report must state the name of the injured person, current whereabouts, and the type and extent of injuries. In Restricted reporting, I understand that Military Medical Treatment Facilities and Healthcare Providers are required by Department of Defense regulations to report sexual assaults to the Sexual Assault Response Coordinator (SARC). | SMS |
| 2. a. The Sexual Assault Response Coordinator (SARC) and/or Sexual Assault Prevention and Response Victim Advocate (SAPR VA) have explained the difference between Unrestricted and Restricted Reporting options. | SMS |
| b. I understand that I have the right to speak to my own attorney (Special Victims' Counsel or Victim Legal Counsel) before electing a reporting option. | SMS |
| c. I have elected: ☑ UNRESTRICTED REPORTING ☐ RESTRICTED REPORTING (Only applicable to Active Duty, and Reserve and National Guard in active service or inactive duty training, adult military dependent.) | SMS |
| 3. I understand what my options are and do not have questions. | SMS |

## D. PATIENT CONSENT

| | | |
|---|---|---|
| 1. I understand that the Sexual Assault Forensic Examination (also known as a "SAFE") that I am about to undergo is optional. When I give my consent, a healthcare professional may examine me to find and collect evidence of an assault. I understand that as part of the examination, the provider can collect specimens such as urine and/or blood. | ☑ YES ☐ NO | (Initial) SMS |

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 20241106

Patient Identification

| | | |
|---|---|---|
| 2. I understand that I may withdraw my consent at any time for any portion of the examination and that it will not impact my right to medical care. | ☑ YES ☐ NO | (Initial) SMS |
| 3. I understand that collection of evidence may include photographing injuries and that these photographs may include the genital area. | ☑ YES ☐ NO | (Initial) SMS |
| 4. I understand that samples of my blood and/or urine may need to be tested for drugs as part of my treatment. I also understand that testing for drugs will also show prescriptions, other drugs, and alcohol that I have voluntarily consumed. I understand that illegal drugs or alcohol (if I am under age 21) in my body could be used to show that I engaged in misconduct if I am a Service member. I consent to this testing. | ☑ YES ☐ NO | (Initial) SMS |
| 5. I understand that some of the information that I provide may be collected for health and forensic purposes and provided to health authorities and other qualified persons for a valid educational or scientific interest and/or epidemiological studies. However, none of my personally identifying data (name, patient identification number, etc.) will be disclosed for these purposes. | ☑ YES ☐ NO | (Initial) SMS |
| 6. I hereby consent to a sexual assault medical forensic examination (SAFE). | ☑ YES ☐ NO | (Initial) SMS |
| 7. If I have elected to make an Unrestricted Report, I understand and consent to the release of my records and all evidence collected from this exam to MCIO. | ☑ YES ☐ NO | (Initial) SMS |
| 8. In cases where the military does not have jurisdiction over the offense, evidence may be turned over to a state or Federal law enforcement agency. | ☑ YES ☐ NO | (Initial) SMS |
| 9. If I have elected to make a Restricted Report, I understand that my records and all evidence collected should not be reviewed or tested unless I choose to convert to an Unrestricted Report. | ☐ YES ☐ NO | (Initial) N/A |
| 10. I understand that any evidence, including personal property, collected in an Unrestricted Report shall be retained by MCIO and not returned to me until the conclusion of all legal, adverse action, and administrative proceedings. Additionally, in a Restricted Report any personal property retained as part of the Sexual Assault Forensic Examination (SAFE) will be retained and not returned to me for a period of 5 years in accordance with legal requirements and DoD policy. | ☑ YES ☐ NO | (Initial) SMS |

| 11a. PATIENT SIGNATURE | b. DATE (YYYY/MM/DD) | c. TIME |
|---|---|---|
| V/S.S. | 2024/11/06 | 1400 |

| 12. WITNESS TO PATIENT SIGNATURE | | | |
|---|---|---|---|
| a. SIGNATURE | b. ADDRESS (Include ZIP Code) | c. DATE (YYYY/MM/DD) | d. TIME |
| [redacted] | PII | 2024/11/06 | 1402 |

## E. PATIENT HISTORY

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**1a. NAME OF PERSON PROVIDING HISTORY** *(Last, First, Middle Initial)*: SIMPSON, SONIQUE M.

| b. RELATIONSHIP TO PATIENT | c. DATE *(YYYY/MM/DD)* | d. TIME |
|---|---|---|
| PATIENT | 2024/11/06 | 1402 |

**Patient Identification**

### 2. PERTINENT MEDICAL HISTORY

a. LAST MENSTRUAL PERIOD: 2024/10/20

b. Any recent (60 days) anal-genital injuries, surgeries, diagnostic procedures, or medical treatment that may affect the interpretation of current physical findings? *(If yes, describe)*
☑ No NONE
☐ Yes

c. Any other pertinent medical condition(s) that may affect the interpretation of current physical findings? *(If yes, describe)*
☑ No N/A
☐ Yes

d. Any pre-existing physical injuries? *(If yes, describe)*
☑ No N/A
☐ Yes

### 3. PERTINENT NON-ASSAULT RELATED HISTORY

a. Other non-assault sexual activity within past 5 days? **Do NOT record any other information regarding sexual history on this form.**
☐ No ☑ Yes ☐ Unsure If yes or unsure, complete items b. through f. below. If no, then check the "No" box to the left and proceed to item 4.

| *(X and complete as applicable)* | No | Yes | Unsure | *(If Yes)* |
|---|---|---|---|---|
| b. Anal (within past 5 days)? | ✓ | | | When? |
| c. Vaginal (within past 5 days)? | | ✓ | | When? 1 day ago |
| d. Oral (within past 5 days)? | ✓ | | | When? |
| e. Did ejaculation occur? | | ✓ | | Where? inside a condom |
| f. Was a condom used? | | ✓ | | |

### 4. POST-ASSAULT HYGIENE/ACTIVITY

☐ Not Applicable if over 5 days

| *(X and complete as applicable)* | No | Yes | | No | Yes |
|---|---|---|---|---|---|
| a. Urinated x12 | | ✓ | h. Brushed teeth x6 | | ✓ |
| b. Defecated x4 | | ✓ | i. Gargled/mouthwash x6 mouthwash | | ✓ |
| c. Genital or body wipes *(If yes, describe)* toilet paper | | ✓ | j. Vomited x1 | | ✓ |
| | | | k. Ate or drank x5 | | ✓ |
| d. Douched *(If yes, with what)* | ✓ | | l. Used cream/ointment/lotion on body part involved in assault *(If yes, describe)* | ✓ | |
| e. Removed/inserted ☐ Tampon ☐ Diaphragm ☐ Nuva ring Other: | ✓ | | m. Changed clothing *(If yes, describe)* x5 changed into civilian clothes than into uniform | ✓ | |
| f. Oral gargle/rinse | ✓ | | n. Changed body piercings *(If yes, describe)* | ✓ | |
| g. Bath/shower/wash x5 | | ✓ | | | |

## F. ASSAULT HISTORY

**1a. DATE OF ASSAULT(S)** *(YYYY/MM/DD)*: 2024/11/04

b. TIME: 2100

**2. LOCATION AND PERTINENT PHYSICAL SURROUNDINGS**: Heidis Bier Bar - Fridtjof Nansens plass 8, Oslo, Norway. In a bathroom stall.

**3. PHYSICAL EFFECTS OF ASSAULT.** If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

a. Non-genital injury, pain and/or bleeding (including tenderness). *(If yes, describe.)*
☐ No abrasions on the left hand, swollen 4th digit of left hand.
☑ Yes

b. Genital/rectal injury, pain and/or bleeding (including tenderness). *(If yes, describe.)*
☑ No N/A
☐ Yes

**4. INJURIES INFLICTED UPON THE ASSAILANT(S) DURING ASSAULT?** *(If yes, describe injuries, possible locations on the body, and how they were inflicted.)*
☑ No N/A
☐ Yes

**5a. NUMBER OF ASSAILANT(S)**: 1

b. ASSAILANT(S) RELATIONSHIP TO VICTIM *(Indicate/number all that apply)*
☐ Stranger ☑ Acquaintance ☐ Relative *(Specify)* _
☑ Other *(Specify)* _Co-worker

**G. PATIENT'S DESCRIPTION OF THE ASSAULT**

**Please record the patient's description of the assault.**
**Add additional pages if necessary.**

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**Patient Identification**

"So I was with my first and second classes. I was hanging out with them. Then I had four shots of tequila. And then after that I was just chilling, but I was drunk. That's all I remember from that night."

Clarifying questions:
You don't remember anything about the event?
"No. The next day when I came to work, my friend's was telling me that he was going around telling people that he had sex with me in the bathroom and recorded it."

Do you remember how you got there and how you left?
" Yes. I went there with my first and second classes and a couple of my friends. And me and my friends took an Uber back to the ferry."

Do you know about what time you left?
"Yes. When we got back to the ship it was about 11:50, so about 11:00."

Where were you?
"At the bar."

What time did you start drinking?
"The time I started drinking was 2122."

At what time would you say you were done drinking?
"I would say around 2130. Around that time."

## H. ACTS DESCRIBED BY PATIENT

- **Describe any penetration of the genital, anal or oral opening, no matter how slight or brief.**
- **Type of sexual intercourse (oral, vaginal, anal).**
- **If more than one assailant, identify by number.**

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

**Patient Identification**

| 1. PENETRATION OF VAGINA BY | No | Yes | Attempted | Unsure |
|---|---|---|---|---|
| a. Penis | | ✓ | | |
| b. Finger | | | | ✓ |
| c. Object *(If yes, describe the object)* | ✓ | | | |

Describe: "I don't remember anything, but my friends told me about the video."

| 2. PENETRATION OF ANUS BY | No | Yes | Attempted | Unsure |
|---|---|---|---|---|
| a. Penis | ✓ | | | |
| b. Finger | ✓ | | | |
| c. Object *(If yes, describe the object)* | ✓ | | | |

Describe: N/A

| 3. ORAL COPULATION OF GENITALS | No | Yes | Attempted | Unsure |
|---|---|---|---|---|
| a. Of patient by assailant | ✓ | | | |
| b. Of assailant by patient | ✓ | | | |

Describe: N/A

| 4. ORAL COPULATION OF ANUS | No | Yes | Attempted | Unsure |
|---|---|---|---|---|
| a. Of patient by assailant | ✓ | | | |
| b. Of assailant by patient | ✓ | | | |

Describe: N/A

| 5. NON-GENITAL ACT(S) | No | Yes | Attempted | Unsure |
|---|---|---|---|---|
| a. Licking | ✓ | | | |
| b. Kissing | ✓ | | | |
| c. Suction injury | ✓ | | | |
| d. Biting | ✓ | | | |
| e. Strangulation/choking | ✓ | | | |

Describe: N/A

**6. OTHER ACT(S)** *(Describe)*

For any YES answers, use Asphyxiation and Head Trauma Addendum

At any point during this event:
a. Did anything affect your breathing? NO
b. Was anything placed around your neck or pressure applied to your neck? NO
c. Was pressure applied to your chest or was your body positioned in a way that affected your breathing? NO
d. Was anything placed over your mouth or nose? NO
e. Was your mouth or nose placed in liquid, or was liquid poured over your mouth or nose? NO
f. Did you experience impact or blunt trauma to your head (e.g., hit, kicked, slammed, etc)? NO

| 7. DID EJACULATION OCCUR? | No | Yes | Unsure |
|---|---|---|---|
| | | | ✓ |

"I don't know if he did or not."

*(If yes, location(s))*

- ☐ Mouth
- ☐ Vagina
- ☐ Genitals
- ☐ Anus
- ☐ Rectum
- ☐ Body surface
- ☐ On clothing
- ☐ On bedding
- ☐ Other *(note location(s))*

| 8. CONTRACEPTIVE OR LUBRICANT PRODUCT(S) | No | Yes | Unsure |
|---|---|---|---|
| a. Condom used? | | | ✓ |
| b. Lubricant used? | ✓ | | |
| c. Other Contraceptive used? | | ✓ | |

Describe Type/Brand, if known: "I am on the pill." Birth control pill - Nortrel (norethindrone and ethinyl estradiol)

## I. GENERAL PHYSICAL EXAMINATION

- **Record all findings using diagrams, legend, and a consecutive numbering system.**
- **If injuries are described or if remarkable findings or possible trauma are observed, please photograph.**

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**Patient Identification**

| 1a. Weight | b. Blood Pressure | c. Pulse | d. Resp | e. Temp | f. Pulse Oxygen |
|---|---|---|---|---|---|
| 180 | 118/76 | 68 | 16 | 98.3 | 100 |

| 2a. Exam Started | | b. Exam Completed | |
|---|---|---|---|
| Date (YYYYMMDD) | Time | Date (YYYYMMDD) | Time |
| 20241106 | 1430 | 20241106 | 1555 |

**3. Describe general physical appearance.** *(Use observations, not conclusions.)*
Patient was well-groomed. She was not in clothing she wore during the assault.

**4. Describe general demeanor.** *(Including affect, behavior and orientation. Use observations, not conclusions.)*
Patient was tearful intermittently throughout the interview/examination.

**5. Describe condition of clothing upon arrival.** *(If the patient has not changed after the assault)*
N/A

**6. Collect outer and underclothing if indicated.** ☐ Not indicated

**7. Conduct a physical examination.** Use the history obtained earlier to guide your examination and recovery of evidence. ☐ Findings ☑ No Findings Observed

**8. Scan the entire body with an Alternate Light Source (such as a Wood's Lamp).** Collect dried and moist secretions, stains, and foreign materials from the body. Label box and envelope with the location of the collection. ☐ Findings ☑ No Findings Observed

**9. Was there a history of scratching?** ☐ No ☐ Yes ☑ Unsure If yes or unsure, collect fingernail clippings. If there is not enough fingernail to clip, then swab fingernails.

**10. Was there a history of kissing, licking or sucking parts of the body?** ☑ No ☐ Yes ☐ Unsure
If yes or unsure, collect swabs of the body areas that were believed to be contacted by the suspect's mouth. *(Head and genitals are addressed in the next sections.)*

**Diagram A**

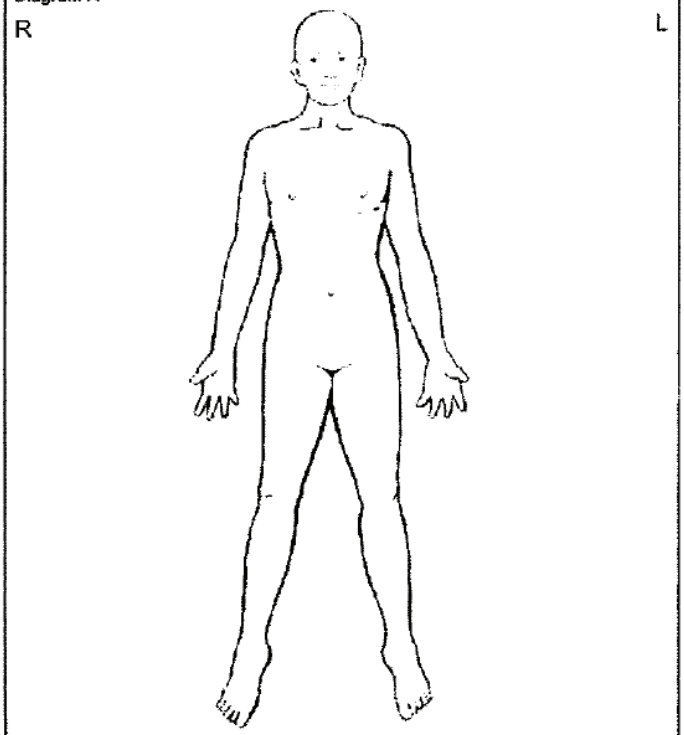
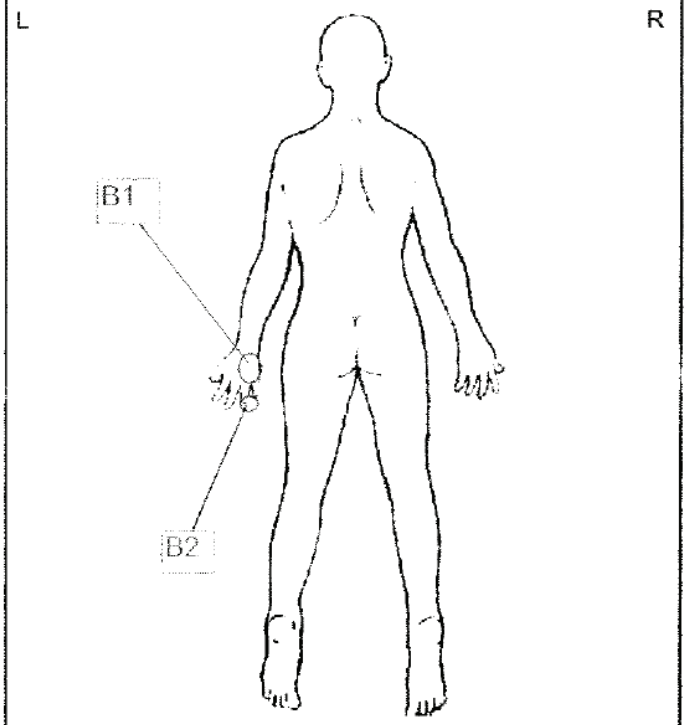



**Diagram B**




**LEGEND: TYPES OF FINDINGS. RECORD ALL CLOTHING AND SPECIMENS COLLECTED IN SECTION O.**

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| AB | Abrasion | BU | Burn | DF | Deformity | FB | Foreign Body | MS | Moist Secretion | PE | Petechiae | SW | Swelling |
| ALS | Alternate Light Source | CS | Control Swab | DS | Dry Secretion | IN | Induration | OF | Other Foreign Materials *(describe)* | PS | Potential Saliva | TB | Toluidine Blue® |
| | | CT | Contusion (bruise) | ER | Erythema (redness) | IW | Incised Wound | | | SHX | Sample Per History | TE | Tenderness |
| BI | Bite | DE | Debris | F/H | Fiber/Hair | LA | Laceration | OI | Other Injury *(describe)* | SI | Suction Injury | V/S | Vegetation/Soil |

| Locator # | Type | Description | Locator # | Type | Description |
|---|---|---|---|---|---|
| B1 | AB | Several small abrasions on the posterior of left hand | | | |
| B2 | SW | Swelling of the distal end of the left 4th digit | | | |
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## J. HEAD, NECK, THROAT AND ORAL EXAMINATION

- Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.
- If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**Patient Identification**

1. Examine the face, head, hair, scalp, neck and throat for injury and foreign materials. ☐ Findings ☑ No Findings Observed
2. Collect dried and moist secretions, stains, and foreign materials from the face, head, hair, neck, throat and scalp. ☐ Findings ☑ No Findings Observed
3. Examine the oral cavity for injury and foreign material *(If indicated by assault history)*. Collect foreign materials. Exam done: ☐ Not applicable ☐ Yes ☐ Findings ☑ No Findings Observed
4. Collect at a minimum 1 external mouth swab and 2 swabs from the oral cavity *(If indicated by history)*.
5. Gently comb or brush head hair to collect foreign material. Do not pluck or pull hair. *(Known head hairs are no longer routinely collected. Known hairs are collected from the individual for comparisons to questioned hairs.)*

Diagram C

R L

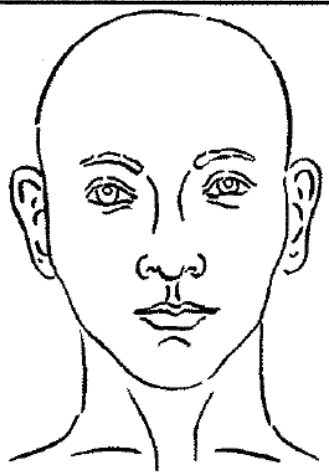


Diagram D

R

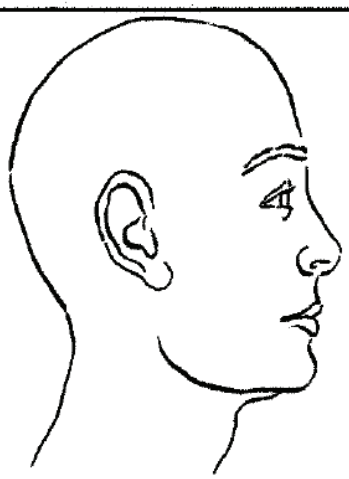


Diagram E

L

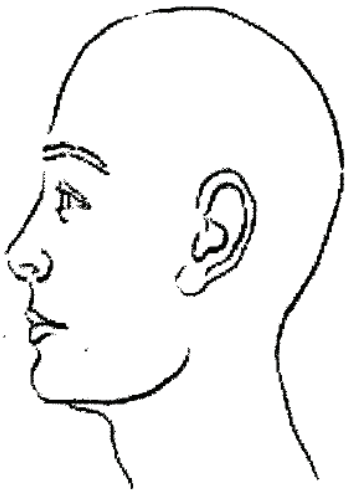
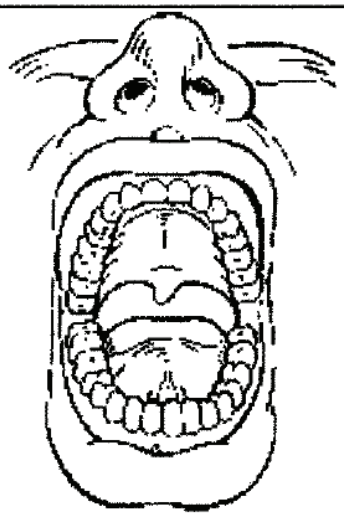


Diagram F

R L



**LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.**

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AB | Abrasion | BU | Burn | DF | Deformity | FB | Foreign Body | MS | Moist Secretion | PE | Petechiae | SW | Swelling |
| ALS | Alternate Light Source | CS | Control Swab | DS | Dry Secretion | IN | Induration | OF | Other Foreign Materials *(describe)* | PS | Potential Saliva | TB | Toluidine Blue® |
| | | CT | Contusion (bruise) | ER | Erythema (redness) | IW | Incised Wound | | | SHX | Sample Per History | TE | Tenderness |
| BI | Bite | DE | Debris | F/H | Fiber/Hair | LA | Laceration | OI | Other Injury *(describe)* | SI | Suction Injury | V/S | Vegetation/Soil |

| Locator # | Type | Description | Locator # | Type | Description |
|---|---|---|---|---|---|
| | | | | | |
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## K. GENITAL EXAMINATION - FEMALE

- **Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.**
- **If injuries are described or if remarkable findings or possible trauma are observed, please photograph.**

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

Patient Identification

**1. Examine the inner thighs, external genitalia, and perineal area.**
If there are findings, describe *(including location). (If available and appropriate, consider the use of toluidine blue dye.)* ☐ Findings ☑ No Findings Observed

- ☐ Abdomen
- ☐ Thighs
- ☐ Perineum
- ☐ Labia majora
- ☐ Labia minora
- ☐ Clitoral hood and surrounding area
- ☐ Periurethral tissue/ urethral meatus
- ☐ Hymen
- ☐ Fossa naviculans
- ☐ Posterior fourchette

**2. Scan the area with an Alternate Light Source.** Collect dried and moist secretions, stains, and foreign materials. ☐ Findings ☑ No Findings Observed

**3. Gently comb or brush pubic hair to collect foreign material. Do not pluck or pull hair.** *(Known pubic hairs are no longer routinely collected. Known hairs are collected from the individual for comparisons to questioned hairs.)* If there is no pubic hair, conduct an external swab of pubic mound and genitalia.

**4. Examine the vagina and cervix.** If there are findings, describe *(including location) (If available and appropriate, consider the use of toluidine blue dye.)*
☐ Findings ☑ No Findings Observed

N/A

a. Collect the following swabs: 2 pubic mound (if there is no pubic hair), 2 vaginal, and 2 cervical.

**5. Examine the buttocks, anus, and perineum.**
a. Findings from buttocks, anus, or perineum. If there are findings, describe *(including location) (If available and appropriate, consider use of toluidine blue dye.)*
☐ Findings ☑ No Findings Observed

b. Collect dried and moist secretions, and foreign materials.
☐ Findings ☑ No Findings Observed

c. Collect 2 swabs of the perineum. d. Collect 2 anal swabs.

**6. Conduct a rectal exam (using anoscope if possible) if rectal injury is suspected or if there is any sign of rectal bleeding.**

a. Rectal exam done: ☐ Yes ☑ Not applicable
b. Rectal bleeding: ☑ No ☐ Yes
c. Was an anoscopic exam done? ☑ No ☐ Yes
d. If exam was done, what position was used? ☐ Supine Lithotomy ☐ Other *(describe)*
e. If exam was done, describe findings: N/A
f. Collect a rectal swab if indicated.

**Diagram G**

R L

**Diagram H**

R L



**Diagram I**

R L

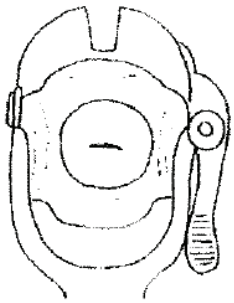


**Diagram J**

R L

**LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.**

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AB | Abrasion | BU | Burn | DF | Deformity | FB | Foreign Body | MS | Moist Secretion | PE | Petechiae | SW | Swelling |
| ALS | Alternate Light Source | CS | Control Swab | DS | Dry Secretion | IN | Induration | OF | Other Foreign Materials *(describe)* | PS | Potential Saliva | TB | Toluidine Blue® |
| BI | Bite | CT | Contusion (bruise) | ER | Erythema (redness) | IW | Incised Wound | | | SHX | Sample Per History | TE | Tenderness |
| | | DE | Debris | F/H | Fiber/Hair | LA | Laceration | OI | Other Injury *(describe)* | SI | Suction Injury | V/S | Vegetation/Soil |

| Locator # | Type | Description | Locator # | Type | Description |
|---|---|---|---|---|---|
| | | | | | |
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## L. GENITAL EXAMINATION - MALE

- **Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.**
- **If injuries are described or if remarkable findings or possible trauma are observed, please photograph.**

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**Patient Identification**

**1. Examine the inner thighs, external genitalia, and perineal area.**
If there are findings, describe *(including location). (If available and appropriate, consider the use of toluidine blue dye.)* ☐ Findings ☐ No Findings Observed

☐ Abdomen ☐ Foreskin ☐ Shaft ☐ Glans
☐ Thighs ☐ Urethral meatus ☐ Scrotum ☐ Testes

**2. Circumcised:** ☐ No ☐ Yes

**3. Scan the area with an Alternate Light Source (such as a Wood's Lamp).** Collect dried and moist secretions, stains, and foreign materials. ☐ Findings ☐ No Findings Observed

**4. Gently comb or brush pubic hair to collect foreign material. Do not pluck or pull hair.** *(Known pubic hairs are no longer routinely collected. Known hairs are collected from the individual for comparisons to questioned hairs.)* If there is no pubic hair, conduct an external swab at base of penis.

**5. If indicated by assault history, collect the following swabs: 2 penile and 2 scrotal.**

**6. Examine the buttocks and perineum** *(if indicated by history).*
a. Findings from buttocks, anus, or perineum. If there are findings, describe *(including location). (If available and appropriate, consider the use of toluidine blue dye.)*
☐ Yes ☐ None Observed
b. Collect dried and moist secretions, and foreign materials.
☐ Findings ☐ No Findings Observed

**7. Collect 2 anal swabs.**

**8. Conduct a rectal exam (using anoscope if possible) if rectal injury is suspected or if there is any sign of rectal bleeding.**
a. Rectal exam done? ☐ Yes ☐ No
b. Rectal bleeding: ☐ Yes ☐ None Observed
c. Was an anoscopic exam done? ☐ Yes ☐ No
d. If exam was done, what position was used? ☐ Supine ☐ Other *(describe)*
e. If exam was done, describe findings:

**Diagram K**

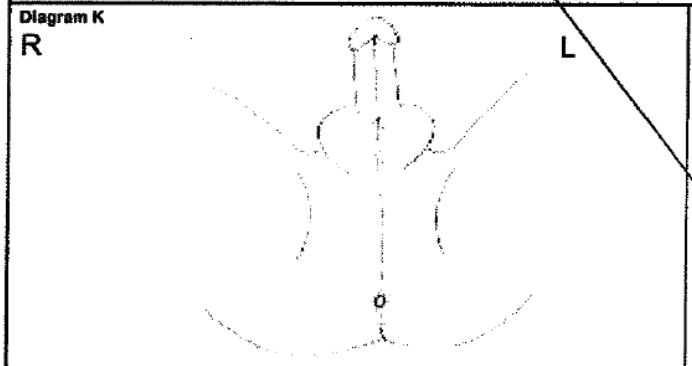



**Diagram L**

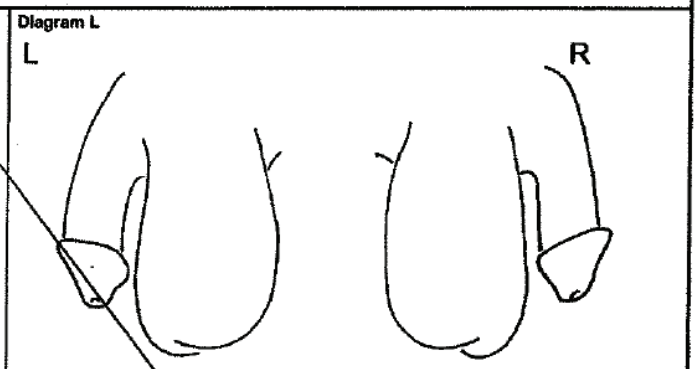



**Diagram M**

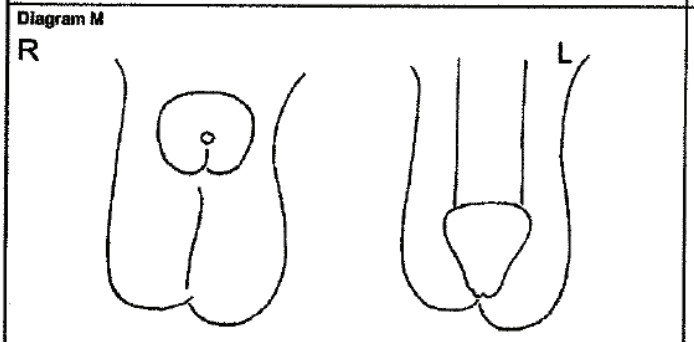
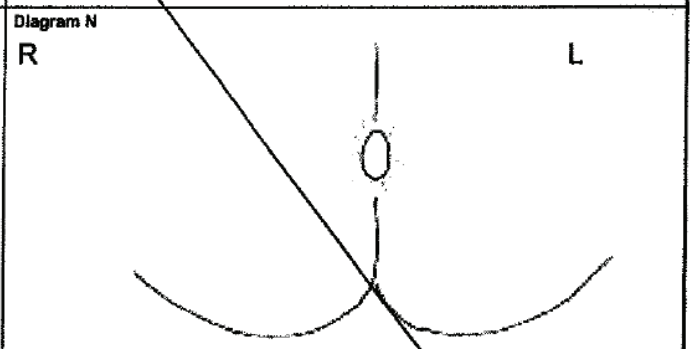



**Diagram N**




**LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.**

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **AB** | Abrasion | **BU** | Burn | **OF** | Deformity | **FB** | Foreign Body | **MS** | Moist Secretion | **PE** | Petechiae | **SW** | Swelling |
| **ALS** | Alternate Light Source | **CS** | Control Swab | **DS** | Dry Secretion | **IN** | Induration | **OF** | Other Foreign Materials *(describe)* | **PS** | Potential Saliva | **TB** | Toluidine Blue® |
| **BI** | Bite | **CT** | Contusion (bruise) | **ER** | Erythema (redness) | **IW** | Incised Wound | | | **SHX** | Sample Per History | **TE** | Tenderness |
| | | **DE** | Debris | **F/H** | Fiber/Hair | **LA** | Laceration | **OI** | Other Injury *(describe)* | **SI** | Suction Injury | **V/S** | Vegetation/Soil |

| Locator # | Type | Description | Locator # | Type | Description |
|---|---|---|---|---|---|
| | | | | | |
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**M. TOXICOLOGY**

**Toxicology examples must be collected as soon as possible due to the limited time frame in which they can be collected. If the assault happened within 96 hours of the examination and the answer to any of these questions is Yes or Unsure, use the DoD Toxicology Kit.**

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

Patient Identification

| | |
|---|---|
| 1. **Loss of memory?** *(If yes, describe)* ☐ No ☑ Yes | |
| 2. **Lapse of consciousness?** *(If yes, describe)* ☐ No ☐ Yes ☑ Unsure | 3. **Vomited?** *(If yes, describe. Include location and number of times.)* ☐ No ☑ Yes |
| 4.a. **Voluntary ingestion of alcohol/drugs?** ☐ No ☑ Yes ☐ Unsure<br>If yes: ☑ Alcohol ☐ Drugs | b. Involuntary ingestion of alcohol/drugs? ☑ No ☐ Yes ☐ Unsure<br>If yes: ☐ Alcohol ☐ Drugs |
| 5. **Was a clinical toxicology lab conducted?** ☑ No ☐ Yes | 6. **FOR UNRESTRICTED REPORTS: Was a DoD Toxicology Kit completed?** ☑ No ☐ Yes |

**N. RECORD EXAM METHODS**

| | | | | | |
|---|---|---|---|---|---|
| 1. Direct visualization only | ☐ No | ☑ Yes | 5. Toluidine Blue Dye | ☑ No | ☐ Yes |
| 2. Alternate Light Source | ☐ No | ☑ Yes | 6. Anoscopic exam | ☑ No | ☐ Yes |
| 3. Digital Camera | ☑ No | ☐ Yes | 7. Vaginal speculum exam | ☐ No | ☑ Yes |
| 4. Colposcope or Other Magnifier | ☑ No | ☐ Yes | 8. Other | ☐ No | ☐ Yes |

*(If Other, describe)*

**O. FINDINGS. Please describe your findings.**

Page 10 SUGGESTED TEMPLATE (VICTIM – UNRESTRICTED REPORTING)

1. (Option 1) Patient presented to USS HARRY S. TRUMAN MEDICAL DEPARTMENT with victim advocate requesting SAFE exam. Options discussed with patient. Patient chose unrestricted reporting. Medically cleared by staff Physician Assistant. Patient reports she had already spoken with NCIS.

2. CLOTHING: Patient reported with clothing she wore during the event in a paper bag. A grey sweatsuit - pants and top were collected. Grey sweatshirt has vomit on it, per patient. Visibly there are dried brown secretions on the sweatshirt.

Underwear and Bra were not collected. Patient reported she has changed clothes since the event and does not know which set of underwear she had on the night of the event.

3. FINDINGS: See pages 6, 7, and 8 for full description of findings.

4. Lubricated speculum placed without difficulty. Patient tolerated the procedure well.
- Brand of lubricant used: surgilube

5. Pregnancy and STI treatment options discussed and offered. Advised follow-up with Primary Care Provider for additional concerns. Additional resources discussed. Safety assessed. Patient discharged with VA.

## P. EVIDENCE COLLECTED

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

Patient Identification

| 1. TOXICOLOGY KIT | No | Yes | Time Completed |
|---|---|---|---|
| | ✓ | | N/A |

| Completed By | Released To |
|---|---|
| N/A | N/A |

| 2. CLOTHING | No | Yes | Time Completed | Completed By | Released To |
|---|---|---|---|---|---|
| a. Undergarments placed in evidence kit | ✓ | | N/A | N/A | N/A |
| b. Clothing placed in bags | | ✓ | 1450/1452 | LT Rasheda Dia, SAMFE | NCIS |

| 3. OTHER: | No | Yes | Time Completed | Completed By | Released To |
|---|---|---|---|---|---|
| a. Swabs, suspected blood | ✓ | | | | |
| b. Dried secretions | ✓ | | | | |
| c. Fiber/loose hairs | ✓ | | | | |
| d. Vegetation | ✓ | | | | |
| e. Soil/debris | ✓ | | | | |
| f. Swabs/suspected semen | ✓ | | | | |
| g. Swabs/suspected saliva | ✓ | | | | |
| h. Swabs/Alternate Light Source area(s) | ✓ | | | | |
| i. Fingernail cuttings / scrapings | | ✓ | R:1520 | L:1522 LT Rasheda Dia, SAMFE | SAFE Kit |
| j. Finger swabs | | ✓ | R:1516 | L:1517 LT Rasheda Dia, SAMFE | SAFE Kit |
| k. Head Hair Combings | ✓ | | | | |
| l. Pubic hair combings/brushings | ✓ | | | | |
| m. Intravaginal foreign body *(if yes, describe)* | ✓ | | | | |
| n. Other types *(if yes, describe)*<br>Neck:<br>Breasts / Chest:<br>Buttocks: | | ✓<br>✓<br>✓ | 1548<br>1528<br>1532 | LT Rasheda Dia, SAMFE | SAFE Kit |

## 4. ORAL, GENITAL, RECTAL SAMPLES

| | # Swabs | Time Completed | Completed By | | # Swabs | Time Completed | Completed By |
|---|---|---|---|---|---|---|---|
| a. External oral swab(s) | 2 | 1525 | LT Rasheda Dia, SAMFE | f. Perineal swab(s) | 2 | 1546 | LT Rasheda Dia, SAMF |
| b. Oral cavity swab(s) | 4 | 1526/1527 | LT Rasheda Dia, SAMFE | g. Anal swab(s) | ---- | ---------- | Collected Together |
| c. Vaginal / Penile swab(s) | 2 | 1554 | LT Rasheda Dia, SAMFE | h. Rectal swab(s) | 0 | N/A | ---------- |
| d. Cervical / Scrotal swab(s) | 2 | 1555 | LT Rasheda Dia, SAMFE | i. Other *(If yes, describe)* | 2/2 | 1543/1537 | LT Rasheda Dia |
| e. Pubic mound swab(s) | 2 | 1541 | LT Rasheda Dia, SAMFE | External Genitalia / Piercing (navel) | | | |

| 5. REFERENCE SAMPLES | No | Yes | Time Completed | Completed By | | No | Yes | Time Completed | Completed By |
|---|---|---|---|---|---|---|---|---|---|
| a. Blood Card | ✓ | | | | d. Other *(describe)* | ✓ | | | |
| b. Head Hair *(gentle combing)* | ✓ | | | | | | | | |
| c. Public Hair *(gentle combing)* | ✓ | | | | | | | | |

## Q. PHOTO DOCUMENTATION METHODS

1. TYPE OF CAMERA
[ ] 35 mm [ ] Polaroid [ ] Digital [ ] Colposcope
[ ] Other

2. DISPOSITION OF FILM/DISK
No camera available

NAME: V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

Patient Identification

3. PHOTO LIST

| Photo Number | Description of Photo |
|---|---|
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## R. OTHER DOCUMENTS INCLUDED - If there are any other documents included with this report, please list:

NONE

## S. PERSONNEL INVOLVED - Print names.

| 1. HISTORY TAKEN BY | Telephone (Include Area Code) | 2. EXAM PERFORMED BY | Telephone (Include Area Code) |
|---|---|---|---|
| LT Rasheda Dia | V/S.S. | LT Rasheda Dia | V/S.S. |
| **3. SPECIMENS LABELED AND SEALED BY** | **Telephone (Include Area Code)** | **4. ASSISTED BY** | **Telephone (Include Area Code)** |
| LT Rasheda Dia | V/S.S. | HM2 Angchou Chhun | V/S.S. |

## T. EVIDENCE DISTRIBUTION

1. TOXICOLOGY KIT GIVEN TO: N/A

2. EVIDENCE KIT AND 2 BAGS GIVEN TO: NCIS Agent

3. ITEMS RETURNED TO PATIENT (describe)
[] All clothing and personal items returned to the patient.
[x] All clothing and personal items returned to the patient except (specify): sweatshirt and sweatpants
[] Replacement clothing items provided.

4. OTHER (describe)
[X] DD2911, PGS 1-14
[] PHOTO DISC WITH ___ PHOTOS
[] ADDENDUM(S): SEE PG 12 SEC R

Given to:

## U. PERSON RECEIVING EVIDENCE - For Unrestricted Report - MCIO; for Restricted Report - See Service Policy.

1. SIGNATURE [redacted]

2. PRINTED NAME AND ID NUMBER
SA B.Duffy U394

3. AGENCY
NCIS

4. DATE (YYYYMMDD)
10NOV24 1852

5. TELEPHONE (Include Area Code) [redacted]

DD FORM 2911, SEP 2015

## DoD SEXUAL ASSAULT FORENSIC EXAMINATION REPORT

### PART II - DoD TOXICOLOGY KIT - FOR UNRESTRICTED REPORTS ONLY

**BLOOD AND URINE SPECIMEN COLLECTION INSTRUCTIONS**

**Notes:**
(A) This kit is to be used in conjunction with a DoD Medical Forensic Examination Kit when the patient indicates that there was memory loss, lapse of consciousness, involuntary or voluntary ingestion of drugs or alcohol, or if toxicology testing is otherwise indicated.
(B) Collect **both** blood and urine specimens in all cases.
(C) Urine samples should be collected from the victim as soon as possible due to the short window of detection for many of the drugs (including alcohol) involved in sexual assault.
(D) Based on timing of evidence pick up, refrigerate the sealed kit. However, if you are in a deployed or natural disaster environment that does not have refrigeration, it will be unlikely to preserve specimen.

**STEP 1:** Fill out the information requested on the Victim Information Form (next page).

**BLOOD SPECIMEN COLLECTION**

**Note:** Blood specimen collection must be performed only by a physician, registered nurse or trained phlebotomist.

**STEP 2:** Cleanse the blood collection site with the alcohol-free prep pad provided. Following normal hospital/clinic procedure, collect blood using two 10 ml blood collection tubes with 100 mg of sodium fluoride and 20 mg of potassium oxalate. Allow blood tubes to fill to maximum volume.

**Notes:**
(A) Immediately after blood collection, assure proper mixing of anticoagulant powder by slowly and completely inverting the blood tube at least five times. **Do NOT shake!**
(B) Discard venipuncture needle(s) and prep pads as recommended by OSHA guidelines. **Do NOT** place the venipuncture needle(s) or prep pads in the specimen collection box.

**STEP 3:** Fill out all information requested on two of the three Specimen Security Seals provided. Then remove backing from the two Specimen Seals. Affix center of seals to the blood tube rubber stoppers, and press ends of seals down sides of the blood tubes, then place both filled and sealed blood tubes in specimen holder.

**URINE SPECIMEN COLLECTION**

**STEP 4:** Have subject void directly into the urine specimen bottle provided. A minimum of 60 ml is required.

**STEP 5:** After specimen is collected, replace cap and tighten down to prevent leakage.

**STEP 6:** Fill out the information requested on the remaining Specimen Security Seal. Affix center of seal to the bottle cap and press ends of seal down sides of bottle, then place urine bottle in specimen holder.

**STEP 7:** Place specimen holder inside the zip lock bag, then squeeze out excess air and close the bag. Place specimen holder in kit box.

**Note:** Do not remove liquid absorbing sheet from specimen bag.

**STEP 8:** Place DoD Toxicology Kit Victim Information form in Toxicology Kit. Retain a copy of the form with the SAFE Report.

**STEP 9:** Close kit box and affix kit box shipping seal where indicated.

**STEP 10:** Fill out all information requested on kit box top under "For Hospital Personnel".

**STEP 11:** MCIO agent should mail kit with Form 1323, "Toxicology Request Form" (found at: www.afip.org) to:

**Armed Forces Medical Examiner**
Division of Forensic Toxicology
Bldg 115
Purple Heart Drive
Dover AFB, DE 19902

**DoD TOXICOLOGY KIT**

**VICTIM INFORMATION FORM**

**FOR UNRESTRICTED REPORTS ONLY**

NAME: [redacted] V/S.S.
DOD ID: PII
DOB: PII

Date of exam: 2024/11/06

**Patient Identification**

**1. VICTIM'S NAME** *(Last, First, Middle Initial)*

**2. VICTIM'S DATE OF BIRTH** *(YYYY/MM/DD)*

**3a. DATE OF SPECIMEN COLLECTION** *(YYYY/MM/DD)*

b. TIME
BLOOD: URINE:

**4. IS VICTIM A SMOKER?**
☐ Yes ☐ No

**5. IS VICTIM TAKING ANY PRESCRIPTION DRUGS?**
☐ Yes ☐ No

a. IF YES, NAME OF DRUG(S)

b. DATE DRUG(S) LAST TAKEN *(YYYY/MM/DD)*

c. TIME

**6. IS VICTIM TAKING ANY OVER-THE-COUNTER DRUGS?**
☐ Yes ☐ No

a. IF YES, NAME OF DRUG(S)

b. DATE DRUG(S) LAST TAKEN *(YYYY/MM/DD)*

c. TIME

**7. WHY IS DRUG SCREEN BEING REQUESTED?**

CHECK APPROPRIATE BOX(S):

____ Patient has partial or complete loss of memory of event

____ Patient reports alcohol and/or drug ingestion at or near the time of the event

____ General screen indicated by history and/or findings

**8. PERSON COLLECTING SAMPLE**

| a. NAME *(Last, First, Middle Initial)* | b. TITLE | c. DATE *(YYYY/MM/DD)* |
|---|---|---|
| | | |

**DoD TOXICOLOGY KIT**

**VICTIM INFORMATION FORM**

**FOR UNRESTRICTED REPORTS ONLY**

NAME: [redacted] V/S.S.
DOD ID: [redacted] PII
DOB: [redacted] PII

Date of exam: 2024/11/06

**Patient Identification**

**1. VICTIM'S NAME** *(Last, First, Middle Initial)*

**2. VICTIM'S DATE OF BIRTH** *(YYYY/MM/DD)*

| **3a. DATE OF SPECIMEN COLLECTION** *(YYYY/MM/DD)* | b. TIME<br>BLOOD: URINE: |
|---|---|

**4. IS VICTIM A SMOKER?**

☐ Yes ☐ No

**5. IS VICTIM TAKING ANY PRESCRIPTION DRUGS?**

☐ Yes ☐ No

a. IF YES, NAME OF DRUG(S)

| b. DATE DRUG(S) LAST TAKEN *(YYYY/MM/DD)* | c. TIME |
|---|---|

**6. IS VICTIM TAKING ANY OVER-THE-COUNTER DRUGS?**

☐ Yes ☐ No

a. IF YES, NAME OF DRUG(S)

| b. DATE DRUG(S) LAST TAKEN *(YYYY/MM/DD)* | c. TIME |
|---|---|

**7. WHY IS DRUG SCREEN BEING REQUESTED?**

CHECK APPROPRIATE BOX(S):

____ Patient has partial or complete loss of memory of event

____ Patient reports alcohol and/or drug ingestion at or near the time of the event

____ General screen indicated by history and/or findings

**8. PERSON COLLECTING SAMPLE**

| a. NAME *(Last, First, Middle Initial)* | b. TITLE | c. DATE *(YYYY/MM/DD)* |
|---|---|---|
| | | |

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF ATTEMPTS TO LOCATE CELLULAR TELEPHONE

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN [redacted] ([redacted]), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of this investigation is was reported the alleged nonconsensual encounter was recorded and broadcast by S/COPELAND via his cellular telephone.

2. On 06Nov24 at approximately 0930 hours, Reporting Agent (RA) made contact with S/COPELAND in Security Spaces aboard the ship. S/COPELAND was escorted to Security by CSCM Aneuris ROBLES, USN, USS HARRY S TRUMAN (CVN 75). RA introduced herself as a Special Agent and requested to search the person of S/COPELAND for his cellular telephone. S/COPELAND stated he did not have his cellular telephone and had given it to his friend, CSSN Kaulise COUSINS, USN, USS HARRY S TRUMAN (CVN 75), but consented to a search of his person. Due to the exigent nature of the search, a Permissive Authorization for Search and Seizure was not presented to S/COPELAND. The search yielded negative results.

3. RA made contact with CSSN COUSINS in Supply Spaces aboard the ship at approximately 1000 hours. RA identified herself as a Special Agent and requested to search the person of CSSN COUSINS for the cellular telephone belonging to S/COPELAND. CSSN COUSINS consented to the search and stated he never possessed the cellular telephone. Due to the exigent nature of the search, a Permissive Authorization for Search and Seizure was not presented to CSSN COUSINS. The search yielded negative results.

4. Both CSSN COUSINS and S/COPELAND were retained in Security and Supply spaces.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 1 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSA JACQUELINE BITA, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted] ([redacted]), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSA Jacqueline BITA, USN, CVN 75, was indicated as having information in reference to the offense.

2. On 06Nov24 at approximately 1030 hours, CSSA BITA was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSA BITA recalled leaving the ship with a group of sailors including [redacted] for liberty in the evening hours of 04Nov24. CSSA BITA stated she did not plan to drink alcohol that evening and was more focused on finding a place to eat. CSSA BITA recalled arriving at an unknown club and stated [redacted] began to drink alcohol with other sailors. Later in the evening, CSSA BITA recalled S/COPELAND arrived to the bar though he was not part of the original group. CSSA BITA stated [redacted] was intoxicated and CSSA BITA observed S/COPELAND assisting V/SIMPSON to the bathroom. CSSA BITA stated she did not observe [redacted] acting flirtatious with S/COPELAND at that time or any point in the evening.

4. Later, CSSA BITA stated she was talking to SR Jada KNIGHT, USN, VAW 126, in the bar and S/COPELAND approached them and said something to the effect of "you'll never believe what happened, if I show you you can't tell anyone." CSSA BITA recalled S/COPELAND then showed the two women a video on his cellular telephone of S/COPELAND having sexual intercourse with [redacted] CSSA BITA described the video as showing S/COPELAND's face before capturing [redacted] bent over. CSSA BITA stated [redacted]'s face was not in the video, but she was easily identified by her hair and the gray sweatshirt she was wearing that actually belonged to CSSA BITA. CSSA BITA related [redacted] had borrowed her sweatshirt before leaving the ship. CSSA BITA stated she observed [redacted]'s bare buttocks in the video and though she could not see S/COPELAND's penis it was clear by the motion of S/COPELAND he was having sexual intercourse with [redacted]. CSSA BITA opined she could not tell if [redacted] was conscious in the video and stated she did not look very closely because she did not want to see a video of someone else engaging in sexual intercourse.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **06NOV24**

5. CSSA BITA stated she and SR KNIGHT were "shocked" by the video and stated S/COPELAND seemed happy and was laughing. At the time, CSSA BITA assumed the sexual encounter was consensual and had no information to the contrary.

6. CSSA BITA stated V/S.S. had to be carried back to Fleet Landing due to intoxication. CSSA BITA stated V/S.S. was speaking very slowly and had trouble walking. CSSA BITA opined it was clear V/S.S. was intoxicated and theorized V/S.S. did not remember any events from the evening. CSSA BITA stated she was on a different liberty boat back to the ship than V/S.S. but stated she knew V/S.S. threw up when she returned back to the ship.

7. CSSA BITA stated the following day, V/S.S. approached her and stated she did not remember any events from the evening prior due to intoxication and also told CSSA BITA that V/S.S. had confronted S/COPELAND about the sexual intercourse and video via telephone. CSSA BITA related V/S.S. stated S/COPELAND denied the accusations. CSSA BITA opined S/COPELAND "knew he messed up and was trying to save himself." CSSA BITA further opined it was clear from interacting with both parties S/COPELAND was "in his right mind" that evening and V/S.S. was not.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN KAULISE COUSINS, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN [redacted] ([redacted]), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN KAULISE COUSINS, USN, CVN 75, was indicated as having information in reference to the offense.

2. On 06Nov24 at approximately 1400 hours, CSSN COUSINS was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN COUSINS stated he and S/COPELAND are friends, and met in approximately September 2024 when CSSN COUSINS arrived to the ship. CSSN COUSINS stated he was liberty buddies with S/COPELAND on 05Sep24 but not on 04Sep24. CSSN COUSINS recalled he and S/COPELAND were at a bar in Oslo, Norway in the evening hours and recalled S/COPELAND was in a good mood. CSSN COUSINS stated S/COPELAND stated he had sexual intercourse with [redacted] the night prior and seemed happy about the interaction. CSSN COUSINS recalled S/COPELAND stated [redacted] had been "kissing on him" and stated he had sex with her in a bathroom at a bar. CSSN COUSINS recalled being happy for his friend, but stated he personally felt badly about it because he knew [redacted] had a boyfriend on the ship.

4. CSSN COUSINS recalled S/COPELAND left the bar to take a phone call, and when he returned he was very upset saying [redacted] "put a charge on" him and that his life was ruined. CSSN COUSINS related S/COPELAND felt that because he is black, the Command would "fuck him over" and it was going to "fuck up his whole career." CSSN COUSINS stated S/COPELAND stated he was going to kill himself in Oslo because there was no point in living. CSSN COUSINS stated S/COPELAND refused to come back to the ship and left the bar.

5. CSSN COUSINS stated CSC Jonathan GEORGE saw CSSN COUSINS attempting to have S/COPELAND come back to the ship and attempted to help. CSSN COUSINS stated S/COPELAND walked in front of approximately three (3) trains and opined S/COPELAND was attempting to kill himself. CSSN COUSINS recalled Shore Patrol and Security arrived and escorted S/COPELAND back to the ship.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **06NOV24**

6. When asked directly, CSSN COUSINS stated he never had S/COPELAND's cellular telephone and could not speculate as to why S/COPELAND indicated he did. CSSN COUSINS emphatically denied ever taking S/COPELAND's cellular telephone. CSSN COUSINS stated he last saw S/COPELAND on his phone at approximately 2200 hours speaking to his parents. CSSN COUSINS recalled on the liberty boat, S/COPELAND attempted to go outside and CSSN COUSINS refused to let him. CSSN COUSINS stated S/COPELAND went to the bathroom aboard the ferry and was there the entire ride back to the ship. CSSN COUSINS speculated S/COPELAND got rid of the phone in the bathroom on the liberty boat.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN SHAMEL EADDY, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted] ([redacted], USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Shamel EADDY, USN, USS HARRY S TRUMAN (CVN 75) was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1400 hours, CSSN EADDY was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN EADDY stated he and [redacted] are currently dating. CSSN EADDY recalled he did not go out with [redacted] or anyone else on 04Nov24, as he had duty in the area of Fleet Landing. CSSN EADDY stated CSSN Alexis RODGERS, USN, Helecopter Sea Combat Squadron 11 (HSC 11), called him in the evening hours of 04Nov24 and stated [redacted] was extremely intoxicated and requested his help. CSSN EADDY stated he walked over to the Entry Control Point (ECP) and observed [redacted] being carried because she could not walk due to her level of intoxication. CSSN EADDY recalled [redacted] was cleared at the Medical Tent before being transported back to the ship. CSSN EADDY explained he had to remain at the ECP and did not accompany [redacted] back to the ship.

4. CSSN EADDY stated when he arrived back to the ship at approximately 0600 hours, [redacted] was in her rack and had to wake up for work at approximately 0700 hours and did not feel well. CSSN EADDY stated at approximately 1430 hours he was approached by S/COPELAND, who requested to speak with him. CSSN EADDY recalled S/COPELAND stated [redacted] was "kissing on" him the evening prior and was trying to "come on to" S/COPELAND all night. CSSN EADDY stated during the conversation, S/COPELAND avoided eye contact with him and seemed to be choosing his words carefully.

5. Later CSSN EADDY stated he asked [redacted] about V/COPELAND, and she stated she did not remember. CSSN EADDY related CSSA Jakobie GANT, USN, CVN 75, had seen a video of S/COPELAND engaged in sexual contact with [redacted] CSSN EADDY explained the rumor of the video had started being spread around their workplace. CSSN EADDY recalled later in the evening, he was sitting with [redacted] and CSSA Nicholas SPIVEY, USN, CVN 75, and CSSA SPIVEY



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **08NOV24**

provided V/S.S S/COPELAND's phone number. CSSN EADDY stated he recorded V/S.S. 's phone call with S/COPELAND before his phone died approximately one (1) minute into the video.

6. CSSN EADDY stated V/S.S. confronted S/COPELAND about the rumors, which he denied. CSSN EADDY allowed RA to receive the video via Air Drop and signed a Permissive Authorization for Search and Seizure (PASS) denoting his intentions; Enclosure (A) pertains. The video was subsequently transferred to a CD-R for inclusion into the case file; Enclosure (B) pertains.

7. CSSN EADDY recalled after the phone conversation, V/S.S. received text messages from S/COPELAND wherein he threatened to kill himself.

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE (PASS)
SIGNED BY CSSN EADDY/08NOV24
(B) CD-R CONTAINING RECORDED PHONE CALL/07NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN ALEXIS RODGERS, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN [redacted] ([redacted], USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Alexis RODGERS, USN, CVN 75, was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1630 hours, CSSN RODGERS was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN RODGERS stated she was liberty buddies with V/SIMPSON on 04Nov24. CSSN RODGERS explained she and [redacted] were coworkers but not particularly close. CSSN RODGERS recalled she and a group of other sailors including V/SIMPSON left the ship at approximately 2000 hours and went to a bar called Heidi's. CSSN RODGERS recalled [redacted] began drinking alcohol; CSSN RODGERS recalled she had approximately three (3) shots of liquor and stated [redacted] had more than that. CSSN RODGERS related she did not know exactly how much [redacted] drank but recalled she was drunk.

4. CSSN RODGERS recalled seeing S/COPELAND arrive with another group of sailors but could not recall what time. CSSN RODGERS stated she did not see any interaction between S/COPELAND and [redacted]. CSSN RODGERS recalled when it was time to leave the bar before liberty expiration, she and SR Jada KNIGHT, USN, CVN 75, and CSSA Jacqueline BITA, USN, CVN 75, had to assist [redacted] back to the ship due to her level of intoxication. CSSN RODGERS stated [redacted] did not seem to recall where she was.

5. CSSN RODGERS stated she did not hear about a video concerning [redacted] and S/COPELAND, but [redacted] told CSSN RODGERS the next day she did not have sex with S/COPELAND. CSSN RODGERS stated the group took an Uber to Fleet Landing, but could not recall who had paid for it.



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **08NOV24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSA JAKOBIE GANT, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN [redacted] ([redacted]), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSA Jakobie GANT, USN, CVN 75 was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1930 hours, CSSA GANT was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSA GANT recalled he was not out with the group of sailors including S/COPELAND and [redacted] on 04Nov24. CSSA GANT stated the next day on 05Nov24, he was approached by S/COPELAND, who stated he had sexual intercourse with [redacted] and seemed excited about it. CSSA GANT related S/COPELAND stated [redacted] kissed S/COPELAND's neck and had sexual intercourse. CSSA GANT stated he was happy because S/COPELAND seemed happy, but conflicted because he knew [redacted] was dating their mutual friend CSSN Shamel EADDY, USN, CVN 75.

4. CSSA GANT recalled S/COPELAND showed him a video depicting S/COPELAND having sexual intercourse with [redacted]. CSSA GANT described the video as from S/COPELAND's point of view, initially pointing the camera at himself before panning over [redacted]. CSSA GANT related [redacted] s face was not visible but her buttocks and back were. CSSA GANT recalled feeling very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. CSSA GANT stated in the video [redacted] was face down against a toilet.

5. CSSA GANT stated after [redacted] reported the offense, S/COPELAND came to him and told him [redacted] had "put a case on" S/COPELAND and asked CSSA GANT for advice. CSSA GANT related he told S/COPELAND to tell the truth. CSSA GANT had not seen S/COPELAND with his cellular telephone since S/COPELAND first showed CSSA GANT the video on 05Nov24.



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **08NOV24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN JADA KNIGHT, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted] ([redacted], USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Jada KNIGHT, USN, VAW 126, was indicated as having information in reference to the offense.

2. On 18Nov24 at approximately 2100 hours, CSSN KNIGHT was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN KNIGHT stated on the evening of 04Nov24, her liberty buddy was CSSA Jacqueline BITA, USN, CVN 75. CSSN KNIGHT stated she and CSSA BITA went to a different bar before eventually ending up at Heidi's. CSSN KNIGHT related [redacted] was already present at the bar and observed her dancing. CSSN KNIGHT observed [redacted] did not appear to be "that drunk."

4. Approximately thirty (30) minutes after arriving at the bar, CSSN KNIGHT recalled she was approached by S/COPELAND who told her not to tell anyone about what he was going to show her. CSSN KNIGHT recalled S/COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. CSSN KNIGHT stated [redacted]'s face was not present in the video but S/COPELAND indicated she was depicted. CSSN KNIGHT opined she would have been able to identify [redacted] regardless due to [redacted]'s "big butt." CSSN KNIGHT recalled the video depicted S/COPELAND's smiling face in the camera before panning to [redacted]'s buttocks and back while his penis thrusted in and out of her vagina. CSSN KNIGHT also recognized the gray sweatpants and sweatshirt [redacted] was wearing.

5. The next day, CSSN KNIGHT stated [redacted] brought the video up to CSSN KNIGHT and she stated she had seen it. CSSN KNIGHT stated she did not tell [redacted] about the video earlier because she assumed [redacted] remembered having sexual intercourse with S/COPELAND. CSSN KNIGHT stated [redacted] did not appear to be drunk enough to have not remembered the incident, and CSSN KNIGHT related she would have said something earlier if she had known [redacted] did not remember.

6. CSSN KNIGHT related she had photographs and videos from the night of the



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

incident that depicted S/COPELAND and V/S.S. CSSN KNIGHT showed RA a video of V/S.S. taking a shot with CSSN KNIGHT and some other female sailors present. CSSN KNIGHT indicated the video was taken after S/COPELAND showed CSSN KNIGHT the video of him having sex in the bathroom with V/S.S.. CSSN KNIGHT agreed to provide the video and photographs to RA via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her intentions; Enclosure (A) pertains. Three (3) live photographs and one (1) video were subsequently transferred to a CD-R for inclusion into the case file; Enclosure (B) pertains.

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY CSSN KNIGHT/18NOV24
(B) CD-R CONTAINING THREE (3) PHOTOGRAPHS AND ONE (1) VIDEO/18NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18MAR25

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII

RESULTS OF INTERVIEW OF CSSN KAYLEE PARKS, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein V/S.S. ( V/S.S. ), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Kaylee PARKS, USN, CVN 75 was identified as having information in reference to the offense.

2. On 18MAR25, Reporting Agent (RA) and Participating Agent (PA) Bernadette DUFFY interviewed CSSN PARKS aboard the CVN 75 while at sea in compartment 02-88-4-Q. The interview was not recorded.

3. CSSN PARKS reported she worked with V/S.S. and S/COPELAND at the mess deck aboard USS HARRY S. TRUMAN (CVN 75); however, she is not close friends with either of them. CSSN PARKS recalled during CVN 75's port call in Oslo, Norway on 04NOV24, she went to Heidi's Bier Bar with CS2 Kirsten CLICK, USN, Strike Fighter Squadron 11 (VFA-11). CSSN PARKS recalled when she entered the bar, she saw many Sailors of the CVN 75 crew as well as V/S.S. and S/COPELAND sitting next to each other at a table. CSSN PARKS advised V/S.S. and S/COPELAND were "all over each other," and they were touching each other, holding each other's hands, and kissing each other on the neck and lips. CSSN PARKS opined V/S.S. appeared very intoxicated and recalled she had slurred speech and trouble keeping her balance at the bar. CSSN PARKS relayed about 30-40 minutes later she saw V/S.S. leaning her head on S/COPELAND, who was trying to keep her head up. CSSN PARKS reported about 15 minutes later she heard V/S.S. ask S/COPELAND if he could help her use the bathroom. Subsequently, she saw V/S.S. and S/COPELAND walk down the stairs of the bar together towards the bathroom. CSSN PARKS advised they were holding hands and S/COPELAND seemed to be leading V/S.S. down the stairs. CSSN PARKS estimated that S/COPELAND and V/S.S. were in the bathroom together for around 20 minutes before they came back into the bar. Shortly afterwards they all decided to head back to the ship. CSSN PARKS advised due to V/S.S. 's drunkenness, CSSN Alexis RODGERS, USN, CVN 75, and another unknown female Sailor had to help carry her back to the ship. CSSN PARKS added V/S.S. was dragging her feet for a majority of the walk back.

4. CSSN PARKS reported when they got back to the entry control point (ECP) they stood in line for their turn to enter the ship. CSSN PARKS related once



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18MAR25**

in line V/S.S. suddenly sobered up and she was no longer slurring her words or dragging her feet. Moreover, V/S.S. was having full and coherent conversations with her boyfriend, CSSN Shamel EADDY, USN, CVN 75; who was working as duty at the ECP. CSSN PARKS explained it is common for drunken Sailors to act sober in the ECP line so they do not get in trouble while embarking onto the ship; however, V/S.S. seemed like she was overexaggerating how drunk she was at the bar due to how well she presented herself at the ECP. CSSN PARKS added the following day she heard V/S.S. and CSSN EADDY were arguing and they subsequently broke up due to scuttlebutt surrounding V/S.S. and S/COPELAND during the port call. CSSN PARKS remarked V/S.S. and CSSN EADDY frequently get in arguments due to V/S.S. s interactions with other males. CSSN PARKS submitted V/S.S. tends to flirt with other Sailors on the ship and she opines this may have put strain on their relationship.

REPORTED BY: ZACHARY N ADAMS, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF S/COPELAND

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted], USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 18Nov24 at approximately 2230 hours, S/COPELAND was interviewed by Reporting Agent (RA) aboard the USS HARRY S TRUMAN (CVN 75), while at sea in compartment 02-88-4-Q.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. Prior to being interviewed, S/COPELAND was advised of, and waived, his Article 31b Rights utilizing a Military Rights Waiver form; Enclosure (B) pertains.

5. S/COPELAND related on 04Nov24 while in port in Oslo, Norway, he went to an unknown bar with other Culinary Specialists in the evening hours before liberty expiration. S/COPELAND stated approximately an hour in to the evening, he had approximately two (2) drinks and would not consider himself intoxicated when [redacted] came up to him at a table he was sitting at and kissed his ear and his neck. S/COPELAND opined [redacted] was acting completely normal though he could not estimate how drunk she was. S/COPELAND recalled he was sitting at the table with CSSR Deontae WILLIAMS, USN, CVN 75, and CSSN Kaulise COUSINS, USN, CVN 75. S/COPELAND recalled [redacted] took S/COPELAND by the hand and requested he accompany her to the bathroom. S/COPELAND stated he walked to the bathroom with her and attempted to wait outside, but [redacted] took him by the hand and pulled him into a bathroom stall in the women's restroom.

6. S/COPELAND stated [redacted] faced away from him in the stall and pulled her pants down before bending over. S/COPELAND stated he pushed his penis into her vagina and opined [redacted] was consenting to the contact. S/COPELAND stated he took his phone out and began to record a video of the sexual interaction. S/COPELAND stated he did not know if [redacted] was aware



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

of him recording as she was facing away from him. S/COPELAND stated the intercourse lasted approximately twenty (20) minutes and that he did not ejaculate because the interaction seemed to be "too good to be true." When asked to explain, S/COPELAND stated he viewed V/S.S. as a sister and that she had never shown any interest in him sexually. S/COPELAND stated he did not use a condom. Following the interaction, S/COPELAND stated he and V/S.S. exited the bathroom and everything was "normal" between the two.

7. S/COPELAND recalled showing the video to CSSN COUSINS and CSSN Jada KNIGHT, USN, USS HARRY S TRUMAN (CVN 75), without V/S.S.'s knowledge. S/COPELAND stated he showed the video to others because he was excited. After the group left the bar, S/COPELAND recalled V/S.S. threw up on the liberty boat on the way back to the ship.

8. The day following the sexual intercourse, S/COPELAND stated he was out in Oslo, Norway, with CSSN COUSINS when he received a phone call and text messages from V/S.S. S/COPELAND related V/S.S. told him "if you want to run your mouth I'm going to put you on report." S/COPELAND opined CSSN Shamel EADDY, USN, CVN 75, found out about the sexual encounter and became upset which spurred V/S.S. to report the sexual encounter as a sexual assault. S/COPELAND recalled this made him very upset and he told CSSN COUSINS he would not return to the ship. S/COPELAND initially denied efforts to harm himself, but then admitted to walking in front of motor vehicles intentionally.

9. S/COPELAND stated he gave his cellular telephone to CSSN COUSINS and did not know what CSSN COUSINS did with it. S/COPELAND denied throwing it away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. S/COPELAND stated he lost his Air Pod during the same incident and showed RA his Air Pod case with one Air Pod to verify the story.

10. S/COPELAND agreed to provide a sample of his DNA via a Permissive Authorization for Search and Seizure (PASS); Enclosure (C) pertains. RA swabbed the inside of S/COPELAND's mouth and placed the swabs into the NCISRU USS HARRY S TRUMAN (CVN 75) evidence locker under log number 0012-24.

11. At the conclusion of the interview, S/COPELAND was turned over to command representative CSC Shayquan JONES, USN, CVN 75, at approximately 2342 hours.

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

S/COPELAND/18NOV24
(B) ARTICLE 31B FORM SIGNED BY S/COPELAND/18NOV24
(C) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
S/COPELAND/18NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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DEPARTMENT OF THE NAVY
VOLUNTARY STATEMENT

1. PLACE: NAVAL STATION NORFOLK
X-2
PII
2. DATE: 11 APRIL 2025

I, [MASN MONTGOMERY V/S.R.], CS/E-2/USS. JAMES E WILLIAMS, make the following

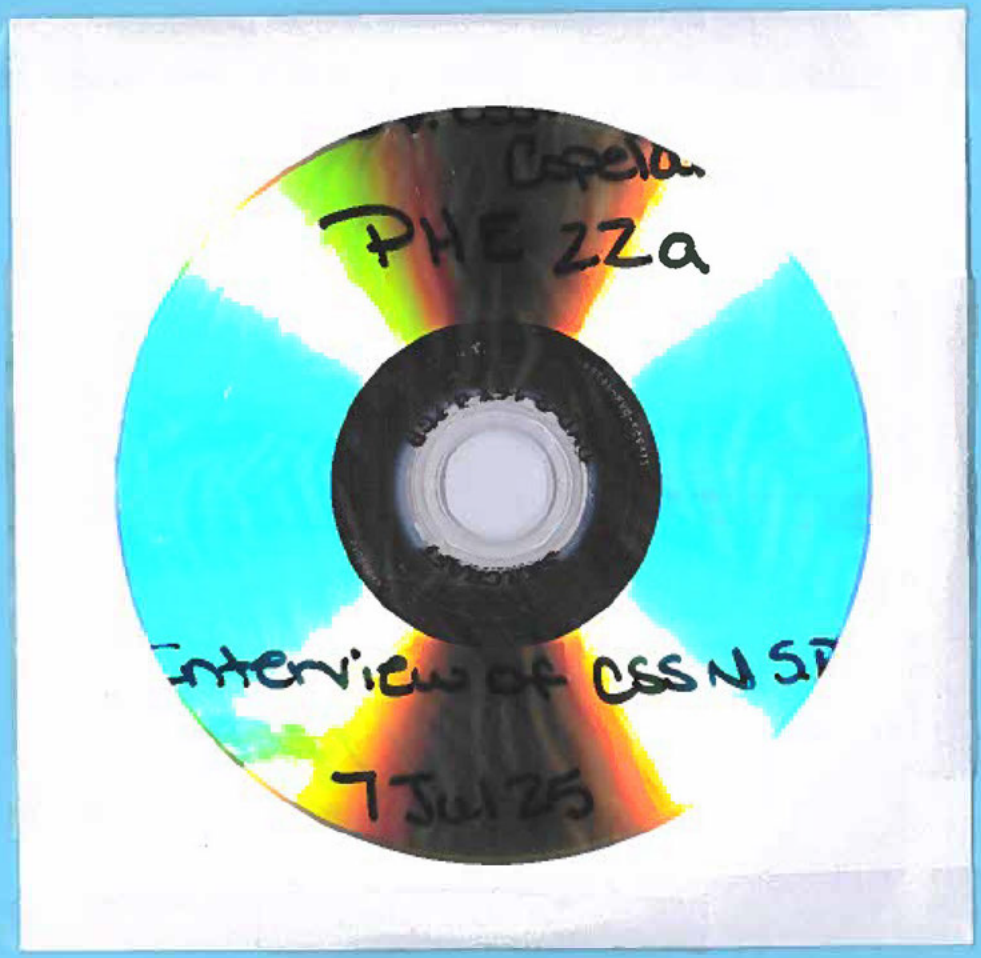
11 APRIL 2025
04:00

I WAS IN COPELANDS BARRACKS ROOM AND WE WERE SITTING IN THE SHARED LIVING SPACE TALKING HE FELL ASLEEP AND HIS GIRLFRIEND CALLED ME ASKING IF I WAS WITH COPELAND BECAUSE SHE HAD A SUSPICION THAT HE WAS DOING SOMETHING SNEAKY. I ASKED HER WAS THEY STILL DATING CAUSE A COUPLE DAYS AGO HE TOLD ME SHE'S JUST CRAZY AND STALKING MY SOCIAL MEDIA CAUSE I'M HIS "NEW GIRLFRIEND" SO I WOKE COPELAND UP I TOLD HIM I WAS ABOUT TO LEAVE AT FIRST I DIDN'T TELL HIM WHY BUT I BURSTED IT OUT OF ANGER THAT I KNOW HE LIED ABOUT NOT BEING WITH HER, HE STARTED SMILING SAYING "THAT BITCH IS FUCKING DELUSIONAL, DONT BELIEVE HER!" I THEN STARTED GOING BACK AND FOURTH WITH HIM HE GOT UP AND CHOKED ME THEN STARTED LAUGHING SAYING HE WAS JUST PLAYING AND THAT I SHOULD STAY AND TALK ABOUT IT, SO I LEFT OUT THE DOOR AND WENT HOME TALKING TO THE GIRLFRIEND ON THE PHONE, SHE TOLD ME THAT HE WOULD TRY TO MANIPULATE ME TO BELIEVE HIM... I PUT BACK ON MY CLOTHES AND WALKED BACK TO HIS BARRACKS HE WOULDN'T OPEN THE DOOR SO I WAITED TILL HIS ROOMATE CAME OUT AND I CAME IN. I STATED "SO I'M LYING TRYING TO RUIN YOUR LIFE?" HE SAID "YES" AND THERE WAS ARGUING FOR A WHILE HIS ROOMATE TRIED TO GET THE R.A. BUT COPELAND TOLD HIM NO. I ASKED FOR MY SHOES AND ELDER AND HE ACTED CLUELESS, WHILE I WAS ON THE PHONE WITH CS2 TAYLOR COPELAND SNATCHED MY PHONE AND THAT TRIGGERED ME IN SELF-DEFENSE AND I PUNCHED HIM IN HIS CHEST AND SLAMMED HIS HEAD INTO THE DESK. THEN LEFT.

SCE [illegible] 11 APR 2025
PII

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Page 1 of 1


PHE 22a
7 Jul 25

**UNOFFICIAL TRANSCRIPT EXERPT**
**CSSN [V/S.R.], USN INTERVIEW DATED 7 JULY 2025**

**00:05:37: Special Agent:** All right, so like I said, whenever you walked in, you are not in trouble. I'm conducting an investigation into Jermiah Copeland. You know who that is? OK, um I don't know. If you you've heard. I know there's a lot of there's a lot of news coverage of it, but it's involving the death around [V/A.R.]. As such, I went into his background and I noticed that there was a police report involving you two. Now, I don't care what you did. I'm going to flat out say it right now. I don't care what you did. I don't care after effect what happened to you. I want to know what led up to that, if there's anything to tell, involving Jermiah and, like, his background and what you know of him, if that's OK? OK.

**00:06:27: CSSN** [V/S.R.] I didn't really, like, know too much of him. Like, it basically started after I went to his phone and found out he had my girlfriend and a son.

**00:06:34: Special Agent:** you said then a son?

**00:06:37** [V/S.R.] Yeah

**00:06:38: Special Agent:** Ok

**00:06:39:** [V/S.R.]**:** He didn't like that I went to his phone. So he was like, oh, you invading my privacy, this that and the third. I tried to leave him. He literally like pushed me on the couch and put his hands around my neck and started choking me and he started laughing afterwards at me. I like out of anger, I picked up his Xbox and I broke it and it went from there. He also got his roommate to try and lie on me and was like oh she tried to stab me this that and the third. Basically the MAs searched me and searched my room and they didn't find anything. They didn't find me guilty about the night. But yeah I did break his Xbox. Only thing he did was put his hands around my neck and choke me.

**00:07:14: Special Agent:** OK, do you remember when this was?

**00:07:17:** [V/S.R.] April 11th?

**00:07:18: Special Agent:** April 11th of this year,

**00:07:19** [V/S.R.] Yes.

**00:07:21: Special Agent:** OK. How long had y'all been dating?

**00:07:25:** [V/S.R.] Since March.

**00:07:27: Special Agent:** OK, so not too long.

**00:07:28:** [V/S.R.] (shakes head no)

**00:07:34: Special Agent:** OK.

**00:07:38: Special Agent:** When you went through his phone and saw that he had another girlfriend, do you recall her name?

**00:07:43:** [V/S.R.] No, he just called her Dess.

**00:07:45: Special Agent:** Des?

**00:07:45:** [V/S.R.] Des DESS.

**00:07:47: Special Agent:** OK.

**00:07:48: Special Agent:** Des.

**00.07:50: Special Agent:** OK.

**00:07:50: Special Agent:** Do you know anything about her? Where she went from?

**00:07:52:** V/S.R. Yeah, they had a couple conversations. We have each other up right now.

**00:07:55: Special Agent:** OK.

**00:07:58:** V/S.R. She just one of those. She's going to stay regardless, so

**00:08:02: Special Agent:** I got you. OK. Is she from around here? You know where she's from?

**00:08:07:** V/S.R. His hometown, where he lives.

**00:08:09: Special Agent:** OK. Is the son with Dess?

**00:08:15:** V/S.R. No.

**00:08:15: Special Agent:** OK.

**00:08:15:** V/S.R. That's just his girlfriend.

**00:08:17: Special Agent:** I've got it. My man's got a lot of girlfriends. Got it.

**00:08:20:** V/S.R. I know.

**00:08:22: Special Agent:** OK.

**00:08:24: Special Agent:** Do you know the mother of his son. by chance?

**00:08:27:** V/S.R. No.

**00:08:28: Special Agent:** OK. Do you know how old he is?

**00:08:29:** V/S.R. I think he's 2 or 4. I forgot. It's one of those.

**00:08:32: Special Agent:** All right. OK. Do you know his name?

**00:08:37:** V/S.R. No.

**00:08:38: Special Agent:** OK. No worries. OK. So, you and Copeland started dating in March. How did you guys meet?

**00:08:46:** V/S.R. The ship.

**00:08:47: Special Agent:** The ship? OK. Which ship?

**00:08:48:** V/S.R. JAMES E. WILLIAMS.

**00:08:49: Special Agent:** The WILLIAMS. OK. All right. Can you tell me - And so you're CS and so is he. You guys, were you guys on the same shift or separate?

**00:09:03:** V/S.R. I was daily duty. So I was working Monday through Friday, from 7 to 12. We just got close because he was the only person I was like, really comfortable with in the galley at the time.

**00:09:17: Special Agent:** OK, so how did this, how did your dating relationship start? Did you guys like go out or just came over or whatever?

**00:09:28:** V/S.R. He texted me. No, he didn't text me, actually. He asked me if I went to hang out after work. And I was like, sure. We went to his place. Um, we ended up getting drunk and it went from there.

**00:09:42: Special Agent:** OK, OK, all right, so you - March you guys started dating then April 11th was whenever you went through his phone and what did he - what all did he say to you? And like, how did he say it after he found you going through his phone?

**00:09:59:** V/S.R. Like before I went through his phone, I was like asking him, do you still talk to her? Do you still talk to her? He's telling me no, you don't talk to her. So he's basically like going back and forth between both of us, telling each other he don't talk to us. So she's constantly texting me like, hey, are you with Jermiah? Hey, Jermiah been texting me. So I'm like, why she's still worried about you? I was just curious. That's what made me go through his phone. And after that he's like, OK, so why are you touching my phone? It's not your phone. It's not your business dot dot dot [sic] of he's basically avoiding why he was with her and me at the same time. So.

**00:10:29: Special Agent:** So I gotcha. OK, When he was saying this, was he yelling at you? Or is it like how we're talking right now?

**00:10:36:** V/S.R. **:** He was talking in a calm voice.

**00:10:37: Special Agent:** OK.

**00:10:40: Special Agent:** What transpired right before he pushed you?

**00:10:43:** V/S.R. Me trying to get up and we...

**00:10:45: Special Agent:** OK, so you're trying to get up off the couch and just leave?

**00:10:50:** V/S.R. Mmhmm..

**00:10:52: Special Agent:** How did he push you?

**00:10:56:** V/S.R. Both hands?

**00:10:57: Special Agent:** OK, like on your chest?

**00:10:58:** V/S.R. It wasn't a hard push.

**00:11:00: Special Agent:** It was enough to knock you off your feet.

**00:11:03:** V/S.R. Yeah.

**00:11:03: Special Agent:** OK. Did you have any bruises from that?

**00:11:07:** V/S.R. **:** (Shakes head no). I just had a hickey on my neck.

**00: 11:09: Special Agent:** OK.

**00:11:10: Special Agent:** Was the Hickey from an actual Hickey or was it from the strangulation?

**00:11:14:** V/S.R. (Shakes head yes,) It was a hickey.

**00:11:16: Special Agent:** OK, cool. Just checking. Um, so when he strangled you, did he use both hands?

**00:11:23:** V/S.R. (Shakes head yes) Yeah, It was both hands.

**00:11:25: Special Agent:** OK. Can you kind of explain to me what, like what you were thinking at that moment?

**00:11:31:** V/S.R. I don't know. It wasn't him. Like I I never seen this side of him.

**00:11:34: Special Agent:** OK.

**00:11:36:** V/S.R. He was always there for me when I had seizures or whenever after the hospital. So for him to do that, it didn't seem right to me.

**00:11:43:** V/S.R. OK, OK.

**00:11:46: Special Agent:** OK, OK. At any point did you lose consciousness?

**00:11:51:** V/S.R. (Indicates no)

**00:11:52: Special Agent:** Can you describe to me what, like, you were seeing him?

**00:11:56:** V/S.R. Him. He was smiling.

**00:11:59: Special Agent**: OK. Did your vision start to like, come in? Like, were you losing peripheral vision at all?

**00:12:05:** V/S.R. (Shakes head no)

**00:12:05: Special Agent:** OK, good. I'm glad to hear that at least. About how long do you think he did that?

**00:12:12:** V/S.R. Probably like 10 seconds, it wasn't that long.

**00:12:17: Special Agent:** Could you still breathe a little bit or were you completely - could not breathe at all?

**00:12:20:** V/S.R. (Indicates No, Shakes head no).

**00:12:29: Special Agent:** Are you OK?

**00:12:29:** V/S.R. I just don't want to be talking about him.

**00:12:33: Special Agent:** Is it because of this situation or just everything that's happened since?

**00:12:36:** V/S.R. Because of this situation.

**00:12:41: Special Agent:** OK. Do you need a minute? You good? OK.

**00:12:53: Special Agent:** Did you feel at any point that your life was in danger?

**00:12:56:** V/S.R. I don't know. It just wasn't him.

**00:13:00: Special Agent:** Ok, just like a different like a different personality, or?

**00:13:10:** V/S.R. I don't want to like be one of those girls that's like, oh, that's not him, but it didn't seem like him, I feel like it was just anger. I'm not sure. I don't know what it was.

**00:13:26: Special Agent:** And you've never seen him that angry before?

**00:13:27:** V/S.R. (Shakes head no).

**00:13:30** V/S.R. OK. When he was strangling you, you said that he was smiling? Was he saying anything to you?

**00:13:37:** V/S.R. He was smiling.

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 24JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/ PII

INTERVIEW OF V/Y.J. , CIV

1. On 24JUN25, Reporting Agent (RA) conducted a cold call in an attempt to identify the owner of the phone number "PII -7057", who was thought to be a minor child engaged in sexual activity with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95).

2. V/Y.J. , CIV, was identified as being a 19-year-old who was sexually assaulted by S/COPELAND. This interview was not recorded due to the circumstances surrounding the cold call. RA did ask if she would come in for a formal interview however, she declined but proceeded to explain the sexual assault over the phone.

3. During the phone call, V/Y.J. stated she knew S/COPELAND and had a one-night stand with him sometime in the beginning of the summer in 2025. JIMENEZ described S/COPELAND as giving off "weird vibes" and he would constantly ask her to come over.

4. explained on the night of the sexual assault, she had been picked up by two other males, Omar (NFI) and Jaden (NFI). After being picked up by them, said they drove her back to S/COPELAND's barracks room located on Naval Station Norfolk and they engaged in a consensual 3-way. explained S/COPELAND was not present however, he did return to his barracks room sometime between 0500-0600. stated the 3-way was over and she was very tired. However, when S/COPELAND arrived at his barracks room, V/Y.J. said he grabbed her by the arm and pulled her into his room. V/Y.J. stated S/COPELAND wanted her to give him "head" or oral sex, and said she told S/COPELAND "no" and that she was "tired." explained S/COPELAND then attempted to penetrate her vagina and she stated it was painful and hurt when S/COPELAND penetrated her. said she told S/COPELAND to "stop." explained Omar was at the door and could hear her telling S/COPELAND to stop. further explained Omar entered the room and was able to get out of the situation. said she told Omar "Thankyou" and left the barracks room.

Controlled By: NFNF - RESIDENT AGENCY NORFOLK
CUI Categories: INV
POC: JESSICA R GOKEY, Special Agent



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EXHIBIT 202

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **24JUN25**

5. V/Y.J. stated she had not spoken to S/COPELAND since the sexual assault occurred but when the "sailor girl" further clarified as CSSN V/A.R. V/A.R. ( V/A.R. ), USN, DDG-95, went missing she spoke to Omar and Jaden in person, and they had discussed the circumstances around her disappearance. V/Y.J. could not give details as to what they exactly talked about, however, V/Y.J. explained both Omar and Jaden stopped being friends with S/COPELAND due to V/A.R. missing.

6. At the conclusion of the interview, RA asked V/Y.J. if she would be willing to participate in the investigation. V/Y.J. stated she was not sure if she wanted to participate.
RA did open a separate investigation into S/COPELAND, which is documented under CCN: 24JUL25-NFNF-00344-8SNA.

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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PHE 24a
Interview of
John Bradford

**Unofficial Transcript**

**CSSN John Bradford, USN 5 August 2025**

**00:13:27: Special Agent:** So first things first, I want to talk about-- kind of what I talked a little more about, and then we can get into the other stuff involving V/A.R. and things like that, OK?

**00:13:37: J.B.**: OK.

**00:13:37: Special Agent:** All right, so do you know a girl named V/Y J

**00:13:43: J.B.:** Yes.

**00:13:43: Special Agent:** All right, what can you tell not her?

**00:13:48: J.B.:** Um, V/Y.J. I believe she's the same age as me, 18. And I met her after I met the group, because at first it was just me and my friend Andre. Then we went out and I met the rest of the group, Omar, Copeland and a couple other guys. And then later down, we hang on again and then she came over to Copeland's spot. So that's the first time I met her. It was pretty cool, nothing much. Like about her personally though, she like a short, big curvier. Her dad, I think her dad was a Senior Chief in the Navy and she has a vehicle and stuff. Okay, okay. She's a normal person I guess. .

**00:14:36: Special Agent:** Alright, Who was she like friends with first in the group?

**00:14:39: J.B.**: I'm not sure, I think I'm gonna assume she was friends with Copeland first.' Cause he was like, I don't know, they just seemed like the closest, like honestly, he knew the most about her. Based off of what I saw in her, it seemed like they probably knew her the longest. –

**00:15:00: Special Agent:** Okay, okay. Do you know much about like the relationship? Was it just friendly or did they have sex or like did they date?

**00:15:07: J.B.:** Oh, they I don't know about dating, but they definitely did have sex.

**00:15:11: Special Agent:** Okay, do you know how many times?

**00:15:13: J.B.:** Not sure.

**00:15:15: Special Agent:** We're both taking notes, so I'm not ignoring you. Just trying to jot down some things quickly. Okay So, can you tell me about the night, like I know we're all adults, I've heard some crazy stuff in my time, so this is very vanilla, okay? But can you tell me about what happened after you and Omar and V/Y.J. had engaged in your sexual encounter?

**00:15:43: J.B.:** So, the next morning, I was planning - on the night before I borrowed my friend Malik's car, Blade, he let us borrow it because they had something going on. So we took his car and me and Omar ended up going out. And then we came back to Copeland's like house. And we invited her over, you know, we did what we did. And then the day after in the morning, Copeland, Copeland I came because we went to his room. So Copeland came to the room and

You know, he was like, I mean, I'm trying to Get her home and everything like because she didn't come I don't think she came in her car so I'm trying to try to get the like Malik's car and get her home and It was so much going on but soon as Copeland came in he went straight like he went straight to V/Y.J. and you know they hugged and everything you know and um before I knew it they were in the room and then all I heard was like "I'm tired" and I'm on the phone trying to like um get the car and take her back, but Malik he's like he's on there being he's he's being really difficult because I first I'm like you know I was like what's the problem? He said no I need my car right now and he's like insulting her like bad like He was like get that bitch Uber and everything and I was like, I was like, yo, why you gotta be so rude?

**00:17:11: J.B.:** So I'm talking and then I hear her say "I'm tired. No." So that's like, you know… I tell him to hang on like…and I look at the door expecting him to open it and like let her out and then nah he doesn't do that. And then I hear "Yo, like I'm tired" again. "I'm tired" again. Like "no, no, no." And then me and Omar go to the door. Omar, like, knocked, you know, he's sees Copeland. And Omar told me that Copeland was like, "No, watch out." And then me and Omar in the door, "She tired, like, chill." And then I looked in there and her shirt was off, she was on the ground and her shirt was off. –

**00:17:53: Special Agent:** Her shirt was off, I'm sorry?–

**00:17:54: J.B.:** Yeah, I think her shirt was off. And um, I don't know if she had like a bra on or whatever, but she definitely didn't have her shirt on so. Yeah, she told me that they went to the room and He was like, "Oh just like for a few seconds and she was like "No, I'm tired and he was like okay, then he was trying to get oral and then you know she was just like, "No." She wasn't wanting to do anything.

**00:18:19: J.B.:** So then at that point I get back on the phone and I'm like, all right, so I actually have to like take her back now 'cause I can't leave her here with him. And then Malik was being like difficult. So then ultimately I ended up taking her anyway. So I took her home and then I sent Omar back with his car to go return it. And I called later and I was like, y 'all I'm sorry, but you know, do what you will. You can cut me off if you want to, but this is the right thing to do. I'm not going to leave her with somebody that just sexually assaulted her probably would have like raped if not like if not me taking her home if we just like left to give you back your car. Like I don't…I'd have to be crazy to leave her alone. So I took the car and then I stayed at her house because I didn't want anything… I didn't want any confrontation with um [unclear] so I stayed with her at her house And then she dropped me off later that day

**********

**00:20:13: Special Agent:** Do you remember like a time frame or the date month that this happened with V/Y.J.

**00:20:24: J.B.:** It was a long time ago of course but like it was it long enough to go for me not to remember specifically then.

**00:20:30: Special Agent:** Ok. All right. Not quite sure. Do you remember so was it cold outside or was it warm or was it hot or do you remember?

**00:20:38: J.B.:** Uh what like whenever she came over when I dropped her off?

**00:20:43: Special Agent:** We'll just do that time frame like the day that all happened.

**00:20:48: J.B.:** It's pretty pretty hot. It's pretty it's pretty hot.

**00:20:50: Special Agent**: Okay. So maybe during like the earlier summer late spring

**00:20:55: J.B.:** Earlier in the summer definitely

**********

**00:55:13: J.B.:** So May 24th at, this is when I'm first, 'cause the first time I texted her was the first time that they gave me her number and everything. So yeah.

May 24th at 1141 is when we started texting and going to pick her up and everything.

**00:55:33: Special Agent 2:** Okay, 11 41 at night?

**00:55:35: J.B.:** Uh, yes. So...

**00:55:44: Special Agent:** So the incident, we can assume that the incidents of the assault itself then occur on the 25th in the early morning hours?

**00:55:51: J.B.:** Yes, the 25th was the day of the assault.

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 02JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII

RESULTS OF INTERVIEW OF CSSN GARCIA-BARRERA, USN

1. On 02JUN25, Reporting Agent (RA) and Participating Agent (PA) Carrie JOHNSON interviewed CSSN Gladis GARCIA-BARRERA, USN, USS JAMES E. WILLIAMS (DDG-95) regarding the whereabouts of CCSN V/A.R. V/A.R., USN, DDG-95. CSSN GARCIA-BARRERA was identified as a friend of V/A.R..

2. The interview was conducted inside a government vehicle outside of CSSN GARCIA-BARRERA's barracks building, SP-29, onboard Naval Station Norfolk (NAVSTA Norfolk). RA and PA JOHNSON identified themselves via credentials.

3. CSSN GARCIA-BARRERA advised that she only became close with V/A.R. over the last month or so, and that they hung out together for the first time outside of work on 24MAY25. CSSN GARCIA-BARRERA stated that she mostly communicates with V/A.R. on text message or Instagram. CSSN GARCIA-BARRERA said the last time she received any communication from V/A.R. was via Instagram at 2244 hours on Wednesday night, 28MAY25.

4. CSSN GARCIA-BARRERA recalled that on 28MAY25, she and V/A.R. ended their shift at 0815 and upon being released from the ship, took an Uber to Target together. CSSN GARCIA-BARRERA advised that V/A.R. ordered the Uber on her phone. CSSN GARCIA-BARRERA could not recall which Target they went to, but remembered there was a Food Lion next to it. CSSN GARCIA-BARRERA stated that she and V/A.R. both purchased yoga mats and weights because they both wanted to exercise more. CSSN GARCIA-BARRERA advised they purchased other things, such as grocery items, etc. CSSN GARCIA-BARRERA stated that V/A.R. purchased her Target items with a tap-to-pay feature on her phone, which CSSN GARCIA-BARRERA believed to be linked to V/A.R.'s "Navy cash card."

5. CSSN GARCIA-BARRERA stated that when she and V/A.R. left target, CSSN GARCIA-BARRERA ordered a Z-Trip ride which was supposed to arrive at 1141; however, the vehicle was late, so they took another Z-Trip ride at 1202 hours. CSSN GARCIA-BARRERA advised the Z-Trip took them through Gate 22 of Naval Station Norfolk, dropped off CSSN GARCIA-BARRERA, then dropped V/A.R. off. CSSN GARCIA-BARRERA stated she requested that V/A.R. let her know when she was back safely, which V/A.R. did. CSSN GARCIA-BARRERA advised that later in the afternoon, V/A.R. mentioned going to the barracks room of Jermiah Taylor COPELAND (S/COPELAND), USN, DDG-95 to cook



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EXHIBIT 16

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **02JUN25**

tacos and sent her a couple of pictures of food. CSSN GARCIA-BARRERA was unsure of the relationship between S/COPELAND and V/A.R. and did not know S/COPELAND very well. CSSN GARCIA-BARRERA advised that she heard S/COPELAND "had a case" from the USS HARRY S. TRUMAN (CVN-75) involving "Richerton" (NFI) and heard that S/COPELAND was supposed to go to jail for speeding and evading. CSSN GARCIA-BARRERA did not know any other details regarding S/COPELAND's previous case.

6. CSSN GARCIA-BARRERA advised that on the morning of Thursday, 29MAY25, HT3 Michael Davontae GILLESPIE, USN, DDG-95 messaged her around 0454 am requesting her to call him. CSSN GARCIA-BARRERA stated that she did call HT3 GILLESPIE, who was V/A.R. s ex-boyfriend, and HT3 GILLEPSIE expressed his concerns for V/A.R. because the previous evening V/A.R. sporadically texted him "fuck you."

7. CSSN GARCIA-BARRERA was asked about V/A.R. 's mental health. CSSN GARCIA-BARRERA advised she had heard V/A.R. had mental health issues and had been admitted to the "5th floor" before (the "5th floor" is a term referring to the psychiatric unit at Naval Medical Center Portsmouth (NMCP)). CSSN GARCIA-BARRERA did not know of any suicide attempts by V/A.R. and denied that V/A.R. communicated any suicidal ideations. CSSN GARCIA-BARRERA stated that there were times when V/A.R. would stop talking to people, but only in person and not for this long. CSSN GARCIA-BARRERA advised that V/A.R. had recently suggested the two of them take a trip to New York to go shopping. CSSN GARCIA-BARRERA stated that V/A.R. had a friend in New York referred to as "Flacko" (NFI) which CSSN GARCIA-BARRERA advised was the term for "skinny" in the Spanish language. CSSN GARCIA-BARRERA did not know anything more about "Flacko." CSSN GARCIA-BARRERA stated that she did hear that V/A.R. made comments to HT3 GILLESPIE regarding going AWOL and mentioned New York.

8. CSSN GARCIA-BARRERA also advised that V/A.R. was closest to CSSN Junrojel MIGUEL, USN, DDG-95. CSSN GARCIA-BARRERA stated that V/A.R. texted CSSN MIGUEL a concerning text message. CSSN GARCIA-BARRERA had a screenshot of part of the text message and showed RA. RA observed the partial text message (from V/A.R. to CSSN MIGUEL) which stated that V/A.R. was scared of men and indicated that she felt uncomfortable around several people on the ship who V/A.R. referred to as "CS1" who V/A.R. alleged would grab her phone out of her hands and look through her gallery; "RS2" who told V/A.R. he loved her and wanted a hug; and "BM1" who wanted a secret relationship with V/RESENDIZ after finding out she and HT3 GILLESPIE broke up. CSSN GARCIA-BARRERA identified CS1 as CS1 Darrell HOWELLEL (NFI) and RS2 HART (NFI). CSSN GARCIA-BARRERA did not recall BM1's name but knew he was on DDG-95 along with CS1 and RS2.

9. CSSN GARCIA-BARRERA listed other relevant individuals: ET3 RICH (NFI) is an ex-boyfriend of V/A.R. . CSSN Jean JAQUAEZ ("JJ") (NFI) was identified



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **02JUN25**

as a friend of [V/A.R.]

10. CSSN GARCIA-BARRERA provided the following contact information for [V/A.R.]:
Phone number: [PII]
Instagram: [PII]

11. At the conclusion of the interview, CSSN GARCIA-BARRERA signed a Permissive Authorization for Search and Seizure (PASS) to view her iPhone 12, specifically any communications with [V/A.R.]. The PASS form and review of the extraction of CSSN GARCIA-BARRERA's iPhone will be documented in a subsequent Investigative Action.

REPORTED BY: LISA CARROLL, Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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PHE 25b
Target Snapchat
Video

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF SURVEILLANCE VIDEO REVIEW FROM TARGET

1. 03Jun25, Reporting Investigator (RI) went to Target, 1245 N. Military Hwy, Norfolk VA, 23502, to request surveillance video. As background, CSSN Gladis GARCIA-BARRERA, USN, USS JAMES E. WILLIAMS (DDG 95) reported she and CSSN [redacted] ([redacted], USN, DDG 95 went shopping at Target on 28May25 between 0900 and 1200, the day before [redacted] went missing.

2. RI arrived at Target at 1200 and made contact with Theresa WHITNEY, CIV, Target Asset Protection. WHITNEY was able to locate surveillance video showing [redacted] wearing a blue Navy sweatshirt, black Adidas running pants, and a black and purple backpack with purple straps. CSSN GARCIA-BARRERA was seen getting out of a black SUV in front of the Target store by either an Uber or Lyft driver at 1009. CSSN GARCIA-BARRERA was wearing a blue Navy working uniform and carrying a black and white Adidas duffle bag. Video shows CSSN GARCIA-BARRERA and [redacted] entering the store and shopping for an hour and a half. At 1138 hours, [redacted] and CSSN GARCIA-BARRERA were seen checking out multiple items and each paid separately for their transactions. [redacted] and CSSN GARCIA-BARRERA proceeded out the front of the store and waited in front of the store. At 1205, a Coastal Taxi pulled up front, they got into the taxi, and it drove away to an unknown destination; Enclosure (A) pertains.

3. WHITNEY was able to provide copies of the transactions from [redacted] and CSSN GARCIA-BARRERA. The target receipt for CSSN GARCIA-BARRERA showed she purchased $383.24 worth of multiple items; Enclosure (B) pertains. [redacted] purchased $289.46 worth of items; Enclosure (C) pertains.

4. RI departed the Target at 1302 with a copy of three surveillance video clips, three still photos, and two receipts from the purchases made.

ENCLOSURE(S)
(A) DVD-R: CCTV FOOTAGE FROM TARGET/03JUN25
(B) TARGET RECEIPT FOR CSSN GLADIS GARCIA-BARRERA, USN/03JUN25
(C) TARGET RECEIPT FOR [redacted]/03JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

REPORTED BY: BRAD T CANNING, Investigator
OFFICE: RESIDENT AGENCY NORFOLK



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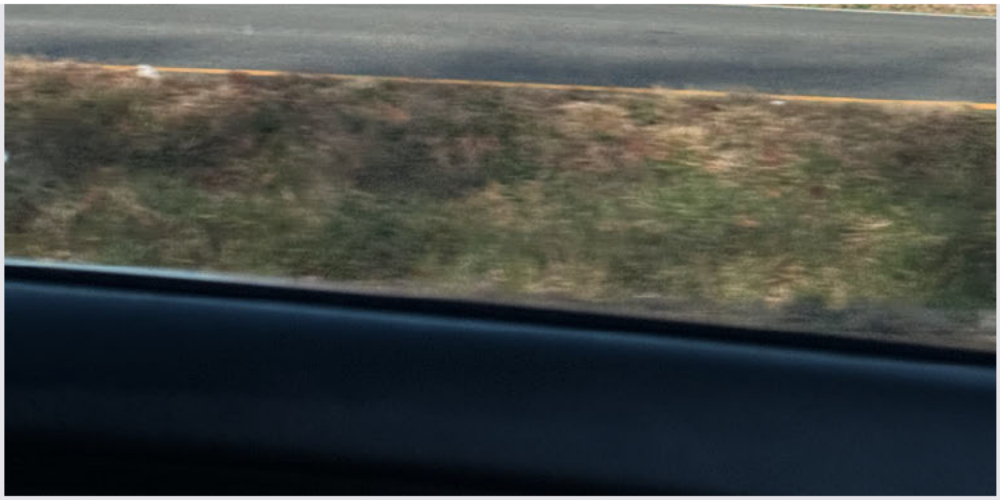
# IOS IMESSAGE/SMS/MMS

| | |
|---|---|
| **CHAT PARTICIPANTS** | |
| Number of participants | 2 |
| Display names | +PII<br>Local User |
| Local user | Local User |
| **CONVERSATION DETAILS** | |
| Number of messages | 32 |
| First message sent date/time | 2/24/2025 8:11:27.000 AM |
| Last message sent date/time | 6/1/2025 7:01:42.000 PM |
| Case time zone | Eastern Standard Time |

PII

↘ Received
2/24/2025 8:11:27.000 AM





OBJ

PII

↘ Received
3/1/2025 4:41:00.000 PM





↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>** 3/1/2025 5:19:11.000 PM
Damn that looks bomb

↘ Received
PII [redacted] 3/1/2025 7:03:58.000 PM
It was

↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>** 3/1/2025 7:07:43.000 PM
That's goodie

↘ Received
PII [redacted] 3/11/2025 10:42:04.000 AM
Broski has she texted you

↘ Received
PII [redacted] 3/11/2025 10:42:33.000 AM
Keely she texted me this morning talking about she got a new number and stuff

↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>** 3/11/2025 11:22:27.000 AM
Naw she didn't text me

↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>** 3/11/2025 11:22:39.000 AM
Why she keep switching her #

PII [redacted]
↘ Received
3/11/2025 11:23:42.000 AM
Idk man it's like the 3rd time

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
3/11/2025 11:29:25.000 AM
That's what I'm sayin within last month

PII [redacted]
↘ Received
4/29/2025 1:17:04.000 PM
Garcia says you needa clean the grill

PII [redacted]
↘ Received
4/29/2025 1:17:08.000 PM
Since you used it

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:34:27.000 PM
You on base still??

PII [redacted]
↘ Received
5/28/2025 7:36:39.000 PM
Yeah why what's up are you okay

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:38:05.000 PM
Yeah you told me to tell you if I'm still making tacos

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:38:10.000 PM
I got home

PII [redacted]
↘ Received
5/28/2025 7:39:29.000 PM
Are you still gonna make tacos

PII [redacted]
↘ Received
5/28/2025 7:39:37.000 PM
And why the fuck you just now getting home

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:42:01.000 PM
Yeahh

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:42:16.000 PM
I fell asleep😅

PII [redacted]
↘ Received
5/28/2025 7:42:45.000 PM
Bruhhh I haven't even slept yet

PII [redacted]
↘ Received
5/28/2025 7:43:03.000 PM
I been out and about after work and then just been chilling in my room

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:43:35.000 PM
Ahh that's nice

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 7:44:24.000 PM
Why I ain't sleep?

PII [redacted]
↘ Received
5/28/2025 7:55:58.000 PM
You just said you fell asleep

**Local User <NFFO 13Y9L Item XUQP3>**
↖ Sent
5/28/2025 8:35:44.000 PM

I'm On my way! Back to base

PII [redacted]
↘ Received
5/28/2025 8:36:41.000 PM
OKAY

PII [redacted]
↘ Received
5/28/2025 8:57:19.000 PM
[redacted]

PII [redacted]
↘ Received
5/28/2025 8:57:21.000 PM
*No message content to display.*

↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>**
6/1/2025 7:01:25.000 PM
Yoo are you okay???

↖ Sent
**Local User <NFFO 13Y9L Item XUQP3>**
6/1/2025 7:01:42.000 PM
They marked us both UA


335


335






























SA2







# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 07JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/ PII

RESULTS OF INTERVIEW OF ET3 DANIEL RICH, USN

1. On 07JUN25, Reporting Agent (RA) and Participating Agent (PA) Devin RUIC conducted an interview of ET3 Daniel RICH, USN, USS JAMES E. WILLIAMS (DDG-95), regarding the captioned investigation involving CSSN V/A.R. V/A.R. USN, DDG-95, and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95.

2. RA recorded the interview of ET3 RICH using an audio/visual recording system, and RA downloaded a digital copy onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. ET3 RICH stated he first met V/A.R. circa SEP24 when he went "cranking" to assist the Culinary Specialists aboard DDG-95. The term "cranking" was used to describe a temporary duty unrelated to ET3 RICH's traditionally rated duties.

4. ET3 RICH stated V/A.R. would have days where she had "little panic attacks" and would want to go for a drive to Virginia Beach or to the Norfolk Botanical Gardens. ET3 RICH recalled V/A.R. would sometimes start having "panic attacks" when they would consume alcohol. V/A.R. would talk about her father, who was in prison, and would become concerned for her own safety when discussing his future release from prison. ET3 RICH believed V/A.R. father was in prison because V/A.R. "reported him," and believed her father had forced her to take drugs and "forced himself" on her. ET3 RICH indicated V/A.R. claimed her father intended to "find her" upon his release from prison.

5. ET3 RICH stated there are certain "cues" with V/A.R. that resulted with "panic attacks" in the past. ET3 RICH clarified V/A.R. often displayed these cues during the "build-up to sex." ET3 RICH stated if V/A.R. was not "feeling it" and sexual contact continued, V/A.R. would have a "meltdown." ET3 RICH stated he had an experience with V/A.R. where she "pushed away" and locked herself in the bathroom. ET3 RICH explained that during this incident, both he and V/A.R. had still been clothed, but had begun to engage in an intimate act. ET3 RICH recalled having to "talk her down" through a bathroom door in hopes of calming her down. ET3 RICH relayed another incident when they were talking about V/A.R. father, wherein she ran out of his room, and he looked for her for 30 minutes until she came back.



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CONTROL:01JUN25-NFNF-00237-7HNA 07JUN25

6. ET3 RICH relayed V/A.R. was in a relationship with HT3 Michael GILLESPIE, USN, DDG-95, until DEC24. ET3 RICH stated a lot of V/A.R. belongings were in HT3 GILLESPIE's room while they were dating. After V/A.R. and HT3 GILLESPIE broke up, ET3 RICH helped V/A.R. move her stuff out of HT3 GILLESPIE's room. ET3 RICH relayed he started dating V/A.R. circa DEC24 and believed they broke up circa MAY25. ET3 RICH stated while he was in a relationship with V/A.R. they would primarily sleep in his room. ET3 RICH stated he and V/A.R. broke up because she was "going through some stuff" and wanted to "work on herself."

7. ET3 RICH relayed on 29MAY25, he received a call from V/A.R. at 0214 hours local time and she was "freaking out" and requested a "pick-up ASAP." ET3 RICH remembered V/A.R. was crying and having a "meltdown." ET3 RICH recalled hearing "car noises" and believed V/A.R. may have been outside. V/A.R. passed the phone to another individual who ET3 RICH later "found out" was S/COPELAND. ET3 RICH relayed the person V/A.R. passed the phone to asked how long it would take for ET3 RICH to arrive, to which ET3 RICH responded he was about ten to fifteen minutes away. ET3 RICH relayed he went through the gate to Norfolk Naval Station at 0228 hours and attempted to call V/A.R. multiple times, but she did not pick up. ET3 RICH checked V/A.R. location and saw that it was outside of the "X2 building" near the rounded driveway drop off area located in front of the building. As a note, the X2 building is also identifiable as Willis Manor, a barracks located onboard Norfolk Naval Station at 9712 Virginia Avenue, Norfolk, VA 23511. ET3 RICH stated V/A.R. was not there, and her phone was not there, and he started "freaking out a little bit." ET3 RICH showed pictures of V/A.R. to people working at the front desk of X2, not further identified by ET3 RICH, but they were unsure if they recognized seeing her. ET3 RICH checked the front area of X2 to see if he could see her phone in the grass and did not find it. ET3 RICH went back inside X2; the individuals working the front desk suggested he call his command and the local precinct on base to report his concerns.

8. ET3 RICH attempted to call the base police office, but did not receive a response. ET3 RICH drove to base police and notified them of the situation. ET3 RICH estimated he called HT3 GILLESPIE around 0300 hours while he was with base police and HT3 GILLESPIE joined him at X2 around 0430 hours to help look for V/A.R. ET3 RICH added HT3 GILLESPIE called him earlier on 29MAY25 at 0120 and 0143 hours, but he was asleep and missed the calls. ET3 RICH did not know why HT3 GILLESPIE called him that morning, but presumed it had to do with HT3 GILLESPIE's own concern for V/A.R. ET3 RICH stated HT3 GILLESPIE was coming off duty from the ship that morning. ET3 RICH remembered he had to end the call with HT3 GILLESPIE because his Command Duty Officer (CDO) was calling him back.

9. ET3 RICH believed V/A.R. phone died around 0430 hours on 29MAY25



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



due to her phone's location no longer saying "Live" and instead showing "Last Location" in his iPhone's "Find My" application.

10. Around 0500 hours, HT3 GILLESPIE stayed at X2 to continue looking for V/A.R. and ET3 RICH drove to V/A.R. barracks at Miller Hall, accompanied by two Masters-at-Arms (MAs) and waited for the Resident Advisors (RA) to arrive and unlock her door. ET3 RICH relayed the MAs accessed V/A.R. room around 0630 hours, but V/A.R. was not there. ET3 RICH stated the MAs did not permit him to go into her room but he peeked his head in and noticed the room looked like a photo or video of a "Fit Check" V/A.R. sent to her friend CSSN Gladys GARCIABARRERA, USN, DDG-95 on 28MAY25. ET3 RICH noticed the only thing that appeared missing was her backpack. ET3 RICH remembered HT3 GILLESPIE met him at Miller Hall to assist in searching. ET3 RICH remembered going back to X2 with HT3 GILLESPIE after searching Miller Hall. ET3 RICH estimated he concluded his search and left base to go to work around 0730 hours.

11. ET3 RICH stated HT3 GILLESPIE called him between 0800 and 0900 hours on 29MAY25 and told ET3 RICH he had checked S/COPELAND's room and did not see V/A.R. and S/COPELAND in the room. ET3 RICH recalled hearing from HT3 GILLESPIE that "the bed was made" and nothing looked "messed up." ET3 RICH believed it was possible HT3 GILLESPIE found out V/A.R. was with S/COPELAND from CSSN GARCIABARRERA.

12. ET3 RICH recalled there was an "All Hands Call" around 1000 hours on 29MAY25 and remembered a Chief pulled him aside and told him V/A.R. was found with S/COPELAND in S/COPELAND's room and that he could "relax." ET3 RICH learned FCC Brad PARKER, USN, DDG-95, was the person who found S/COPELAND and V/A.R. and messaged him via "GroupMe." FCC PARKER told him V/A.R. was "ok and safe" and affirmed he had seen V/A.R. that day.

13. ET3 RICH stated he recently attempted to find V/A.R. location on the morning of 07JUN25 as well as when he was at Naval Medical Center Portsmouth (NMCP) on 06JUN25. ET3 RICH stated ETC Donald ACKLEY, USN, DDG-95 escorted him to NMCP for a Command Referral to Behavioral Health. ET3 RICH relayed he attempted to sign into V/A.R. Navy Federal Credit Union (NFCU) account and her email account a few times on 03JUN25 or 04JUN25 on his laptop and desktop while at his barracks; ET3 RICH explained he had attempted to login to V/A.R. accounts using saved passwords, as V/A.R. previously borrowed and used the laptop. ET3 RICH further explained he had attempted the logins on both the barracks-wide Wi-Fi network, and on his own Wi-Fi network later in his room.

14. ET3 RICH signed a Permissive Authorization for Search and Seizure for the collection of his DNA via buccal swabs; Enclosure (B) pertains. ET3 RICH signed a Permissive Authorization for Search and Seizure of his MSI brand



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **07JUN25**

Laptop, SN: K2309N0254935, documented in a separate report; Enclosure (C) pertains. ET3 RICH signed a Permissive Authorization for Search and Seizure for his Apple iPhone 14 Pro, SN: M1YXLVYPWD, documented in a separate report; Enclosure (D) pertains.

15. Subsequent to the completion of this interview, PA accompanied ET3 RICH to his barracks room to facilitate the execution of the signed PASS. During that search, NCIS personnel identified instructional paperwork associated with pregnancy tests in his room. ET3 RICH explained that in approximately MAR25, exact date not recalled, he and V/A.R. had engaged in unprotected sex after consuming alcohol and afterward ET3 RICH could not recall whether he "pulled out" to avoid ejaculating in V/A.R. ET3 RICH and V/A.R. acquired multiple pregnancy tests from a local CVS, located in the vicinity of the Old Dominion University Campus, and waited approximately two weeks before conducting the tests. ET3 RICH reported that the test results were negative, indicating V/A.R. had not become pregnant from the incident.

BIOGRAPHICAL DATA:

DOD ID: PII
DOB: PII
PHONE NUMBER: PII

ENCLOSURE(S)
(A) DVD-R: RECORDING OF INTERVIEW OF ET3 DANIEL RICH, USN/07JUN25
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FOR DNA BUCCAL SWABS FROM ET3 DANIEL RICH, USN/07JUN25
(C) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE OF ET3 DANIEL RICH'S MSI BRAND LAPTOP SN: K2309N0254935/07JUN25
(D) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE OF ET3 DANIEL RICH'S APPLE IPHONE 14 PRO SN: M1YXLVYPWD, USN/07JUN25

REPORTED BY: CORRIE FYLE, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 05/29/2025 | 06:14:04 | 115 | moc | Outgoing | 12542030672 | 16318041144 | 16318041144 | 16318041144 | 310260490668870 | 354689822842950 | Completed Successfully |

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**Information Provided By:**
T-Mobile US, Inc.
Law Enforcement Relations

4 Sylvan Way, Parsippany, New Jersey 07054
Tel: 866-537-0911; Fax: 973-292-8697

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| DCTAS401 | 44127 | 3 | | 330 | 36.932935 | -76.315812 | 8770 Hampton Boulevard | Norfolk | VA | 23505 |

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## Interpreting Call Detail Records

T-Mobile produces Call Detail Records (CDR), either with or without location information, in an Excel file containing multiple rows. The file includes both voice and message transactions. Each row represents one transaction on the T-Mobile network. Not all rows appear on every report. Some fields only appear in reports with location information.

Calls to 911 and calls made while roaming do not appear on this report.

T-Mobile generally retains details of all network-originated voice transactions for 24 months. As of February 2020, T-Mobile retains the metadata for certain types of 4G/LTE based text messages (SMSc and RCS) for only 22 months. If your records contain details older than 22 months from the date of production, these messages may not appear on the report.

Calls to Voicemail - Entries with outgoing calls to 8056377249 or numbers ending in 9999 indicate incoming calls forwarded (out) to the voicemail system. Calls forwarded to voicemail can also be identified using the Service Code column. The associated incoming call may or may not be captured. Entries with outgoing calls to 8056377243 = 805-MESSAGE indicate voicemail retrieval.

Timestamp - Please remember that T-Mobile systems natively use Coordinated Universal Time (UTC). Accordingly, the timestamps on these transactions appear as 00:00:01 to 23:59:59 UTC. T-Mobile is unable to convert these records to a different time zone. If you require records not captured in this response, please submit a new legal request that includes a description of records with the date/time adjusted for UTC.

Please note that T-Mobile network usage records may include 15- and 16-digit variants of an IMEI number. The first 14 digits are a conclusive match to the target IMEI.

Archived Records - If your legal request sought records older than 24 months, responsive records may include archived bill images. The timestamps on archive bill images vary depending on the legacy network for the subscriber and the type of transaction (i.e. voice, SMS). Due to these variations, and the static nature of the reprints, T-Mobile is not able to convert transactions on bill images to a particular time zone.

**Set forth below are tips to help you understand data/information that is unique to the CDR_Quantum 5G report:**

The retention of the CDR_Quantum records is nine months.

Both LTE and 5G usage will appear on the CDR_Quantum 5G report.

The duration times differ between a record appearing on the CDR_Mediations and CDR_Quantum reports because the information provided is sourced from various T-Mobile data collections. The CDR_Mediations source measures the duration based on the device's activity from start to finish. The CDR_Quantum source measures duration based on network activity.

**Set forth below are tips to help you understand data/information that is unique to the Splunk SMS report:**

This Supplemental Response includes the content of certain messages retained in connection with T-Mobile's Scam/Spam prevention efforts. The retention period for these messages is approximately 30 days. This retention period is subject to change based on business needs.

T-Mobile produces Scam/Spam message content in an Excel file containing four columns

- Date/Time Sent (PST) – Reflected in Pacific Standard Time. (T-Mobile is unable to convert these records into a different time zone. If you require records not captured in this response, please submit a new legal request that includes an adjusted date/time).
- Sending MSISDN – Telephone number of the sender.
- Recipient MSISDN – Telephone number of the intended recipient.
- Message content – Body of the message sent.

The messages produced consist of messages that were "sent". T-Mobile does not store data that would indicate whether the messages in the report were actually delivered.

**Below is a description of columns that may be present in the report you received.**

| COLUMN NAME | DESCRIPTION | | LOCATION RPT ONLY? | NOTES |
|---|---|---|---|---|
| Date | Date format mm/dd/yyyy | | NO | |
| (UTC) Time | 24-hour time format - hh:mm:ss in UTC | | NO | In UTC time |
| Duration | Duration in seconds | | NO | Duration begins when a call is answered and ends when a call is |

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| | | | | completed |
|---|---|---|---|---|
| Call Type | Type of call:<br>callForwarding - Forwarded Call<br>mSOriginating - Outgoing Voice Call<br>mSTerminating - Incoming Voice<br>mSOriginatingSMSinMSC - Outgoing SMS<br>mSTerminatingSMSinMSC - Incoming SMS<br>moc - Mobile Originating Call<br>mtc - Mobile Terminating Call<br>SMSc - Text Message – see notes<br>RCS - IMChat - rich content message, multimedia, and text<br>RCS - GroupLargeMode - group RCS chat RCS - GroupLargeMode- Due to the incompatibility of the receiver's handset, the system will send the RCS non-text content as a large message. *3 or more users<br>RCS – GroupPageMode – Like GroupLargeMode, but reduction to SMS (SMSC or traditional) on one or more user's records may occur<br><br>*iMS_Terminating - Incoming 5G Voice Call<br>iMS_Originating - Outgoing 5G Voice Call<br>iMS_Originating_Forwarded - Outgoing 5G Voice Call<br>vONR_Originating - Outgoing 5G Voice Call<br>vONR_Terminating - Incoming 5G Voice Call<br>mO_Epsfb - Outgoing 5G Voice Call<br>mT_Epsfb - Incoming 5G Voice Call**<br>RCS – LargeMode - Like GroupLargeMode, but refers to a direct user-to-user connection that sends a compressed version of that file. (Reduction to MMS or SMS on that user's records may occur)<br>RCS – PageMode - Same as above, except reduction to SMS (SMSC or traditional) is what will most likely occur<br>RCS – PushLocation – The sharing of location or position information | | NO | Cell Site location is not available for Call Types SMSc and RCS-IMChat.<br><br>T-Mobile does not retain the content of text messages.<br><br>For SMSc messaging, T-Mobile provides a record of any activity between the requested target number and any other customers utilizing the T-Mobile network for the time and date range requested, regardless of if the target number currently is/was assigned to T-Mobile or a T-Mobile wholesale partner.<br><br>**Only appears on the 'CDR_Quantum' 5G Report |
| Direction | Outgoing or Incoming to the target telephone number | | NO | |
| Calling Number | Phone number that initiated the call | | NO | |
| Dialed Number | Dialed digits | | NO | |
| Called Number | Phone number that received the call | | NO | ADHOC – Group RCS chat. For Group RCS Chat, you will see an ADHOC event in addition to CDRS for each individual participant in the group chat. |
| Destination Number | The final destination number to which the network has connected the call (might be different from the one dialed by the subscriber if network translation was applied) | | NO | |
| IMSI | International Mobile Subscriber Identity of the target number, if present | | NO | |
| IMEI | International Mobile Equipment Identity of the target number, if present | | NO | |
| Completion Code | Completed successfully or Abnormal Completion (network interruption). Abnormal completion calls display on this report but may or may not show on a customer's bill. | | NO | |
| Service Code | 11 Calling line identification presentation<br>12 Calling line identification restriction<br>13 Connected Line ID Presentation<br>20 All Call Forwarding Services<br>21 Call Forwarding Unconditional (CFU)<br>28 All Cond Call Forwarding Services<br>29 Call Forwarding on Mobile Subscriber Busy (CFB)<br>2A Call Forwarding on No Reply (CFNRy)<br>2B Call Forwarding on Not Reachable (CFNRc)<br>31 Explicit Call Transfer (ECT)<br>41 Call waiting<br>42 Call Hold<br>51 Multi-Party (MPTY)<br>*6 Call Forwarding | | NO | **Only appears on the 'CDR_Quantum' 5G Report |
| Switch Name | Name of the switch used to deliver the call to the target number. | | NO | This is NOT an indication of the location of the device. |
| 1st LTE Site ID | EnodeB id value in decimal | | YES | Only present if the call was over LTE |
| 1st LTE Sector ID | ID of the first sector used if the site is an LTE site | | YES | Only present if the call was over LTE |
| 1st LAC | 1st LAC value in decimal | | YES | Not present if the call was over LTE |
| 1st Cell ID | 1st Cell Site ID value in decimal | | YES | Not present if the call was over LTE |
| 1st Tower Azimuth | Location: Azimuth orientation of antenna serving user if available (see note below) | | YES | |
| 1st Tower LAT | Latitude of 1st cell tower used. | | YES | |
| 1st Tower LONG | Longitude of 1st cell tower used. | | YES | |
| 1st Tower Address | Street Address of the 1st serving tower, if available | | YES | |
| 1st Tower City | City of the 1st serving tower, if available | | YES | |

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| | | | | |
|---|---|---|---|---|
| 1st Tower State | State of the 1st serving tower, if available | | YES | |
| 1st Tower Zip | ZIP of the 1st serving tower, if available | | YES | |
| Last LTE Site ID | EnodeB id value in decimal | | YES | Only present if the call was over LTE |
| Last LTE Sector ID | ID of the last sector used if the site is an LTE site | | YES | Only present if the call was over LTE |
| Last LAC ID | Last LAC value in decimal | | YES | Not present if the call was over LTE |
| Last Cell ID | Last Cell Site ID value in decimal | | YES | Not present if the call was over LTE |
| Last Tower Azimuth | Azimuth orientation of antenna serving user if available (see note below) | | YES | |
| Last Tower LAT | Latitude of last cell tower used. | | YES | |
| Last Tower LONG | Longitude of last cell tower used. | | YES | |
| Last Tower Address | Street Address of the last serving tower, if available | | YES | |
| Last Tower City | City of the last serving tower, if available | | YES | |
| Last Tower State | State of the last serving tower, if available | | YES | |
| Last Tower Zip | ZIP of the last serving tower, if available | | YES | |

A NOTE ON AZIMUTH: The azimuth listed is the center compass degree facing of the identified sector of the tower. Generally, a tower's coverage is circular and divided into three equal pieces (each 120 degrees wide). Due north is 0, due south is 180. However, not every tower is aligned with the first sector starting at 0. Using the listed azimuth, rough direction from the tower can be calculated for a call. The center degree of the sector's facing is indicated in this field. For example, if a facing has a listed orientation of 90, the center of the coverage is pointed at 90 degrees, but the sector will cover traffic from roughly 60 degrees on either side (thus 30 to 150 degrees in this example).

For more information on UTC, please visit http://www.timeanddate.com/time/aboututc.html. You must use a converter such as http://www.worldtimeserver.com/convert_time_in_UTC.aspx to convert records to your local time

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**UNOFFICIAL TRANSCRIPT EXCERPT**

**ET3 DANIEL RICH, USN INTERVIEW DATED 7 JUNE 2025**

**35:09: Special Agent**: When was -- what was your first indication that anything was wrong or abnormal?

**35:14: ET3 Rich**: So, Thursday of last week I got a call at 2:14 in the morning. She called me. She was freaking out. 2:14, she calls me, she's freaking out. She's telling me how she needs a pickup ASAP, and she ends up passing the phone to someone else who I later found out was Copeland, someone else on our ship, a guy that she was hanging out with. He asked me how far I am, where I'm coming from. I told him like I'm like 10-15 minutes away. So, pass back to her, I reassure – I'm like I'm on my way, relax. "Okay, okay." Hangs up. 2:28 I go through the gate, I tried calling her again, no answer. And at that point I'm like okay, I have her location, let me just go to her location. Let me double back. On the phone the reason that she said that she was there was because she had been locked out of her room and that she went there to get a new room key, or to reactivate it and that she was planning on walking back to her room. I said no, let me pull up, let me get there, let me drive you.


PHE 29a
Enterovirus et ET3


PHE 29b
Part 2

**DEPARTMENT OF THE NAVY**
**NAVY MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/ E-3**<br>**USN** | **R.C.M. 701(a) DISCLOSURE** |

On 5 September 2025, CDR Lauren Mayo and LT Christopher Dempsey, JAGC, USN, interviewed ET3 Daniel Rich, USN, in the presence of Ms. Marie Rendell and Special Agent Jessica Gokey, NCIS, at RLSO MIDLANT. The following is a summary of the interaction and is not intended to be verbatim:

ET3 Rich received a call from CS3 A.R. at 0214 on 29 May 2025 that woke him up. He stated she sounded was like she was having a panic attack. She was frantic and crying. She kept repeatedly stating that she needed to be picked up as soon as possible. At some point, a male who he later assumed to be CSSN Copeland, took the phone and asked how far away he was. It was not clear if the phone was passed to him or taken from her. ET3 Rich told the male that he would be there in about 10 minutes. The male replied "all right" and CS3 A.R. was then put back on the phone. She continued to be frantic and repeatedly stated she needed to be picked up. She also told ET3 Rich that she loved him. ET3 Rich hung up after telling her he was on the way.

While the male was on the phone with ET3 Rich, his tone was frantic as well, although not as frantic as CS3 A.R.

CS3 A.R. has had panic attacks in ET3 Rich's presence before. ET3 Rich opined that one possible trigger for her panic attacks would be a sexual advance.

ET3 Rich stated he had previously speculated that CS3 A.R. was outside based solely on the location of her phone according to her shared location. He advised he only believed that he heard car noises in the background because of that belief and that the background noise he heard could very well have been something else.

ET3 Rich also advised he had learned only after speaking with CS3 A.R.'s roommate later on that CS3 A.R. had lost her room key. He did not recall CS3 A.R. mentioning anything to him about having lost her room key or being locked out of her room on the phone call. He only recalled her repeatedly stating that she needed to be picked up.

A separate investigative action of this conversation will not be documented by NCIS.

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[PII]

RESULTS OF INTERVIEW OF HT3 MICHAEL GILLESPIE, USN

1. On 08Jun25, Reporting Agent (RA) and Participating Investigator (PI) Tyler B. MANN conducted a follow-up interview of HT3 Michael Davontae GILLESPIE, USN, USS JAMES E. WILLIAMS (DDG 95) at NCISRA Norfolk, VA to develop additional information pertaining to the captioned investigation. Prior to initiating the interview, RA and PI identified themselves to HT3 GILLESPIE as a Special Agent and Investigator, respectively.

2. RA recorded this interview using an audio and video recording tool. This report serves as a summary of the interview and should not be treated as a verbatim account of the information discussed. A digital copy of the recorded interview is available on the optical disc appended to this report as Enclosure (A).

3. HT3 GILLESPIE identified himself as a former romantic partner and friend to [V/A.R.] HT3 GILLESPIE and [V/A.R.] dated for approximately five months in 2024, with their relationship ending in approximately Nov24. HT3 GILLESPIE identified ET3 Daniel David RICH Jr., USN, DDG 95, as the individual who dated [V/A.R.] after him. HT3 RICH could not provide information regarding precisely how much time elapsed between the end of his romantic relationship with [V/A.R.] and the beginning of her romantic relationship with ET3 RICH but noted that their relationship had also ended prior to [V/A.R.] disappearance. HT3 GILLESPIE reported that despite [V/A.R.] a tic entanglement with ET3 RICH, he had engaged in intimate acts with her on at least two occasions since the end of their relationship, in or around Feb25 and in May25.

4. HT3 GILLESPIE last interacted with [V/A.R.] in person on Wednesday morning, 28May25, at work aboard DDG 95. HT3 GILLESPIE admitted that the conversation with [V/A.R.] became contentious, as he raised the topic of [V/A.R.] returning a motorcycle helmet he previously gave to her. HT3 GILLESPIE noted there were specific care instructions for motorcycle helmets, and [V/A.R.] did not ride independent of their rides together, nor did she own a motorcycle herself. [V/A.R.] expressed frustration with HT3 GILLESPIE's request, and HT3 GILLESPIE withdrew the specific request for the helmet but continued to discuss the logistics of retrieving other items belonging to him from [V/A.R.] barracks.

5. HT3 GILLESPIE next interacted with [V/A.R.] during the late afternoon or evening of Wednesday, 28May25, via telephone. HT3 GILLESPIE reported [V/A.R.] called him, and they spoke cordially about how the remainder of



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **08JUN25**

her day went. According to HT3 GILLESPIE, V/A.R. informed him that she had a very good day, and that she had gone to Target with CSSN Gladis GARCIABARRERA, USN, DDG 95 for a shopping trip after work. HT3 GILLESPIE noted that V/A.R. had communicated with him in this manner while they dated, as she enjoyed having someone to discuss her activities with.

6. HT3 GILLESPIE reported he had duty onboard DDG 95 during the night of 28-29May25, including a specific watch shift in the later hours of the night and early morning. HT3 GILLESPIE reported receiving a text message reading "Fuck you" from V/A.R. sometime within the 2300-0000 hours timeframe. HT3 GILLESPIE was unsure of the specific time V/A.R. sent the message, as he only received it upon returning to the upper decks of DDG 95 from conducting watch on the lower levels of the ship where he did not receive cell signal.

7. Upon receiving the message, HT3 GILLESPIE became confused and subsequently concerned about V/A.R. well-being. The discrepancy between their earlier telephonic conversation and the text message was jarring, and HT3 GILLESPIE became concerned V/A.R. may be experiencing what he referred to as "an episode." HT3 GILLESPIE elaborated that V/A.R. suffered from Post-Traumatic Stress (PTS), associated with sexual abuse she suffered from a relative. HT3 GILLESPIE explained obliquely that he and V/A.R. had dealt with similar traumatic events in the past, and their shared experiences drew them together and helped them support one another. HT3 GILLESPIE began attempting to call and text V/A.R. multiple times, without success. HT3 GILLESPIE reported that at some point, exact time not recalled, he noticed an iPhone notification indicating V/A.R. had placed her phone on "Do Not Disturb" mode.

8. Between 0100-0200 hours on 29May25, HT3 GILLESPIE attempted to call ET3 RICH to enlist his assistance in reaching out to V/A.R. and ensure her safety. HT3 GILLESPIE explained that ET3 RICH would also be aware of the occasional severity of V/A.R. "episodes" and could take appropriate action while HT3 GILLESPIE was stuck on duty aboard the ship; however, ET3 RICH did not answer HT3 GILLESPIE's phone calls.

9. HT3 GILLESPIE reported that sometime around after 0300 hours, exact time not recalled, he was able to depart duty to begin looking for V/A.R. himself. HT3 GILLESPIE had historically shared his own location with V/A.R. via the iPhone's "Find My" application and been able to observe V/A.R. location, as well. After receiving V/A.R. text message, HT3 GILLESPIE had opened the "Find My" application, and noted V/A.R. cell phone was in vicinity of "X2." As a note, X2 is also identifiable as Willis Manor, a barracks located onboard Norfolk Naval Station at 9712 Virginia Avenue, Norfolk, VA 23511. By the time HT3 GILLESPIE departed the ship, he no longer had access to V/A.R. location but traveled to X2 as her last known location.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **08JUN25**

10. Upon arriving to the X2 barracks, HT3 GILLESPIE learned from the front desk workers that he was not the only individual who had recently asked about V/A.R. ET3 RICH had been at X2 earlier. HT3 GILLESPIE and ET3 RICH met at the X2 barracks shortly thereafter to search together. ET3 RICH had enlisted the assistance of Masters-at-Arms (MAs) from base police, and accompanied them to Miller Hall, V/A.R. assigned barracks, to look for her in her room. HT3 GILLESPIE stayed at X2 and was joined by other MAs to continue searching for V/A.R. there.

11. HT3 GILLESPIE learned from CSSN GARCIABARRERA, at a time not specifically recalled or reported, that V/A.R. had intended to spend the evening of 28May25 hanging out with S/COPELAND, a fellow culinary specialist from DDG95. HT3 GILLESPIE indicated that he reported this information to the MAs, who attempted to locate V/A.R. and S/COPELAND in a room identified by a Resident Assistant (RA), not further identified, as assigned to S/COPELAND. HT3 GILLESPIE accompanied the MAs and an RA to a barracks room located on the second deck of X2 but did not find V/A.R. or S/COPELAND. HT3 GILLESPIE noted the barracks suite inspected by the MAs and RA was empty, clean, and seemed largely uninhabited. As a note, S/COPELAND's actual barracks room was located on the third deck of the X2 building.

12. HT3 GILLESPIE noted his calls and texts to V/A.R. cell phone stopped being delivered at approximately 0430 hours on 29May25. HT3 GILLESPIE believed V/A.R. cell phone battery may have died, or the phone was turned off, at this time. HT3 GILLESPIE had to suspend his search for V/A.R. sometime between 0600 and 0700 hours, as he had a scheduled dental appointment at approximately 0800 hours. HT3 GILLESPIE provided information to ET3 RICH indicating MAs had entered S/COPELAND's barracks room and failed to find either S/COPELAND or V/A.R.

13.HT3 GILLESPIE reported having no further contact with V/A.R. after her phone died. HT3 GILLESPIE, ET3 RICH, and CSSN GARCIABARRERA continued to communicate with one another about her disappearance and were unconvinced by the DDG 95 Command report indicating that V/A.R. had been found and was safe on 29May25. HT3 GILLESPIE noted that S/COPELAND was the last person seen with V/A.R. and was therefore the individual that most likely knew what happened to V/A.R.

14. On Sunday, 01Jun25, HT3 GILLESPIE confronted S/COPELAND aboard DDG 95 and surreptitiously recorded the interaction with his iPhone. HT3 GILLESPIE showed RA and PI the video and provided a copy to PI. In that recorded interaction, S/COPELAND appeared to identify himself as the individual who asked ET3 RICH how long it would take for him to arrive when V/A.R. called ET3 RICH at 0214 hours on 29May25. S/COPELAND claimed that V/A.R. stayed with him after that phone call before leaving later that morning. HT3 GILLESPIE challenged S/COPELAND, informing him that he'd entered a room



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **08JUN25**

believed to be S/COPELAND's looking for V/A.R. at which point it becomes clear that HT3 GILLESPIE and the MAs entered a room on the incorrect floor. S/COPELAND then claimed that following a visit to his room by an unidentified "Chief" he had "dropped her off" outside her building. S/COPELAND told HT3 GILLESPIE that she, V/A.R. "was tripping" and crying while they were together. S/COPELAND also claimed that V/A.R. had begun consuming alcohol before he arrived, and that all he consumed was a "Buzzball or two."

15. HT3 GILLESPIE signed Permissive Authorizations for Search and Seizure (PASS) for his cell phone, an iPhone XR with serial number DX3FJFRQKXKN, his car, a blue 2004 Ford Mustang with Virginia license plate PII, his motorcycle, a Kawasaki Z650 with North Carolina license plate PII. The signed PASS forms for the execution of those searches are documented in separate reports. HT3 GILLESPIE noted that he had a fellow USN member friend staying with him at his barracks and therefore declined to immediately provide a PASS for his barracks. HT3 GILLESPIE noted he remained willing to permit a search of his barracks at a later time.

16. HT3 GILLESPIE signed a PASS for his Deoxyribonucleic Acid (DNA), via buccal swap, which was executed following his interview; Enclosure (B) pertains. The DNA swabs were collected and placed into evidence under ECD #HA9UT and item #455TC.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING RECORDED INTERVIEW OF HT3 GILLESPIE/08JUN25
(B) PERMISSIVE AUTHROIZATION FOR SEARCH AND SEIZURE/08JUN25

REPORTED BY: DEVIN RUIC, Special Agent
OFFICE: OFFICE OF SPECIAL PROJECTS



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE REGARDING HT3 MICHAEL GILLESPIE'S IPHONE

1. On 03JUN25, HT3 Micheal GILLESPIE, USN, USS JAMES E WILLIAMS (DDG 95) authorized the search of his personally owned Apple iPhone XR, Serial Number # DX3FJFRQKXKN, by signing a Permissive Authorization for Search and Seizure (PASS); Enclosure (A) pertains. Subsequently, on 03JUN25, HT3 GILLISPIE's cellular device was manually reviewed and revealed the following pertinent information:

2. Text Messages:
-Numerous text messages between HT3 GILLESPIE and contact "[redacted]" with telephone number ([redacted] The messages beginning on 27MAY25 appear to show plans of HT3 GILLESPIE responding to the residence of "[redacted]" and retrieving clothing and a helmet. The last message sent from [redacted] is on "Wednesday" at 23:22 hours. HT3 GILLESPIE continues to send numerous texts but receives no response.

3. Phone Calls:
-HT3 GILLESPIE appears to miss a Facetime Audio call from [redacted] on "Wednesday". HT3 GILLESPIE makes numerous calls to [redacted] following the missed call.

4. Video Recorded Interaction
-HT3 GILLESPIE sent a video recorded interaction between him and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95. HT3 GILLESPIE reported this interaction was recorded without S/COPELAND's knowledge. The video's metadata indicates it was created on 01JUL25 at approximately 2004 hours. In the video, you can see S/COPELAND's nametag. S/COPELAND indicates CSSN [redacted], USN, DDG 95 stayed overnight in his room and left the following morning. S/COPELAND stated "chief" walked in his room and instructed S/COPELAND to drop [redacted] off at her room. S/COPELAND advised he dropped her off at her building at approximately 1300 hours, however, she walked towards the front or side of the building. S/COPELAND advised while [redacted] was in his room the night prior, she was "tripping" and described a moment wherein [redacted] called someone she used to talk to in Texas and indicated he did "things" to her and questioned why he did those "things". S/COPELAND stated his roommates were also home in their rooms at the time and he and [redacted] were in the living room. S/COPELAND stated [redacted] consumed alcohol prior to them meeting and he only consumed approximately two (2) cups of "Buzzball". S/COPELAND stated when [redacted] was crying, one of the aforenoted roommates came in and asked if everything was ok.



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

S/COPELAND advised he didn't answer his phone because it was set to "Do Not Disturb".

5. Internet Searches
-RA reviewed the search history of HT3 GILLESPIE. RA observed the "Private Tab" of the Safari Application. There was no observable search history.

6. A total of 25 digital photograph screenshots and one (1) video depicting an interaction between HT3 GILLESPIE and S/COPELAND was captured via Airdrop. All photographs and videos were placed on a DVD-R; Enclosure (B) pertains. Five (5) photographs were appended to a NCIS Photo Template; Enclosure (C) pertains.

7. Nothing further to report.

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE REGARDING HT3 GILLESPIE'S PHONE/03JUN25
(B) DVD-R CONTAINING 25 PHOTOGRAPHS AND ONE VIDEO FROM HT3 GILLESPIE'S CELLULAR DEVICE/03JUN25
(C) NCIS PHOTO TEMPLATE CONTAINING FIVE (5) PHOTOGRPAHS/03JUN25

REPORTED BY: NIGAL M TUFT-WILLIAMS, Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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## NAVAL CRIMINAL INVESTIGATIVE SERVICE
## PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

Date : 03JUN25

I, MICHAEL GILLESPIE, after being advised by SPECIAL AGENT NIGEL TEET-WILCOX that the Naval Criminal Investigative Service is conducting an investigation into MISSING PERSONS CASE, have been requested to permit a search of my IPHONE XR BLACK.

I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

This search may be conducted on 03JUN25 by NCIS, and I hereby give my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

I make this decision freely and voluntarily, and it is made with no threats having been made or promises extended to me.

[redacted] Signed: [redacted] 1544 03JUN25

Representative, Naval Criminal Investigative Service

SA C. Weaver [redacted]

Representative, Naval Criminal Investigative Service

Command Representative

TIMES OF SEARCH

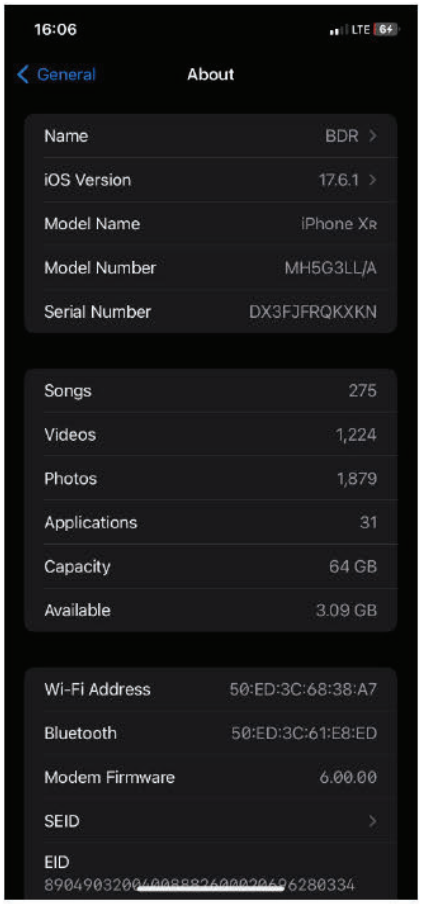
Start : 03JUN25 1547 hours

End : 03JUN25 1616 hours

NCIS 5580/21 (Rev. 7-2021)

**ENCLOSURE A**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE: NFNV**

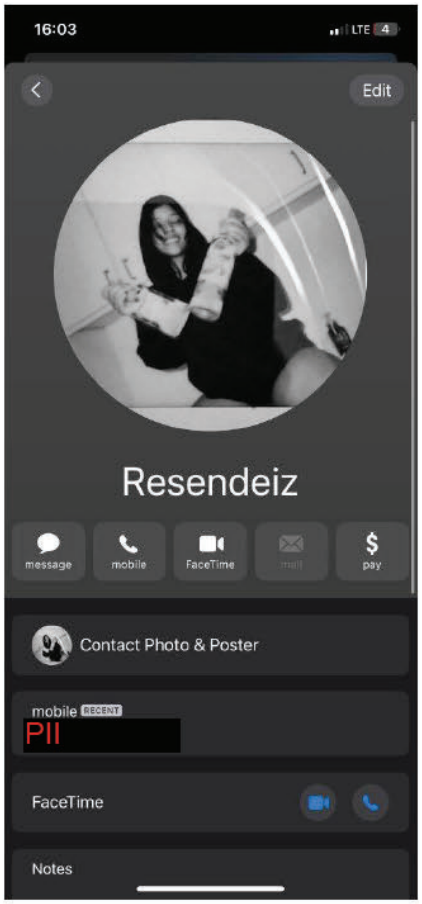
| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | **NM TUFT-WILLIAMS** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| PHOTOGRAPH SCREENSHOTS RECEIVED FROM HT3 GILLESPIE, USN/03JUN25 | **NM TUFT-WILLIAMS 03JUN25** |

**NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

**PHOTOGRAPH (1) OF (5)** **ENCLOSURE ( C )**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE: NFNF**

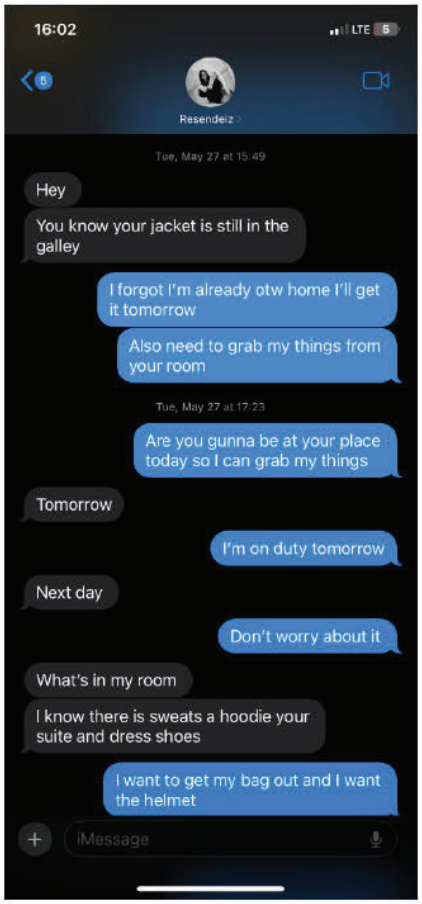
| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | **NM TUFT-WILLIAMS** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| PHOTOGRAPH SCREENSHOTS RECEIVED FROM HT3 GILLESPIE, USN/03JUN25 | **NM TUFT-WILLIAMS 03JUN25** |

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**PHOTOGRAPH (2) OF (5)** **ENCLOSURE ( C )**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE: NFNF**

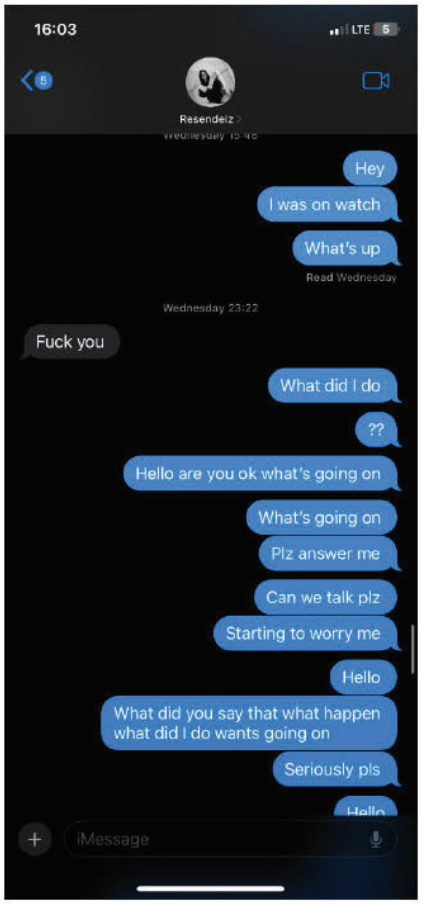
| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | **NM TUFT-WILLIAMS** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| PHOTOGRAPH SCREENSHOTS RECEIVED FROM HT3 GILLESPIE, USN/03JUN25 | **NM TUFT-WILLIAMS 03JUN25** |

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**PHOTOGRAPH (3) OF (5)** **ENCLOSURE ( C )**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE: NFNF**

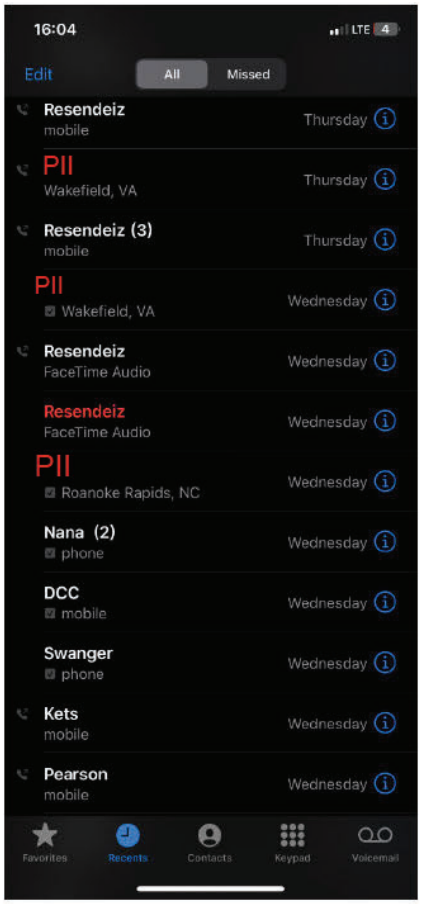
| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7MNA | **NM TUFT-WILLIAMS** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| PHOTOGRAPH SCREENSHOTS RECEIVED FROM HT3 GILLESPIE, USN/03JUN25 | **NM TUFT-WILLIAMS 03JUN25** |

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**PHOTOGRAPH (4) OF (5)** **ENCLOSURE ( C )**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE: NFNF**

| 2. TITLE: | 3. CCN: | 4. AGENT'S NAME: |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | **NM TUFT-WILLIAMS** |

| 5. SUMMARY/DESCRIPTION: | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: |
|---|---|
| PHOTOGRAPH SCREENSHOTS RECEIVED FROM HT3 GILLESPIE, USN/03JUN25 | **NM TUFT-WILLIAMS 03JUN25** |

**NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

**PHOTOGRAPH (5) OF (5)** **ENCLOSURE ( C )**

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 05JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[redacted]

RESULTS OF 18 USC 2703(D) ORDER AND SEARCH WARRANT TO T-MOBILE FOR
[redacted]

1. On 04JUN25, LCDR Paul S. LAPLANTE, USN, Military Judge, signed a Court Order pursuant to 18 U.S.C. 2703(d) to T-Mobile for telephone number [redacted]-0672 for telephone records pertaining to CSSN [redacted] ([redacted] USN, USS JAMES E. WILLIAMS (DDG 95). Additionally, on 04JUN25, NCIS requested T-Mobile records pertaining to CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, under exigent circumstances.

2. On 04JUN25, Reporting Agent (RA) served the Court Order T-Mobile; Enclosure (A) pertains.

3. On 05JUN25, RA submitted an Exigent request form to T-Mobile for telephone number [redacted]-0672; Enclosure (B) pertains. Additionally, on the same day, RA submitted a Search Warrant to T-Mobile; Enclosure (C) pertains.

4. On 05JUN25, T-Mobile provided the records pertaining to telephone number [redacted]-0672. A review of the T-Mobile subscriber information revealed the account belongs to [redacted] with an address of [redacted], [redacted]. The account is currently active and the service start date was 02MAY24.

5. T-Mobile provided timing advances with device location, CDR mediations, and data sessions. A review of the records revealed [redacted] has an Apple iPhone 15 pro max. The last timing advance for the Apple iPhone 15 pro max was on 28MAY25 at 2323 EST hours. The last data session was on 29MAY25 at 0456 EST hours. The last cell tower communication was on 29MAY25 at 0455 EST hours.

6. Prior to the last cell tower communication, [redacted] made calls to the following telephone numbers: [redacted]-9482, [redacted]-1144, and [redacted]-3074. Telephone calls to and from telephone number [redacted]-9482 occurred on 29MAY25 between 0009 EST hours and continued beyond her last cell tower communication for a total of approximately 189 times. Telephone calls to and from telephone number [redacted]-1144 occurred on 29MAY25 between 0214 EST hours and beyond her last cell tower communication for a total of approximately 26 times. Telephone calls to [redacted]-3074 occurred on 29MAY25 between 0359 EST hours and 0402 EST hours for approximately 3 times.

7. The results of the search warrant revealed the information provided



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **05JUN25**

pursuant to the Exigent request.

8. A copy of the results were placed on a CD-R and is appended as Enclosure (D).

ENCLOSURE(S)
(A) SIGNED 18 USC 2703(D) ORDER TO T-MOBILE FOR
V/A.R. 04JUN25
(B) EXIGENT REQUEST FORM TO T-MOBILE/04JUN25
(C) SIGNED SEARCH WARRANT TO T-MOBILE FOR V/A.R. 05JUN25
(D) CD-R: 18 USC 2703(D) RESULTS FROM T-MOBILE FOR
V/A.R. 05JUN25

REPORTED BY: TIFFANY L MARTINEZ, Supervisory Special Agent
OFFICE: RESIDENT AGENCY NORFOLK

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]PII

RESULTS OF INTERVIEW OF PSSN IRBIN GORDILLOCRUZ, USN

1. On 03JUN25, Reporting Agent (RA) and Participating Agent (RA) Fritzner PHILEMON conducted an interview of PSSN Irbin GORDILLOCRUZ, USN, Airborne Command and Control Squadron 124 (VAW-124) in regards to his knowledge of this investigation. PSSN GORDILLOCRUZ is one of 4 roommates of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95).

2. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

3. PSSN GORDILLOCRUZ stated he returned to his barracks room at approximately 0400 on 28JUN25. PSSN GORDILLOCRUZ had been on leave and flew back to Norfolk at approximately 0300. PSSN GORDILLOCRUZ stated upon his return he walked into the common area of the room and noticed all the lights were off. PSSN GORDILLOCRUZ stated he did not see or notice anyone on the couch or the floor of the common room area. PSSN GORDILLOCRUZ admitted he was exhausted and was really only focused on going to sleep.

4. PSSN GORDILLOCRUZ stated he woke up for work at approximately 0620 and exited his room at approximately 0645 with his roommate, AR John CALISSE, and they both noticed two individuals laying on the ground near the couch opposite their room. PSSN GORDILLOCRUZ stated the female was laying on her back with her breasts exposed and her chest was rising and falling. PSSN GORDILLOCRUZ further described the female as dark skin and having curly hair. PSSN GORDILLOCRUZ stated he had never seen this female but did believe she was in the Navy. PSSN GORDILLOCRUZ described his roommate, S/COPELAND, was naked and was laying with his head on the females stomach. PSSN GORDILLOCRUZ stated he and CALISSE had to maneuver around the two laying on the ground to get to the front door.

5. PSSN GORDILLOCRUZ stated on Saturday, 31MAY25, and Sunday, 01JUN25, he had been woken up in the morning by base security trying to locate S/COPELAND. PSSN GORDILLOCRUZ stated on 01JUN25, base security had arrived and told S/COPELAND he had to check in with his Command due to him being UA. PSSN GORDILLOCRUZ stated S/COPELAND, CALISSE, and himself went to DDG-95, utilizing CALISSE's vehicle. PSSN GORDILLOCRUZ continued saying, S/COPELAND had to check into the Command and do a urinalysis test. Afterwards, they all went to Chipotle for food and returned to the barracks. PSSN GORDILLOCRUZ



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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stated it was around sunset when they all went to DDG-95.

6. PSSN GORDILLOCRUZ stated after returning from Chipotle, S/COPELAND asked to borrow CALISSE's vehicle to "go get food". PSSN GORDILLOCRUZ stated that was strange because they had all just eaten. PSSN GORDILLOCRUZ stated he did not see S/COPELAND again until approximately 0630 on 02JUN25, when he and CALISSE were attempting to go to work and S/COPELAND had not come back with the vehicle.

7. No further information was obtained.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/03JUN25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 09JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[PII]

RESULTS OF SECONDARY INTERVIEW OF YN3 SEAN MONAGHAN, USN

1. On 09Jun25, Reporting Agent (RA) and Participating Investigator (PI) Tyler MANN conducted an interview of YN3 Sean MONAGHAN, USN, Helicopter Mine Countermeasures Squadron 12 (HM 12), pursuant to the missing person investigation involving CSSN [V/A.R.] ([V/A.R.] USN, USS JAMES E. WILLIAMS (DDG 95).

2. The interview of YN3 MONAGHAN was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. As background, YN3 MONAGHAN is the roommate of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, who was the last known individual to see [V/A.R.] before she went missing. It is believed [V/A.R.] was last seen in the room shared by S/COPELAND and YN3 MONAGHAN.

4. YN3 MONAGHAN relayed on Wednesday, 28May25, he arrived at his barracks room around 1900 from traveling back home to New Jersey. YN3 MONAGHAN stated when he arrived, he did not see anyone in the room. YN3 MONAGHAN continued S/COPELAND got home that night around 2200; however, YN3 MONAGHAN stated he had watch early the next morning, so he was already half asleep. YN3 MONAGHAN relayed he does remember seeing a lighter-skinned female with short hair; however, he did not recognize her, nor did he know who she was. YN3 MONAGHAN stated on Thursday, 29May25, he woke up around 0500 to get ready for work, and he noticed no one was in his room. YN3 MONAGHAN stated he walked out into their common space at approximately 0640 and observed S/COPELAND asleep on the floor of the living room in his underwear with a girl he did not recognize. Of note, YN3 MONAGHAN was shown a picture of [V/A.R.] by PA; however, he relayed he did not get a good enough look at the individual on the floor to positively identify her as [V/A.R.] YN3 MONAGHAN stated he returned from work around 1300, and no one was in the room. YN3 MONAGHAN stated, around 2000, he saw S/COPELAND and asked him if him and the female from that morning had been naked, to which S/COPELAND relayed they had been in their underwear. YN3 MONAGHAN stated he saw S/COPELAND again that night in the common space around 2200 when he went to make food. YN3 MONAGHAN relayed S/COPELAND did sleep in their room that night.

5. YN3 MONAGHAN stated on Friday, 30May25, he woke up around 0600 when



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S/COPELAND left and then woke up again around 0900 when a representative (NFI) from S/COPELAND's Command came looking for him; however, he was not in the room. YN3 MONAGHAN stated the next time he saw S/COPELAND was when he returned to the room around 2200-2300. YN3 MONAGHAN confirmed S/COPELAND slept in their room that night.

6. YN3 MONAGHAN relayed on Saturday, 31May25, he noticed S/COPELAND left early in the morning again, although he was not sure what time. YN3 MONAGHAN continued he was woken up at approximately 1200, when the Masters-at-Arms (MAs) came looking for S/COPELAND and again, he was not in the room. YN3 MONAGHAN relayed S/COPELAND returned to the room late at night again; however, he was not sure of the exact time.

7. YN3 MONAGHAN relayed on Sunday, 01Jun25, S/COPELAND received a call from his command around 1000, needing him to come in to work. YN3 MONAGHAN stated he was unsure how S/COPELAND got to work that day. YN3 MONAGHAN relayed S/COPELAND returned to the room at approximately 2200-2300.

8. YN3 MONAGHAN stated on Monday, 02Jun25, he was questioned by the "homicide unit" while at work and on Tuesday, 03Jun25, NCIS "raided" their barracks room and took S/COPELAND. YN3 MONAGHAN stated, following the "raid" by NCIS, he asked S/COPELAND what NCIS was looking for, to which S/COPELAND responded, "I don't know, they're tripping." YN3 MONAGHAN relayed on Monday he noticed S/COPELAND was very skittish. YN3 MONAGHAN explained he walked into their room and when he opened the door, S/COPELAND looked startled and stated, "Oh, you scared me."

9. YN3 MONAGHAN stated S/COPELAND does have a car; however, it gets repairs done to it a lot. YN3 MONAGHAN stated S/COPELAND's "crazy ex slashed the tires." YN3 MONAGHAN described the car as being small, rectangular, and black with four doors. YN3 MONAGHAN relayed he drives a 2011 Toyota Camry with a New Jersey license plate number PII . YN3 MONAGHAN stated he has never let S/COPELAND borrow his car nor has he ever given him permission to use his car for any reason. YN3 MONAGHAN revealed he does leave his keys in places S/COPELAND could access them, usually on his desk in their room. YN3 MONAGHAN stated on 03Jun25, he did believe his car had moved parking spots and was so suspicious about the incident he texted his mom.

10. YN3 MONAGHAN relayed he did see S/COPELAND with a rolling suitcase a couple months ago. YN3 MONAGHAN described the suitcase as one that came up to his thigh, black, and had a handle for wheeling around. YN3 MONAGHAN stated S/COPELAND usually kept this suitcase locked in his closet; however, stated he had not seen it in "awhile."

11. YN3 MONAGHAN relayed he has not noticed anything in their room being out of place. YN3 MONAGHAN stated he deep cleaned their room on Monday, 02Jun25, where he noticed the bathmat in front of the toilet had a stain in one



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corner, he believed to be blood. YN3 MONAGHAN relayed this was not unusual to him because S/COPELAND had female friends over who would often leave tampons in their bathroom, and blood sometimes got on the floor. YN3 MONAGHAN stated, because he thought nothing of this, he placed the bathmat in the washing machine to be cleaned. YN3 MONAGHAN provided a hand drawn sketch of the bathmat to depict where he observed the blood; Enclosure (B) pertains. YN3 MONAGHAN also provided a Permissive Authorization for Search and Seizure (PASS) to enter his barracks room and collect the bathmat which will be documented under separate cover.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF YN3 SEAN MONAGHAN, USN/09JUN25
(B) HAND DRAWN SKETCH BY YN3 SEAN MONAGHAN, USN, OF STAIN LOCATED ON BATHMAT/09JUN25

REPORTED BY: ASHLEY ULLOM, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF AR JOHN CALISSE, USN

1. On 03Jun25, Reporting Agent (RA) and Participating Investigator (PI) John KOWALSKI conducted an interview of AR John CALISSE, USN, Airborne Command & Control Squadron (VAW) 124 regarding his knowledge related to the whereabouts of CSSN [redacted] ([redacted]), USN, USS JAMES E. WILLIAMS (DDG 95).

2. The interview of AR CALISSE was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. AR CALISSE reported on 29May25, while at his barracks Willis Manor, Building X-2, Room 335, on Naval Station Norfolk, at approximately 0200, he heard his suitemate CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, and an unknown female singing karaoke in S/COPELAND's room. AR CALISSE stated he always heard loud music coming from S/COPELAND's room at all times of the night. AR CALISSE did not recall seeing any signs that S/COPELAND was consuming alcohol in the common area. AR CALISSE stated at approximately 1900 on 28May25, S/COPELAND requested to use his white 2014 Jeep Compass to which he obliged. AR CALISSE reported S/COPELAND returned at approximately 2000, knocked on his barracks door, and when he opened the door to obtain the keys, he observed a female in the kitchen area cooking, who he later identified as V/RESENDIZ.

4. AR CALISSE recalled waking up the morning of 29May25, at approximately 0500, to report to work on time. At approximately 0530, AR CALISSE stated he exited his room and upon walking into the common area observed S/COPELAND and an unknown female laying naked in the middle of the common room floor. AR CALISSE stated he observed them on their backs, face up, with their eyes closed. AR CALISSE stated he observed S/COPELAND laying on the thigh of the unknown female. AR CALISSE stated he did not see any clothing belonging to S/COPELAND. AR CALISSE stated he observed the female wearing red pajama pants with flowers, with one pant leg slightly on at the ankle, and her bra pulled down exposing her breast. AR CALISSE reported walking past them in order to leave the room and believed both S/COPELAND and the female to be breathing. AR CALISSE stated when he returned from work at approximately 1700, S/COPELAND and the female were not in the barracks room.

5. AR CALISSE described the female as brown skinned, long brown hair, and



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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with what he believed to be a possible nose piercing. AR CALISSE stated this was his first time seeing the female; however, confirmed it was V/A.R. when showed a photograph.

6. AR CALISSE stated he did not see S/COPELAND again until Sunday 01Jun25, at approximately 1400, when he asked him for a ride to report to DDG 95. AR CALISSE agreed to provide transportation to S/COPELAND after returning from Walmart. AR CALISSE stated he transported S/COPELAND along with ISSA Irbin GORDILLOCRUZ, USN, VAW 124, at approximately 1700. AR CALISSE stated S/COPELAND was on DDG 95 for approximately one hour while ISSA GORDILLACRUZ and AR CALISSE waited in the parking lot for him to return. AR CALISSE stated when S/COPELAND returned to the vehicle he informed him he was required to do a urinalysis for not reporting to work on 30May25. AR CALISSE stated while driving from DDG 95 back to the barracks they stopped at Chipotle located at 4712 Hampton Blvd, Norfolk, VA 23508, at approximately 1900.

7. AR CALISSE stated when they returned to the barracks, S/COPELAND asked if he could use his car to get something to eat. AR CALISSE allowed S/COPELAND to use his vehicle giving him the key at approximately 2000. AR CALISSE stated when he woke up the next morning and proceeded to go to work, he noticed his car key was not on the kitchen counter where S/COPELAND normally leaves it after borrowing his car. AR CALISSE stated he called S/COPELAND to find out his location and was angry because he caused him to be late for work. AR CALISSE reported meeting S/COPELAND in the X-2 parking lot at approximately 0630 and watched him drive the vehicle into the parking lot. AR CALISSE stated he was unaware of the locations S/COPELAND traveled to while he had his vehicle.

8. During his interview, AR CALISSE signed a Permissive Authorization for Search and Seizure (PASS) for his Jeep Compass which will be documented under separate cover.

9. At the conclusion of the interview, while returning AR CALISSE to VAW-124, he located EZ Pass transactions and provided screenshots of the charges from 27May25 to 02Jun25 without being requested; Enclosure (B) pertains. AR CALISSE stated the charge on 01Jun25 was his return from the ship; however, all other charges were believed to be accrued by S/COPELAND.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF AR JOHN CALISSE, USN/03JUN25
(B) PHOTO TEMPLATE: SCREENSHOTS OF EZPASS LOCATIONS/03JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

REPORTED BY: ANTHONY T JONES, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF FCC BRAD PARKER, USN

1. On 03JUN25, Reporting Investigator (RI) and Participating Agent (PA) Caroline ROBINSON interviewed FCC Brad PARKER (FCC PARKER), USN, USS JAMES E WILLIAMS (DDG 95), regarding his knowledge of the disappearance of CSSN [redacted] ([redacted]), USN, DDG 95.

2. The interview of FCC PARKER was recorded using an audio/visual recording system and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. The interview of FCC PARKER was recorded using an audio recorder and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (B) pertains.

4. On 03JUN25, FCC PARKER signed a Permissive Authorization for Search and Seizure (PASS) to allow NCIS to obtain screenshots of messages pertaining to the disappearance of [redacted]. Results of PASS will be documented in a separate investigative action.

5. FCC PARKER described the incident as it was reported to him. FCC PARKER stated on 29MAY25 at 0700, he was advised [redacted] was not doing well and began calling friends on the ship. FCC PARKER identified the friends as co-worker, CSSN COPELAND, later identified as CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, ET3 RICH, later identified as ET3 Daniel RICH (ET3 RICH), USN, DDG 95, and "Gillespie", later identified as HT3 Michael GILLESPIE (HT3 GILLESPIE), USN, DDG 95. FCC PARKER clarified S/COPELAND, ET3 RICH, and HT3 GILLESPIE all stated she was seeking help that evening. FCC PARKER stated S/COPELAND relayed ET3 RICH went to her barracks room, Miller Hall BLDG U-16, she was not there and did not answer her cell phone. FCC PARKER stated he learned S/COPELAND did not show up for the "breakfast shift" at his schedule time (NFI).

6. FCC PARKER stated on the morning of 29MAY25, he went to locate S/COPELAND at his barracks room, Willis Manor, X-2, RM 335B, Bed A, on board Naval Station Norfolk, Norfolk, VA. According to FCC PARKER, S/COPELAND answered the door with groggy eyes, a pair of basketball shorts and the lights in his room were off as if he just woken up. FCC PARKER stated he did not notice



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

any indications of alcohol use. FCC PARKER indicated he told S/COPELAND they needed to go to work, to which S/COPELAND stated he was not alone. FCC PARKER stated he asked S/COPELAND if it was V/A.R. and S/COPELAND confirmed. FCC PARKER stated he recognized V/A.R. in S/COPELAND's bed. FCC PARKER clarified V/RESENDIZ looked up, dismissively waved, rolled over and went back to sleep. FCC PARKER relayed V/A.R. was wrapped in a blanket with only her feet being exposed. FCC PARKER relayed at 0854, he texted LSC Rob JANSON (LSC JANSON), USN, DDG 95, confirming S/COPELAND and V/RESENDIZ were in S/COPELAND's room.

7. FCC PARKER stated he told S/COPELAND to step out of the room and into the common area. FCC PARKER relayed he asked if they were ok and if V/A.R. was in any imminent danger to which S/COPELAND replied "I do not think so." FCC PARKER stated S/COPELAND relayed he went to pick V/RESENDIZ up, who was having problems with her boyfriend (NFI) in Texas, and they watched movies. FCC PARKER said he asked S/COPELAND if he had a ride to work, to which S/COPELAND said he did. FCC PARKER stated he departed after he advised S/COPELAND to ensure V/A.R. was returned to her room and to get to work. FCC PARKER drew a sketch depicting the layout of S/COPELAND's room; Enclosure (C) pertains.

8. FCC PARKER relayed he was there for approximately five (5) to ten (10) minutes. Additionally, FCC PARKER indicated there was a logbook in the lobby where he signed in and out from. FCC PARKER stated at 1241, S/COPELAND called him stating he dropped off V/RESENDIZ at her barracks room and was waiting for his ride. FCC PARKER stated at 1523, he texted S/COPELAND asking why he was still not at work. FCC PARKER relayed at 1636, S/COPELAND texted him saying he was still waiting on a ride to work. FCC PARKER stated S/COPELAND never showed up at work and he did not hear from him until 01JUN25.

9. FCC PARKER stated on the morning of 30MAY25, V/A.R. and S/COPELAND did not show up to work. FCC PARKER conveyed he attempted to locate both of them in their respective rooms but was unsuccessful. FCC PARKER relayed he attempted to call and text V/A.R. and S/COPELAND but they did not answer. FCC PARKER stated he spoke with V/A.R.'s roommate (NFI) who stated she had not seen V/A.R. since the night of 28MAY25. FCC PARKER relayed at 0950, he called LSC JANSON advising V/A.R. was not in her room. FCC PARKER advised at 1017, he called and texted S/COPELAND from his barracks room, but he did not answer. FCC PARKER stated he spoke with S/COPELAND's roommate (NFI) who related he was in the room earlier that morning but did not know when S/COPELAND left.

10. FCC PARKER stated on 31MAY25, ET3 RICH filed a missing person report for V/A.R. FCC PARKER did not identify the filing agency. FCC PARKER advised S/COPELAND called him on the afternoon of 01JUN25 about his unauthorized absence (UA) status. FCC PARKER relayed the command called and



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

texted him, to which S/COPELAND stated he does not normally answer his phone when he is not on duty. FCC PARKER relayed he asked S/COPELAND if he had heard from V/RESENDIZ. According to FCC PARKER, S/COPELAND stated he had not seen her since he dropped her off the afternoon of 29MAY25.

11. FCC PARKER conveyed on the morning of 29MAY25, V/RESENDIZ's LPO, CS1 HOWELLEL, later identified as CS1 Daryl HOWELLEL, USN, DDG 95, began sending daily texts to her. FCC PARKER stated on 01JUN25, the Commanding Officer, later identified to be CDR Timothy WINTERS, USN, DDG 95, mandated daily checks on V/A.R.'s room until she was found. FCC PARKER relayed on the same day, CS2 BRYANT, later identified as CS2 Joshua BRYANT, USN, DDG 95, went to her barracks room and she was not there.

12. FCC PARKER advised on 02JUN25, he went to V/A.R.'s barracks room because he was advised she left her phone in her room but was unable to locate it. FCC PARKER relayed the building manager (NFI) let him into the room and he "visually" looked for the her phone. FCC PARKER clarified he did not touch anything in the room. FCC PARKER stated S/COPELAND did not have a driver's license and is pending reckless driving charges with Virginia Beach Police Department.

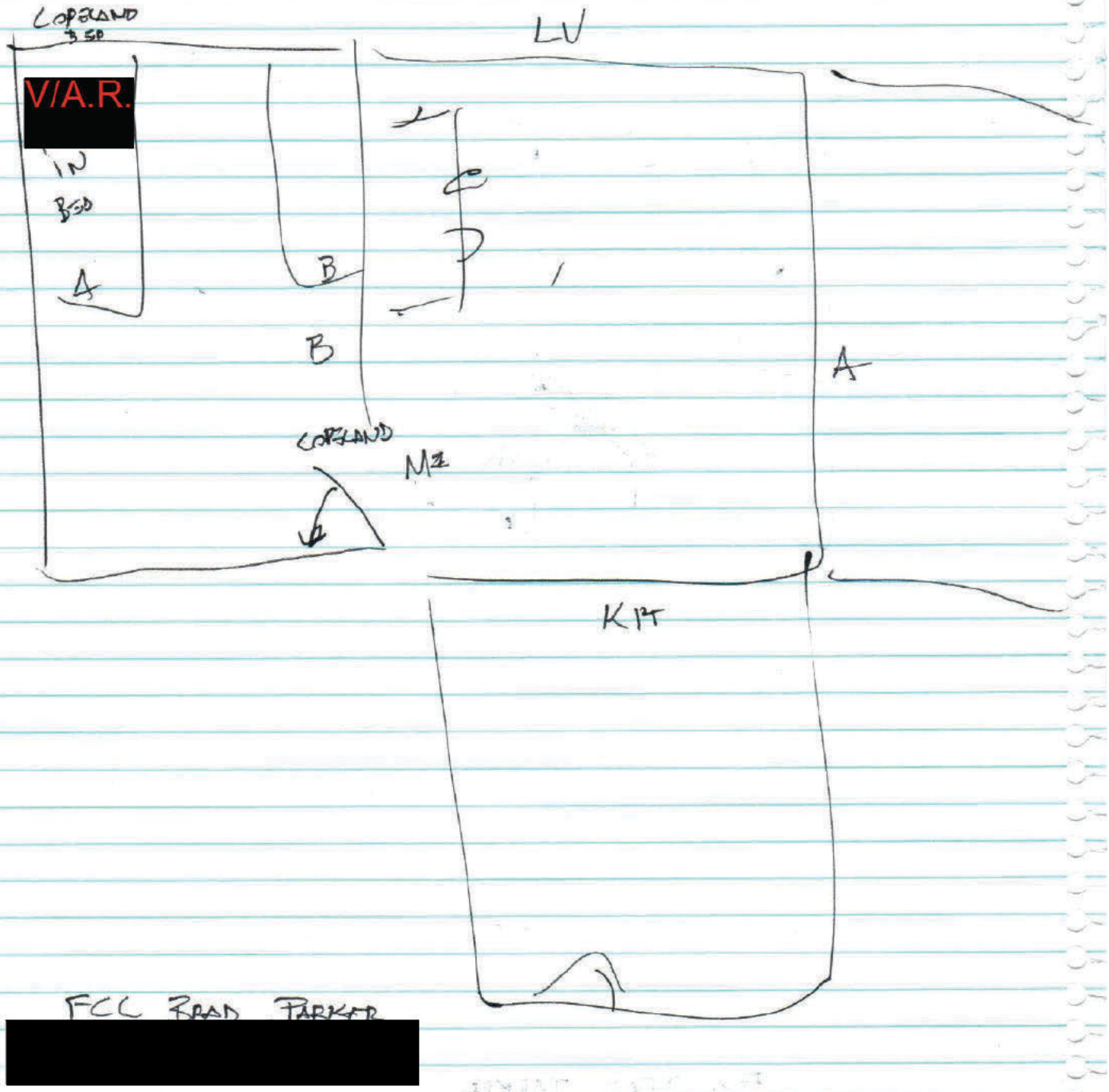
13. No further information was obtained.

ENCLOSURE(S)
(A) DVD-R CONTAINING THE RECORDED INTERVIEW OF FCC PARKER/03JUN25
(B) DVD-R CONTAINING THE AUDIO RECORDING OF INTERVIEW OF FCC PARKER/03JUN25
(C) SKETCH BY FCC PARKER/03JUN25

REPORTED BY: JESSE A CLAAR, Investigator
OFFICE: RESIDENT AGENCY NORFOLK

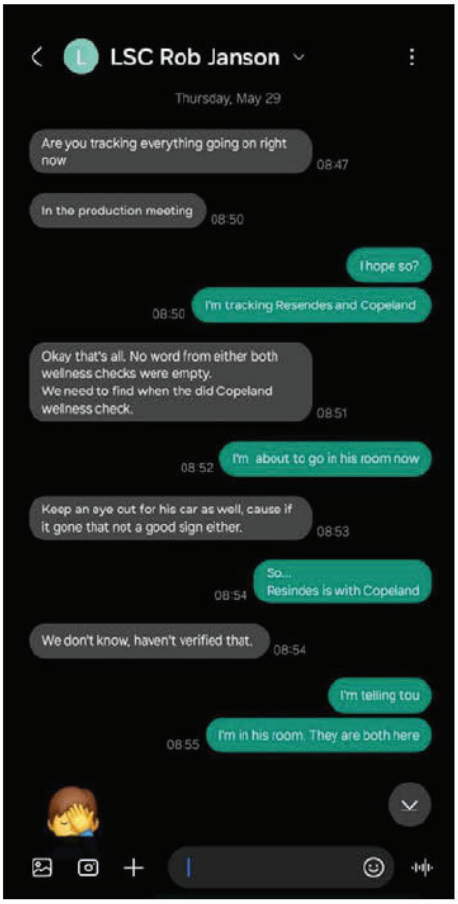


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**ENCLOSURE C**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**



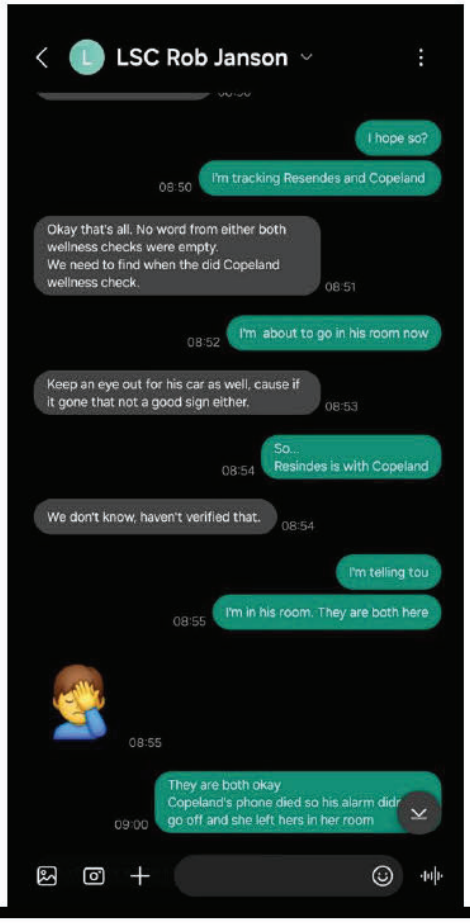

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| **1. OFFICE CODE:**<br>**NFNF** | | |
| **2. TITLE:**<br>**S/COPELAND, JERMIAH TAYLOR/SN USN** | **3. CCN:**<br>**01JUN25-NFNF-00237-7HNA** | **4. AGENT'S NAME:**<br>**SA CAROLINE ROBINSON** |
| **5. SUMMARY/DESCRIPTION:**<br>**TEXT MESSAGES BETWEEN FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95) AND LSC ROBERT JANSON, USN, DDG 95.** | | **6. PHOTOGRAPHER/ DATE PHOTO TAKEN:**<br>**SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH (1)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
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| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

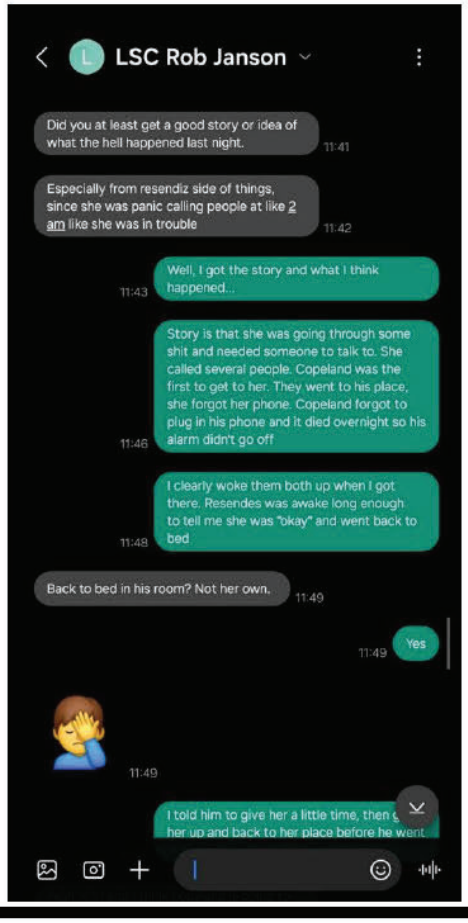
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|---|---|
| **TEXT MESSAGES BETWEEN FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95) AND LSC ROBERT JANSON, USN, DDG 95.** | **SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH (2)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**



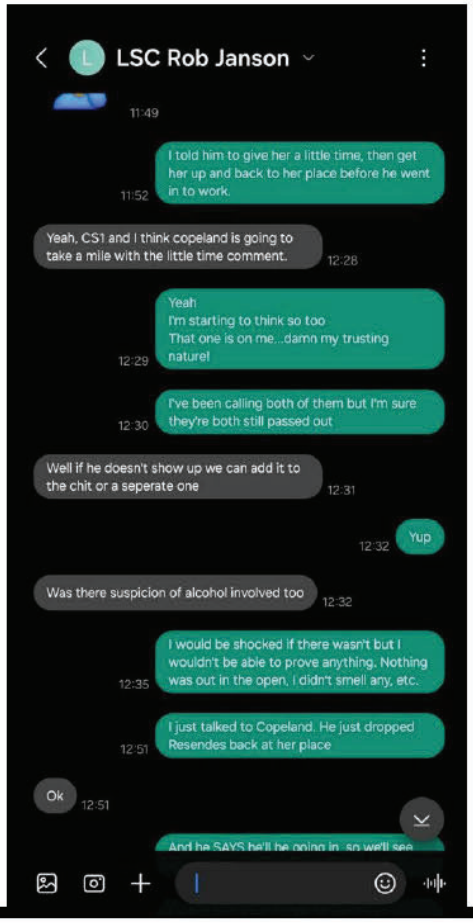

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| **1. OFFICE CODE:**<br>**NFNF** | | |
| **2. TITLE:**<br>**S/COPELAND, JERMIAH TAYLOR/SN USN** | **3. CCN:**<br>**01JUN25-NFNF-00237-7HNA** | **4. AGENT'S NAME:**<br>**SA CAROLINE ROBINSON** |
| **5. SUMMARY/DESCRIPTION:**<br>**TEXT MESSAGES BETWEEN FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95) AND LSC ROBERT JANSON, USN, DDG 95.** | | **6. PHOTOGRAPHER/ DATE PHOTO TAKEN:**<br>**SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH (3)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**



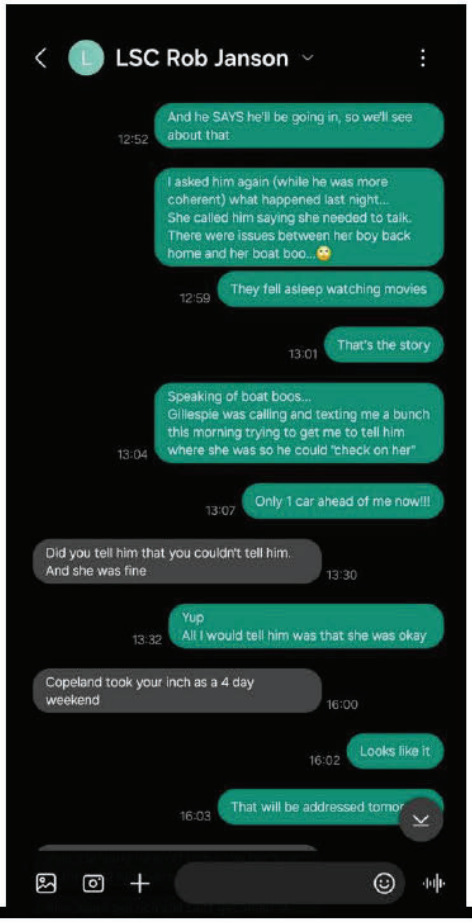

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| **2. TITLE:**<br>**S/COPELAND, JERMIAH TAYLOR/SN USN** | **3. CCN:**<br>**01JUN25-NFNF-00237-7HNA** | **4. AGENT'S NAME:**<br>**SA CAROLINE ROBINSON** |
| **5. SUMMARY/DESCRIPTION:**<br>**TEXT MESSAGES BETWEEN FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95) AND LSC ROBERT JANSON, USN, DDG 95.** | | **6. PHOTOGRAPHER/ DATE PHOTO TAKEN:**<br>**SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH (4)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
|---|---|---|
| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

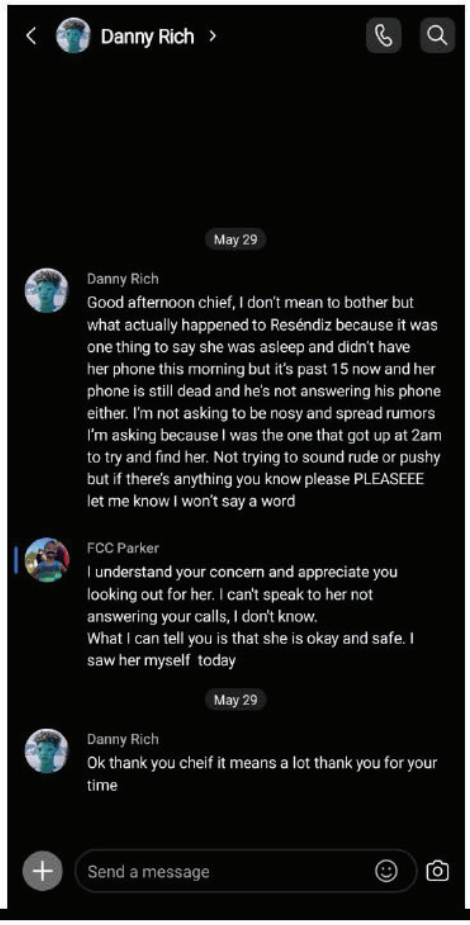
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|---|---|
| **TEXT MESSAGES BETWEEN FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95) AND LSC ROBERT JANSON, USN, DDG 95.** | **SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH (5)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
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| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

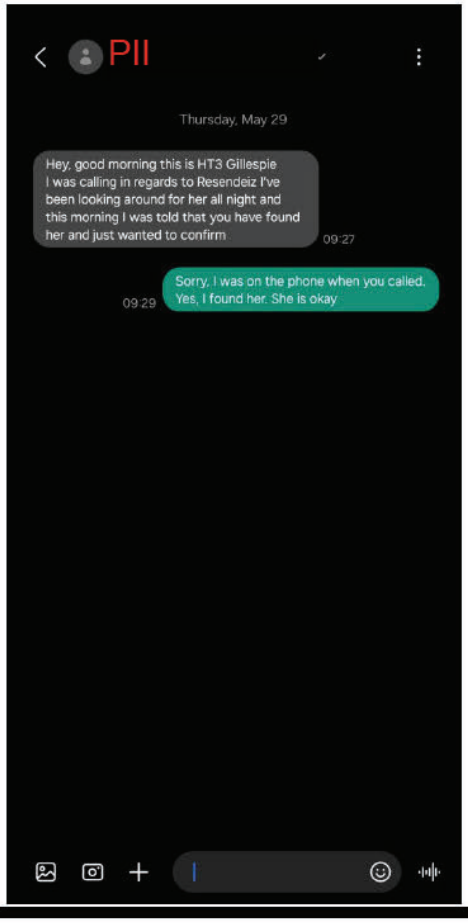
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**ENCLOSURE (C)**

PHOTOGRAPH (6)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
|---|---|---|
| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

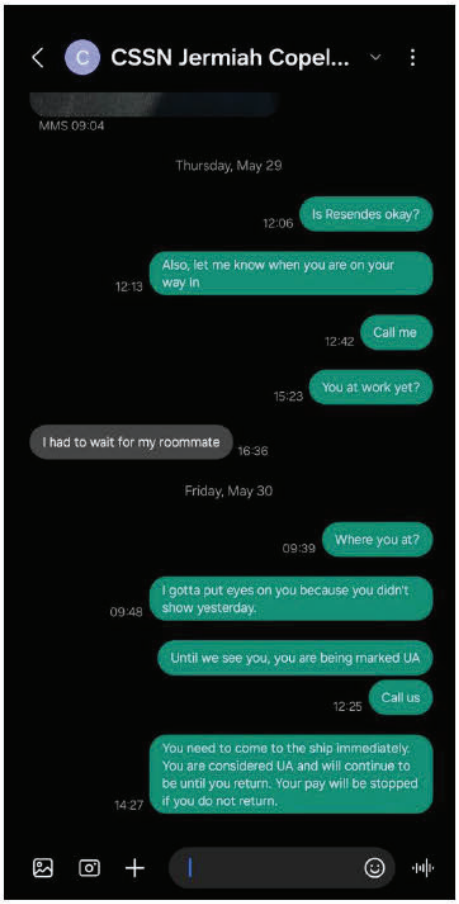
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**ENCLOSURE (C)**

PHOTOGRAPH (7)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
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| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7MNA** | **SA CAROLINE ROBINSON** |

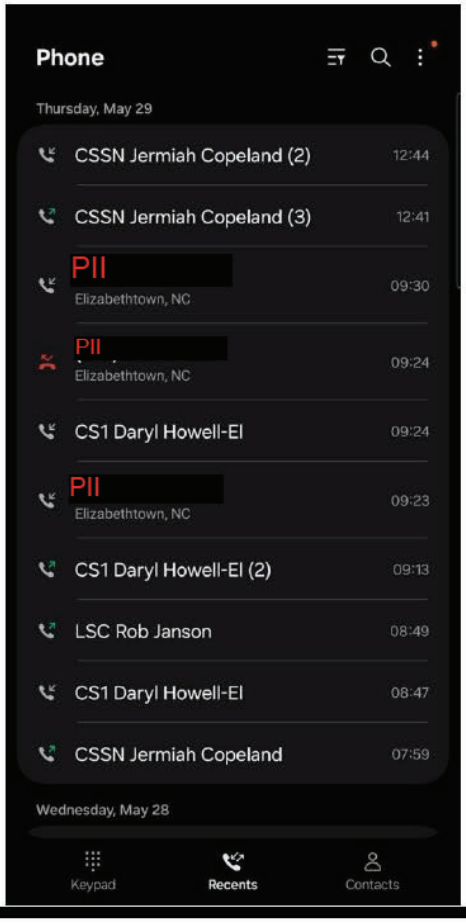
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|---|---|
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**ENCLOSURE (C)**

PHOTOGRAPH (8)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
|---|---|---|
| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

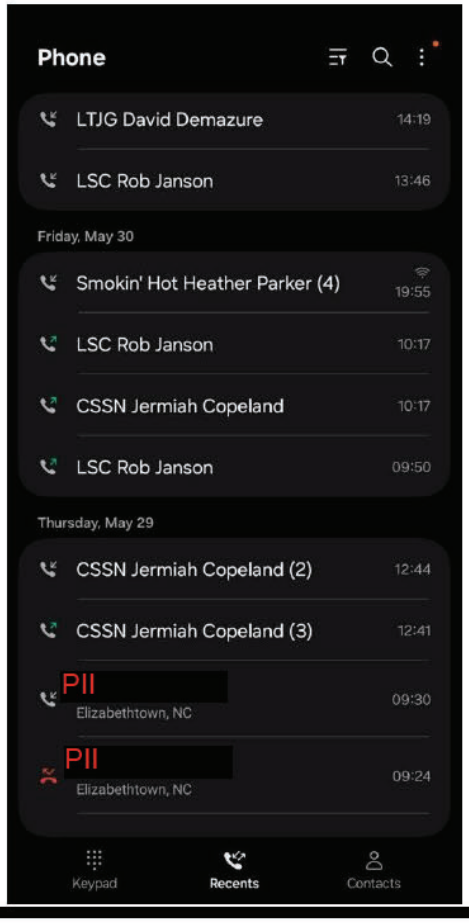
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**ENCLOSURE (C)**

PHOTOGRAPH (9)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
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| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

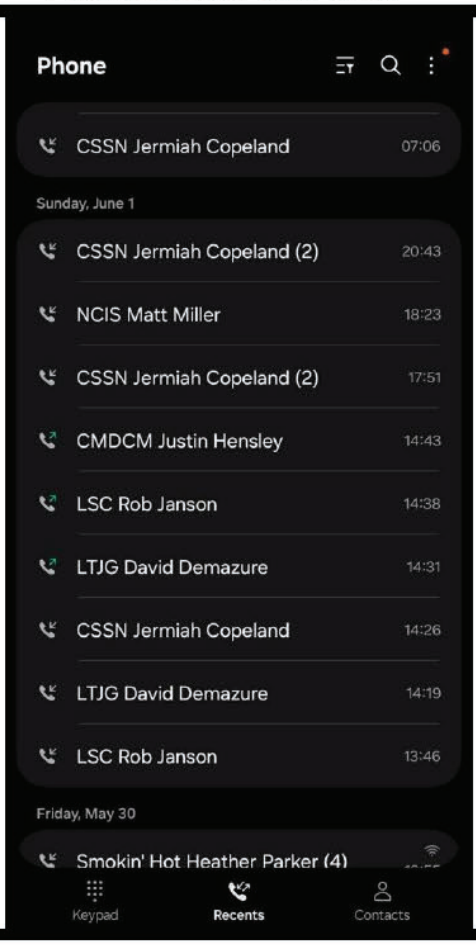
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|---|---|
| **CALL LOG FROM FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95).** | **SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH
(10)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
|---|---|---|
| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

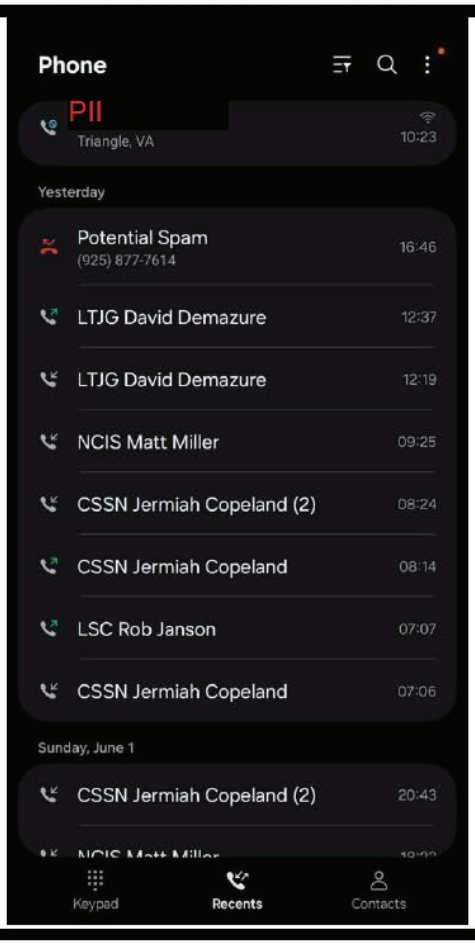
| **5. SUMMARY/DESCRIPTION:** | **6. PHOTOGRAPHER/ DATE PHOTO TAKEN:** |
|---|---|
| **CALL LOG FROM FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95).** | **SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH
(11)

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH TEMPLATE**




**1. OFFICE CODE:**

**NFNF**

| **2. TITLE:** | **3. CCN:** | **4. AGENT'S NAME:** |
|---|---|---|
| **S/COPELAND, JERMIAH TAYLOR/SN USN** | **01JUN25-NFNF-00237-7HNA** | **SA CAROLINE ROBINSON** |

| **5. SUMMARY/DESCRIPTION:** | **6. PHOTOGRAPHER/ DATE PHOTO TAKEN:** |
|---|---|
| **CALL LOG FROM FCC BRAD PARKER, USN, USS JAMES E. WILLIAMS (DDG 95).** | **SCREENSHOT PROVIDED 03JUN25** |

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**ENCLOSURE (C)**

PHOTOGRAPH
(12)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 05JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted PII]

RESULTS OF SECONDARY INTERVIEW OF FCC BRAD PARKER, USN

1. On 05Jun25, Reporting Agent (RA) and Participating Agent (PA) Brandon MOORE conducted a secondary interview with FCC Brad PARKER, USN, USS JAMES E. WILLIAMS (DDG 95).

2. The interview of FCC PARKER was recorded using an audio recording device and a digital copy was downloaded onto a Compact Disc-Recordable (CD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. FCC PARKER stated he became CSSN [redacted V/A.R.]'s ([redacted V/A.R.], USN, DDG 95, Chief approximately 2 months ago. FCC PARKER relayed he would see V/RESENDIZ at least 4 times per week.

4. FCC PARKER was shown an image of [redacted V/A.R.] FCC PARKER stated the individual in the image was who he knows to be [redacted V/A.R.] and was the individual he saw in the bed inside of the room of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, on 29May25. FCC PARKER signed and dated the image; Enclosure (B) pertains.

5. FCC PARKER relayed he believed the following individuals had gone to V/RESENDIZ's room on the specified days:
a. Thursday, 29May25 - FCC PARKER was tasked to go to V/RESENDIZ's room; however, he located her in S/COPELAND's room, so he did not go to V/RESENDIZ's room.
b. Friday, 30May25 - FCC PARKER and CS1 Daryl HOWELL-EL, USN, DDG 95
c. Saturday, 31May25 - No one
d. Sunday, 01Jun25 - CS2 Joshua BRYANT, USN, DDG 95
e. Monday, 02Jun25 - FCC PARKER
f. Tuesday, 03Jun25 - No one
g. Wednesday, 04Jun25 - FCC PARKER
h. Thursday, 05Jun25 - LT Yan LIANG, USN, DDG 95

6. FCC PARKER reported he went to S/COPELAND's room on Friday, 30May25, with CS1 HOWELL-EL. FCC PARKER stated CS2 BRYANT was going to go to S/COPELAND's room on Sunday, 01Jun25; however, he had gotten word that Base Police (NFI) had stopped by S/COPELAND's room and made contact with him.

ENCLOSURE(S)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **05JUN25**

(A) CD-R: AUDIO OF INTERVIEW OF FCC BRAD PARKER, USN/05JUN25
(B) IMAGE OF V/RESENDIZ/05JUN25

REPORTED BY: CAROLINE E ROBINSON, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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FCC BRAD PARKER

[redacted]

05 JUN 2015

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 01JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
V/A.R.

RESULTS OF INITIAL INTERVIEW OF CSSN JERMIAH COPELAND, USN

1. On 01Jun25, Reporting Agent (RA) and Participating Agent (PA) Jessica GOKEY interviewed CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E WILLIAMS (DDG 95) regarding his knowledge of the whereabouts of V/A.R. The interview took place in the lounge area on third floor of building X2, Willis Manor, located on Naval Station Norfolk (NOB), and was not recorded.

2. As background, V/A.R. and S/COPELAND were placed into a Unauthorized Absence (UA) status subsequent to 29May25, after failing to report to work. On 01Jun25, after speaking with S/COPELAND's mother, NCIS and S/COPELAND's mother contacted Naval Station Norfolk (NOB) Base Police to conduct a follow-up health and welfare check on both S/COPELAND and V/A.R. . The Naval Station Norfolk Watch Commander advised NOB Security Forces located S/COPELAND in his barracks rooms in Willis Manor, Room 335. NCIS was advised that Security Forces received no answer at V/A.R. 's door when they knocked on her barracks room located on NOB, Miller Hall, Room 1083.

3. During his interview, S/COPELAND described his relationship with V/A.R. as co-workers. S/COPELAND stated he texted with V/A.R. on Wednesday, 28May25 to discuss recipes and ingredients for tacos. S/COPELAND stated V/A.R. came over to his barracks room, made tacos and they both consumed alcohol. S/COPELAND explained V/A.R. gradually became more upset as the night progressed and they spoke about her current and past romantic relationships. S/COPELAND stated V/A.R. spoke on the phone to two (2) ex-boyfriends, both of which were confrontational calls. One call was with an ex-boyfriend he still believed was located in Texas (NFI) and the other call was with HT3 Michael GILLESPIE, USN, DDG 95.

4. S/COPELAND explained V/A.R. and HT3 GILLESPIE argued over returning a motorcycle helmet and that HT3 GILLESPIE wanted it back. S/COPELAND said V/A.R. explained her relationship with HT3 GILLESPIE was toxic and described her most recent ex-boyfriend, ET3 Daniel RICH, USN, DDG 95, as at first being a sweetheart and then he wasn't. S/COPELAND said ET3 RICH and HT3 GILLESPIE do not get along, that they have issues with each other, and opined it was due to their relationships with V/A.R. . S/COPELAND said HT3 GILLESPIE has come to the galley on the ship a lot, which sometimes caused issues. S/COPELAND said he did not know of any instances of HT3 GILLESPIE being violent toward V/A.R. and that HT3 GILLESPIE was more of a topic of conversation than ET3 RICH was during their evening together.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **01JUN25**

S/COPELAND described his role during the evening as a sounding board for V/A.R.

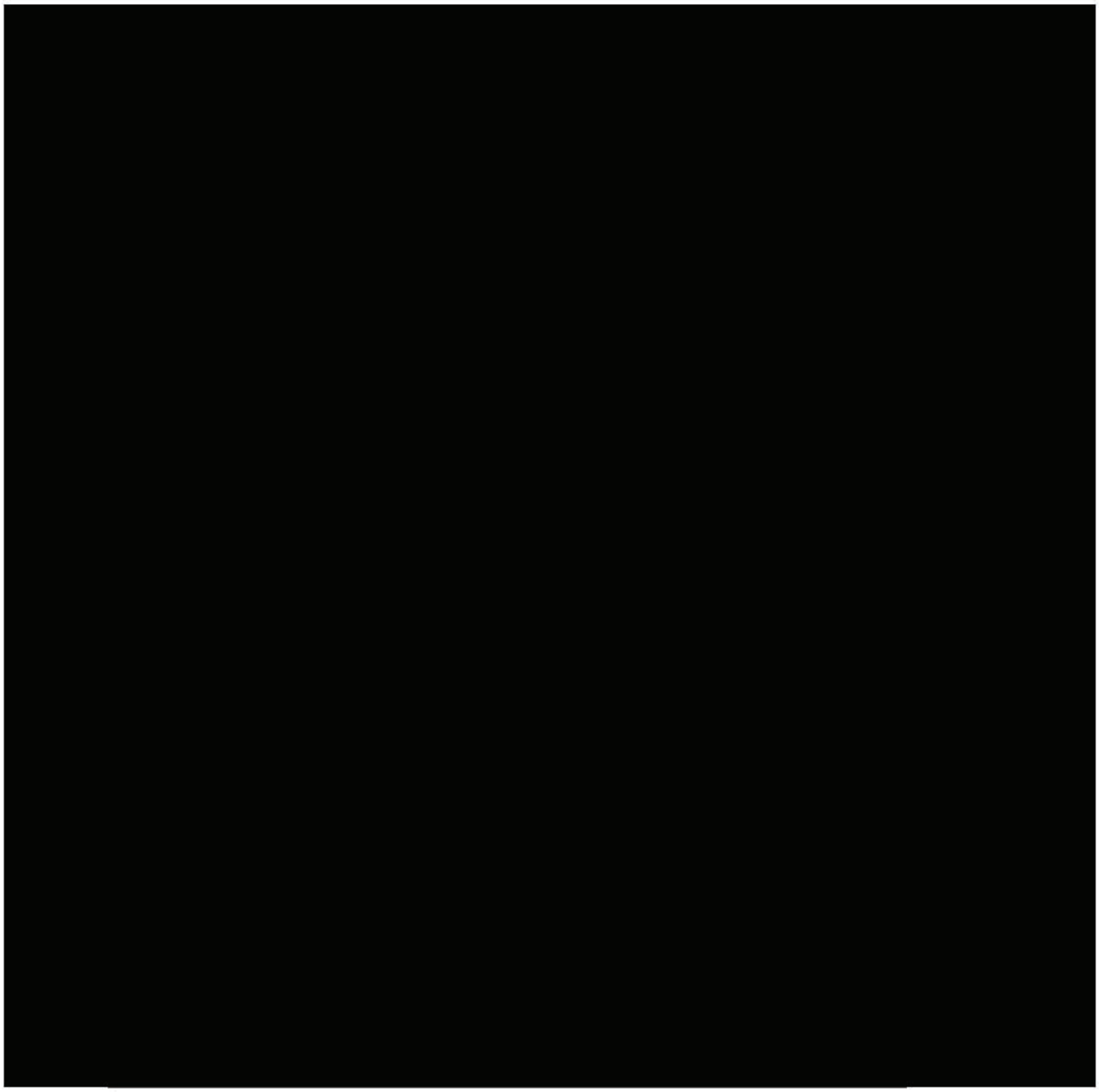
5. S/COPELAND recalled one of his roommates walked into the barracks suite (common area) and asked if V/RESENDIZ was okay as she was upset, which he (S/COPELAND) responded yes.

6. S/COPELAND explained V/A.R. spent the night in his barracks room and they did not have sexual intercourse. S/COPELAND said he was supposed to work on Thursday 29May25, however, he woke up late as FCC Brad PARKER, USN, DDG 95, came to his barracks room at approximately 0900 and woke he and V/A.R. S/COPELAND said he misunderstood FCC PARKER and did not report to work. S/COPELAND said he borrow his roommate's vehicle and drove V/RESENDIZ back to her barracks at approximately 1000 hours. S/COPELAND said this was the last time he saw V/RESENDIZ.

REPORTED BY: MATTHEW FRANK MILLER, Supervisory Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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**29MAY25 1:50AM to 7:28AM**

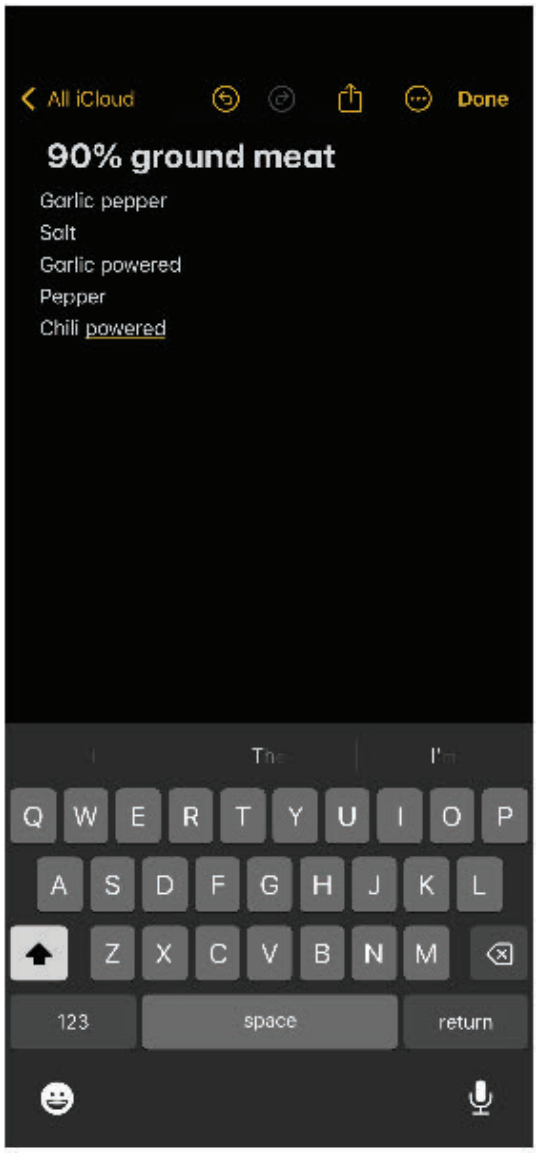
1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in a locked state between 1:50:28 AM and 7:28:08 AM. The iPhone 15 Pro Max belonging to S/COPELAND was in an unlocked state for 2 minutes and 16 seconds during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND had limited interaction with the device. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple Notes App at 2:01 AM, and reviewed a note titled "90% ground meat." The user of the iPhone 15 Pro Max belonging to S/COPELAND previously created the note on 29May25, at 1:46:57 AM. The user then brought to focus the Cash App for two seconds at 2:02 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then brought to focus Snapchat for three seconds at 2:02:10 AM. Between 3:28:50 AM and 3:29:12 AM, the user of the iPhone 15 Pro Max

belonging to S/COPELAND brought the Snapchat App back to focus and responded to a message from the Snapchat user name “luv.layna22” at 3:29:05 AM. SDFE DAVISON took the following screenshot as displayed in Microsoft Excel.

**LOCKED/UNLOCKED STATES**

| 1 | State | Start Date/Time | End Date/Time | Recorded Date/Time | Duration |
|---|---|---|---|---|---|
| 54 | Unlocked | 5/29/2025 1:50:04 AM | 5/29/2025 1:50:28 AM | 5/29/2025 1:50:28.166 AM | 0:00:24 |
| 55 | Locked | 5/29/2025 1:50:28 AM | 5/29/2025 2:01:16 AM | 5/29/2025 2:01:20.094 AM | 0:10:48 |
| 56 | Unlocked | 5/29/2025 2:01:16 AM | 5/29/2025 2:02:20 AM | 5/29/2025 2:02:22.953 AM | 0:01:04 |
| 57 | Locked | 5/29/2025 2:02:20 AM | 5/29/2025 2:43:16 AM | 5/29/2025 2:43:19.032 AM | 0:40:56 |
| 58 | Unlocked | 5/29/2025 2:43:16 AM | 5/29/2025 2:43:28 AM | 5/29/2025 2:43:29.912 AM | 0:00:12 |
| 59 | Locked | 5/29/2025 2:43:28 AM | 5/29/2025 3:28:48 AM | 5/29/2025 3:28:49.491 AM | 0:45:20 |
| 60 | Unlocked | 5/29/2025 3:28:48 AM | 5/29/2025 3:29:24 AM | 5/29/2025 3:29:24.149 AM | 0:00:36 |
| 61 | Locked | 5/29/2025 3:29:24 AM | 5/29/2025 7:28:08 AM | 5/29/2025 7:28:09.503 AM | 3:58:44 |

APPLE NOTES


All iCloud
Done
90% ground meat
Garlic pepper
Salt
Garlic powered
Pepper
Chili powered
Q W E R T Y U I O P
A S D F G H J K L
Z X C V B N M
123
space
return

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Title | **90% ground meat** |
| Folder | **iCloud / Notes** |
| Created Date/Time | **5/29/2025 1:46:57.039 AM** |
| Last Modified Date/Time | **5/29/2025 1:48:04.813 AM** |
| Body | **90% ground meat**<br>**Garlic pepper**<br>**Salt**<br>**Garlic powered**<br>**Pepper**<br>**Chili powered** |
| Summary | **Garlic pepper** |
| Encrypted | **No** |
| Note ID | **B6F7C8B8-3F04-449C-BA95-A022A0B964A1** |
| Artifact type | Apple Notes |
| Item ID | 483158 |

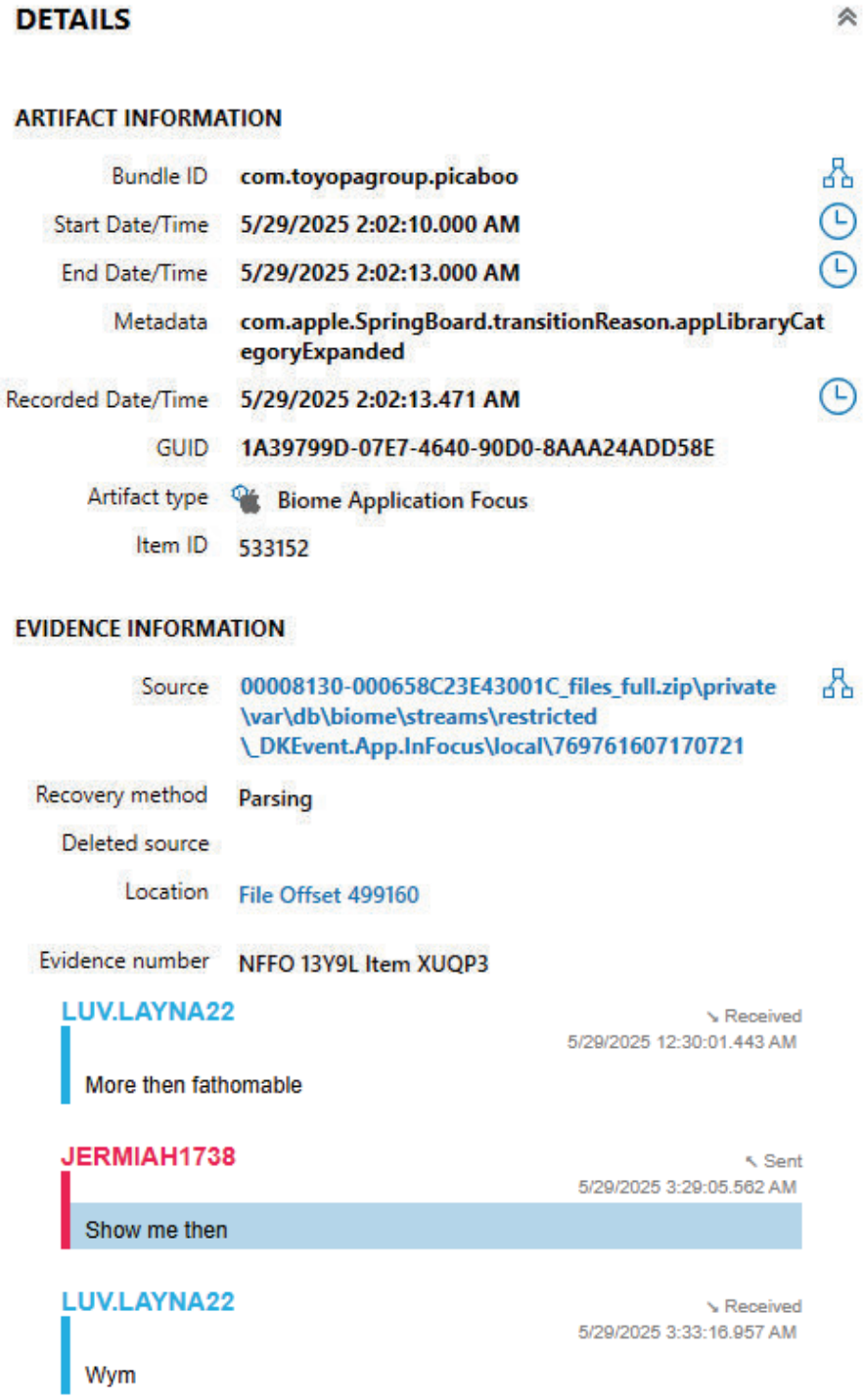
### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip<br>\private\var\mobile\Containers\Shared<br>\AppGroup\7123E3B3-E361-4690-9658-<br>E38643420C6C\NoteStore.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZICNOTEDATA(Z_PK: 35)<br>Table: ZICCLOUDSYNCINGOBJECT(Z_PK: 1)<br>Table: ZICCLOUDSYNCINGOBJECT(Z_PK: 88) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

## CASH APP


DETAILS
ARTIFACT INFORMATION
Bundle ID
com.squareup.cash
Start Date/Time
5/29/2025 2:02:06.000 AM
End Date/Time
5/29/2025 2:02:08.000 AM
Metadata
com.apple.SpringBoard.transitionReason.appLibraryCategory
Recorded Date/Time
5/29/2025 2:02:08.410 AM
GUID
1A973736-CDDE-449C-89D7-40876A760787
Artifact type
Biome Application Focus
Item ID
533150
EVIDENCE INFORMATION
Source
00008130-000658C23E43001C_files_full.zip\private\var\db\biome\streams\restricted_DKEvent.App.InFocus\local\769761607170721

SNAPCHAT




2. The user of the iPhone 15 Pro Max belonging to S/COPELAND was wearing the Apple Watch SE (2nd generation) Cellular - 40mm as noted by the recorded Heart Rates in the Apple Health Data. On 29May25, between 1:48:01 AM and 3:07:06 AM, the individual wearing the

Apple Watch paired with the iPhone 15 Pro Max belonging to S/COPELAND had 13 Heart Rate events recorded. The individual's lowest heart rate was recorded at 61 Beats Per Minute (BPM) at 1:48:01 AM, while the individual's highest heart rate was recorded at 130 BPM at 3:07:06 AM. The individual then stopped wearing the Apple Watch SE sometime before 4:00AM. The exact time the individual stopped wearing the Apple Watch SE is unknown as the Apple Health database records worn times once per hour on the hour.

| Tags | Floors/ Distance (meters)/ Beats Per Minute/ Steps Taken | Start Date Time/ Taken Time | End Date Time | Heart Rate Context/ Duration (Minutes) |
|---|---|---|---|---|
| Health Distance | 87.4 | 5/29/2025 1:40:35.545 AM | 5/29/2025 1:49:28.376 AM | 8.88 |
| Steps | 106 | 5/29/2025 1:40:35.545 AM | 5/29/2025 1:49:28.376 AM | 8.88 |
| Heart Rate | 61 | 5/29/2025 1:48:01.000 AM | | Background |
| Health Distance | 17.06 | 5/29/2025 1:48:18.027 AM | 5/29/2025 1:48:25.711 AM | 0.13 |
| Steps | 23 | 5/29/2025 1:48:18.027 AM | 5/29/2025 1:48:25.711 AM | 0.13 |
| Heart Rate | 125 | 5/29/2025 1:52:58.000 AM | | Background |
| Heart Rate | 128 | 5/29/2025 1:58:22.000 AM | | Sedentary |
| Health Distance | 100.09 | 5/29/2025 1:59:09.999 AM | 5/29/2025 2:08:20.690 AM | 9.18 |
| Steps | 130 | 5/29/2025 1:59:09.999 AM | 5/29/2025 2:08:20.690 AM | 9.18 |
| Health Distance | 98.94 | 5/29/2025 2:01:14.846 AM | 5/29/2025 2:08:22.464 AM | 7.13 |
| Steps | 144 | 5/29/2025 2:01:14.846 AM | 5/29/2025 2:08:22.464 AM | 7.13 |
| Heart Rate | 125 | 5/29/2025 2:09:31.000 AM | | Background |
| Health Distance | 35.34 | 5/29/2025 2:09:42.668 AM | 5/29/2025 2:16:55.754 AM | 7.22 |
| Steps | 48 | 5/29/2025 2:09:42.668 AM | 5/29/2025 2:16:55.754 AM | 7.22 |
| Health Distance | 44.57 | 5/29/2025 2:13:11.817 AM | 5/29/2025 2:22:35.325 AM | 9.39 |
| Steps | 69 | 5/29/2025 2:13:11.817 AM | 5/29/2025 2:22:35.325 AM | 9.39 |
| Heart Rate | 122 | 5/29/2025 2:15:46.000 AM | | Sedentary |
| Health Distance | 46.35 | 5/29/2025 2:20:00.199 AM | 5/29/2025 2:28:50.683 AM | 8.84 |
| Steps | 60 | 5/29/2025 2:20:00.199 AM | 5/29/2025 2:28:50.683 AM | 8.84 |
| Heart Rate | 126 | 5/29/2025 2:21:30.000 AM | | Sedentary |
| Health Distance | 18.64 | 5/29/2025 2:24:12.676 AM | 5/29/2025 2:33:51.863 AM | 9.65 |
| Steps | 26 | 5/29/2025 2:24:12.676 AM | 5/29/2025 2:33:51.863 AM | 9.65 |
| Heart Rate | 129 | 5/29/2025 2:28:04.000 AM | | Sedentary |
| Heart Rate | 128 | 5/29/2025 2:30:23.000 AM | | Background |
| Health Distance | 105.5 | 5/29/2025 2:33:48.096 AM | 5/29/2025 2:43:32.126 AM | 9.73 |
| Steps | 119 | 5/29/2025 2:33:48.096 AM | 5/29/2025 2:43:32.126 AM | 9.73 |
| Heart Rate | 69 | 5/29/2025 2:37:32.000 AM | | Background |
| Health Distance | 64.63 | 5/29/2025 2:39:09.393 AM | 5/29/2025 2:47:46.720 AM | 8.62 |
| Steps | 95 | 5/29/2025 2:39:09.393 AM | 5/29/2025 2:47:46.720 AM | 8.62 |
| Health Distance | 44.08 | 5/29/2025 2:45:17.221 AM | 5/29/2025 2:51:44.090 AM | 6.45 |
| Steps | 51 | 5/29/2025 2:45:17.221 AM | 5/29/2025 2:51:44.090 AM | 6.45 |
| Heart Rate | 75 | 5/29/2025 2:53:19.000 AM | | Background |
| Heart Rate | 78 | 5/29/2025 2:56:24.000 AM | | Background |
| Health Distance | 23.69 | 5/29/2025 2:56:54.043 AM | 5/29/2025 2:57:19.656 AM | 0.43 |
| Steps | 32 | 5/29/2025 2:56:54.043 AM | 5/29/2025 2:57:19.656 AM | 0.43 |
| Heart Rate | 67 | 5/29/2025 3:02:17.000 AM | | Background |
| Heart Rate | 130 | 5/29/2025 3:07:06.000 AM | | Background |
| Health Distance | 39.14 | 5/29/2025 3:26:18.770 AM | 5/29/2025 3:28:11.462 AM | 1.88 |
| Steps | 58 | 5/29/2025 3:26:18.770 AM | 5/29/2025 3:28:11.462 AM | 1.88 |

| 1 | Watch Worn Start Time | Hours Worn | Last Watch Worn Hour Time | Hours Off Before Next Worn Start Time |
|---|---|---|---|---|
| 2 | 12-May-25 4:00:00 AM | 29 | 13-May-25 9:00:00 AM | 21 |
| 3 | 14-May-25 6:00:00 AM | 58 | 16-May-25 6:00:00 PM | 24 |
| 4 | 17-May-25 6:00:00 PM | 10 | 18-May-25 2:00:00 AM | 2 |
| 5 | 18-May-25 4:00:00 AM | 6 | 18-May-25 10:00:00 AM | 18 |
| 6 | 19-May-25 4:00:00 AM | 46 | 21-May-25 2:00:00 AM | 2 |
| 7 | 21-May-25 4:00:00 AM | 36 | 22-May-25 6:00:00 PM | 7 |
| 8 | 22-May-25 11:00:00 PM | 96 | 26-May-25 11:00:00 PM | 20 |
| 9 | 27-May-25 7:00:00 PM | 33 | 29-May-25 4:00:00 AM | 7 |
| 10 | 29-May-25 11:00:00 AM | 1 | 29-May-25 12:00:00 PM | |

Click to Review Health Data Report

3. Between 2:11:02 AM and 5:33:52 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming communication announcements from Instagram, Snapchat, Facebook, Telegram, and Gmail. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond or check any of the communications other than responding to the Snapchat user name "luv.layna22" identified above.

4. Between 5:40:10 AM and 7:19:03 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming communication attempts from phone calls and text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any of the attempted communications as the device was still in a locked state. The user of the iPhone 15 Pro Max belonging to S/COPELAND unlocks the device at 7:28:08 AM. SDFE DAVISON took a screenshot from the report as a representative sample. SDFE DAVISON attached the full report in the link below.

| Sender / Partners | Sender Name /Partner Name | Direction | Type /Call Type | Message Sent Date/Time Call Date/Time | Message /Call Duration | Status /Call Status | Message Read Date/Time Call End Date/Time |
|---|---|---|---|---|---|---|---|
| +12029266007 | TAYLOR KIARRA | Incoming | Phone | 5/29/2025 6:58:29.655 AM | 00:00:00 | Unanswered | 5/29/2025 6:58:29.655 AM |
| +12029266007 | TAYLOR KIARRA | Incoming | Phone | 5/29/2025 6:58:35.059 AM | 00:00:00 | Unanswered | 5/29/2025 6:58:35.059 AM |
| +17574077602 | CS2 Bryant | | iMessage | 5/29/2025 7:03:32.000 AM | Where you at? | Received | |
| +12106028519 | Aaliyah De La Cruz | | iMessage | 5/29/2025 7:07:13.000 AM | Copland are you okay | Received and Read | 6/2/2025 5:30:15.000 AM |
| +12106028519 | Aaliyah De La Cruz | | iMessage | 5/29/2025 7:07:16.000 AM | Where are you | Received and Read | 6/2/2025 5:30:15.000 AM |
| +19105499482 | WIRELESS CALLER | Incoming | Phone | 5/29/2025 7:14:30.913 AM | 00:00:00 | Unanswered | 5/29/2025 7:14:30.913 AM |
| +19105499482 | | Incoming | FaceTime Audio | 5/29/2025 7:14:50.488 AM | 00:00:00 | Unanswered | 5/29/2025 7:14:50.488 AM |
| +19105499482 | | | iMessage | 5/29/2025 7:18:56.000 AM | Hey bro | Received and Read | 5/29/2025 7:40:44.000 AM |
| +19105499482 | | | iMessage | 5/29/2025 7:19:03.000 AM | Look I need you to reply | Received and Read | 5/29/2025 7:40:44.000 AM |

Click to Review Incoming Communication Attempts

**29MAY25 7:28AM to 11:50AM**

1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in an unlocked state between 7:28:08 AM and 11:50:56 AM. The iPhone 15 Pro Max belonging to S/COPELAND was in a locked state for 47 minutes and 44 seconds during this timeframe. The longest time the device was in a locked state was between 11:35:00 AM and 11:50:56 AM, for a total of 15 Minutes and 56 seconds. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the apps Apple iMessage, TikTok, Twitter, Snapchat, and Apple Photos during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND primarily used the Apple Photos App between 7:55:12 AM and 11:31:47 AM. SDFE DAVISON took the following screenshot as displayed in Microsoft Excel.

| | State | Start Date/Time | End Date/Time | Recorded Date/Time | Duration |
|---|---|---|---|---|---|
| 62 | Unlocked | 5/29/2025 7:28:08 AM | 5/29/2025 7:28:48 AM | 5/29/2025 7:28:48.689 AM | 0:00:40 |
| 63 | Locked | 5/29/2025 7:28:48 AM | 5/29/2025 7:38:48 AM | 5/29/2025 7:38:48.983 AM | 0:10:00 |
| 64 | Unlocked | 5/29/2025 7:38:48 AM | 5/29/2025 7:39:20 AM | 5/29/2025 7:39:22.948 AM | 0:00:32 |
| 65 | Locked | 5/29/2025 7:39:20 AM | 5/29/2025 7:39:56 AM | 5/29/2025 7:39:58.967 AM | 0:00:36 |
| 66 | Unlocked | 5/29/2025 7:39:56 AM | 5/29/2025 8:53:00 AM | 5/29/2025 8:53:01.571 AM | 1:13:04 |
| 67 | Locked | 5/29/2025 8:53:00 AM | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:15.919 AM | 0:05:12 |
| 68 | Unlocked | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:28 AM | 5/29/2025 8:58:29.715 AM | 0:00:16 |
| 69 | Locked | 5/29/2025 8:58:28 AM | 5/29/2025 9:01:44 AM | 5/29/2025 9:01:46.177 AM | 0:03:16 |
| 70 | Unlocked | 5/29/2025 9:01:44 AM | 5/29/2025 9:23:48 AM | 5/29/2025 9:23:48.270 AM | 0:22:04 |
| 71 | Locked | 5/29/2025 9:23:48 AM | 5/29/2025 9:33:44 AM | 5/29/2025 9:33:47.227 AM | 0:09:56 |
| 72 | Unlocked | 5/29/2025 9:33:44 AM | 5/29/2025 11:31:56 AM | 5/29/2025 11:31:59.616 AM | 1:58:12 |
| 73 | Locked | 5/29/2025 11:31:56 AM | 5/29/2025 11:34:44 AM | 5/29/2025 11:34:44.117 AM | 0:02:48 |
| 74 | Unlocked | 5/29/2025 11:34:44 AM | 5/29/2025 11:35:00 AM | 5/29/2025 11:35:00.897 AM | 0:00:16 |
| 75 | Locked | 5/29/2025 11:35:00 AM | 5/29/2025 11:50:56 AM | 5/29/2025 11:50:59.410 AM | 0:15:56 |

2. The examination revealed that on 29May25, at 7:28:08 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device by either the phone's facial biometrics or the PIN. The user then began to use the Apple iMessage App at 7:28:10 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any previous text messages received and stopped using the Apple iMessage App at 7:28:38 AM. At 7:28:38 AM, the device then displayed two user notification events of previously received text messages from Aaliyah De La Cruz and CS2 Bryant. Between 7:28:48 AM and 7:38:48 AM, the phone was then placed back into a locked state. SDFE DAVISON took the following screenshots as displayed in Axiom.

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 7:28:10.000 AM** |
| End Date/Time | **5/29/2025 7:28:38.000 AM** |
| Recorded Date/Time | **5/29/2025 7:28:38.887 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175532** |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

### ARTIFACT INFORMATION

| | |
|---|---|
| Title | **Aaliyah De La Cruz** |
| Body | **Copland are you okay** |
| Recorded Date/Time | **5/29/2025 7:07:13.292 AM** |
| Notification Date/Time | **5/29/2025 7:28:38.791 AM** |
| GUID | **6C86CB36-176D-4904-B934-3C0E09037575** |
| Bundle ID | **com.apple.MobileSMS** |
| Optional Text | **+12106028519** |
| UUID | **F19CDB38-B76F-4131-9BEB-C9E87F12DF53:ABPerson** |
| User ID | **+1 (210) 602-8519** |
| Artifact type | **User Notification Events** |
| Item ID | **640884** |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\DuetExpertCenter\streams\userNotificationEvents\local\768225069972772** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Title | **CS2 Bryant** |
| Body | **Where you at?** |
| Recorded Date/Time | **5/29/2025 7:03:32.287 AM** |
| Notification Date/Time | **5/29/2025 7:28:38.797 AM** |
| GUID | **97EA1B35-E7EE-493D-9FCB-E1309E993A87** |
| Bundle ID | **com.apple.MobileSMS** |
| Optional Text | **+17574077602** |
| UUID | **F245F867-BB87-4A61-B0F1-AAD5FFE52CF3:ABPerson** |
| User ID | **(757) 407-7602** |
| Artifact type | User Notification Events |
| Item ID | 640885 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\DuetExpertCenter \streams\userNotificationEvents\local \768225069972772 |
| Recovery method | Parsing |

3. Between 7:38:48 AM and 7:39:20 AM, the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device and used the Apple iMessage App between 7:38:49 AM and 7:39:13 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any previous text messages received. The device was then again placed in a locked state between 7:39:20 AM and 7:39:59 AM. SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 7:38:49.000 AM** |
| End Date/Time | **5/29/2025 7:39:13.000 AM** |
| Recorded Date/Time | **5/29/2025 7:39:13.187 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | 175530 |

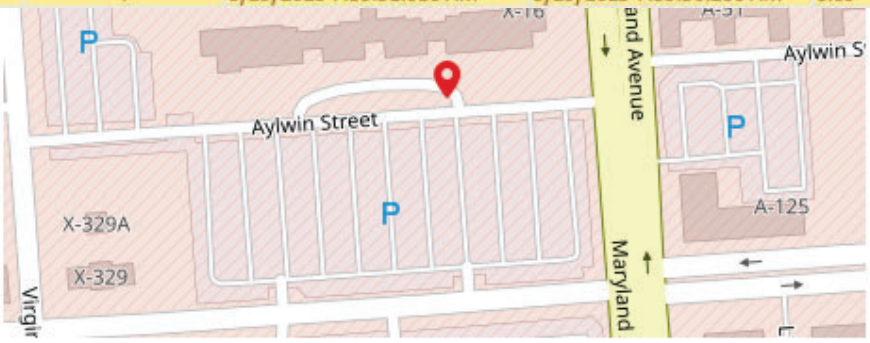
**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |

4. The user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device at 7:39:56 AM, and the device remained in an unlocked state for 1 hour, 13 minutes, and 4 seconds until going into a locked state at 8:53:00 AM. Between 7:39:59 AM and 7:41:08 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was active on the Apple iMessage App and read incoming messages from phone number 910-549-9482 at 7:40:44 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to the text messages. The health database recorded health steps and distance events at 7:39:51AM. A cached locations record event logged at 7:41:03 AM, placed iPhone 15 Pro Max belonging to S/COPELAND the near Willis Manor X-2. The user momentarily switched to the TikTok App before utilizing the Twitter App between 7:41:56 AM and 7:52:55 AM. SDFE DAVISON took the following screenshots.

| Message Read Date/Time | | Communication | Sender | Recipient(s) | Message |
|---|---|---|---|---|---|
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | It's important |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Need you to pick up |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Yo |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Yo |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Very important |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Hey bro |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | +19105499482 | ["Local User <NFFO 13Y9L Item XUQP3... | Look I need you to reply |

| | | | | |
|---|---|---|---|---|
| Health Distance | 4.61 | 5/29/2025 7:39:51.086 AM | 5/29/2025 7:39:56.206 AM | 0.09 |
| Steps | 7 | 5/29/2025 7:39:51.086 AM | 5/29/2025 7:39:56.206 AM | 0.09 |




OPEN LOCATION IN

Latitude **36.9505**

Longitude **-76.3207**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.9505476733097** |
| Longitude | **-76.3206907320705** |
| Accuracy (m) | **8.93342872222436** |
| Altitude (m) | **4.20221134554595** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **4.818969813508e-16** |
| Speed (m/s) | **0.801326930522912** |
| Timestamp Date/Time | **5/29/2025 7:41:03.998 AM** |
| Artifact type | Cached Locations |
| Item ID | 221135 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.atebits.Tweetie2** |
| Start Date/Time | **5/29/2025 7:41:56.000 AM** |
| End Date/Time | **5/29/2025 7:52:55.000 AM** |
| Recorded Date/Time | **5/29/2025 7:52:55.241 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175490** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

5. Between 7:41:56 AM and 7:52:55 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was using the Twitter App. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was using twitter, the device received two incoming FaceTime audio calls and one cellular phone call from the phone number +19105499482. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the phone calls while on the Twitter app. At 7:53:04 AM, the user then switched to the Snapchat App and appears to switch between the use of the iPhone's back camera to the front camera in the Snapchat App at 7:53:17 AM. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to take two pictures while using Snapchat based on the camera being active and the .jpg file extension. Snapchat saved the images named A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg and A5BD5969-9F93-4394-BD12-5A4FB27937C3.jpg. The user of the iPhone 15 Pro Max belonging to S/COPELAND then replied to Snapchat user name "luv.layna22" at 7:53:55 AM. This reply was the last communication send by the iPhone 15 Pro Max belonging to S/COPELAND until 12:44:35 PM when the user called the phone number (360) 521-1599. The user then switched back to the Twitter App between 7:54:14 AM and 7:55:10 AM. SDFE DAVISON took the following screenshots as displayed in Axiom and the 29May25 Timeline Excel spreadsheet.

## ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | com.atebits.Tweetie2 |
| Start Date/Time | 5/29/2025 7:41:56.000 AM |
| End Date/Time | 5/29/2025 7:52:55.000 AM |
| Recorded Date/Time | 5/29/2025 7:52:55.241 AM |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175490 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

## TWITTER FEED

| | |
|---|---|
| ceceswetdreams | âœ¨ Bratty Goddess âœ¨AQUARIUS â™'ï¸, Booking ðŸ"§ bookyoulovecece@gmail.com â€¼ï¸HIGHLIGHTS TABâ€¼ï¸ ðŸ†URBAN X 2024 WINNER 4 MOST AMAZING ASSðŸ† DM fee is $30 ðŸ'• |
| justdarren43 | For a spicy shout out, hit the follow button and DM me! For my content, linkâ€™s below! |
| itsmeganluxy | brazilian ðŸ‡§ðŸ‡· \| dm for my menu ðŸ'¦ \| GET ALL MY FULL UNCENSORED CONTENT HERE: https://t.co/L1m7PqBdOC |
| spoileddbratty | Brat. Findom. Princess treatment onlyðŸ', |
| milfinainteasy | 26 â˜ï¸ I RESPOND ON LINKS BELOW â˜ï¸ MDNI ðŸ"ž |
| OnlyTuMami | Adult content creartorðŸŽ¥ðŸ"ž/ I'm your favorite latin girl @TumamiOnly ðŸ'¥ My OF is more funðŸ"œCLICK THE LINK BELLOW!ðŸ"ˆðŸ'¦â¬‡ï¸, |
| bbyfrmvenus | your virtual girlfriend. Instagram @ 333venus__ |
| ShyHotWifeCpl | NSFW 21+ Only! MILF Hotwife. All real amateur content. Just a husband and wife that like to share. |
| violetsaucy | (21+ ONLY) OFFICIAL ACCOUNT â€¼ï¸ â™¡ Anime Enthusiast â™¡ Thicc Waifu â™¡ @Fleshlight Girl â™¡ YouTuber â™¡ Gamer â™¡ @Vixen Angel â™¡ Agent: @ocmodeling â™¡ PR: @therubpr |
| stephaniehxox | just a girl who likes to get freaky ðŸ"ˆ FREE access to my VIP OF ðŸ'‡ðŸ¼ðŸ"³ |
| stephbabyyxo | come and see what iâ€™m all about ðŸ"ˆ i made my VIP OF free through this link ðŸ'‡ðŸ¼ðŸ"› |
| softdahliaxoxo | the upgrade you didnâ€™t know you needed ðŸ"ˆFREE access to my VIP OF ðŸ'‡ðŸ¼ðŸ¥µ |
| thejazjizzes | your online anime gf serving milkers ðŸ"ˆ link to my FREE uncensored content ðŸ'‡ðŸ¼ðŸ"³ |
| sexylexxxyp | puerto rican baddie serving more than just body ðŸ"ˆ it doesnâ€™t get freakier than my VIP OF so i made it free here ðŸ'‡ðŸ¾ðŸ"³ |
| imsammorgan | the fun side of your fantasies ðŸ"ˆ come play with me i just made a free OF ðŸ'‡ðŸ¼ðŸ"› |
| onlymimirose | your new british obsession ðŸ¥µ FREE film partner application and link to my VIP OF ðŸ"³ðŸ'‡ðŸ¼ |
| thejennaleexx | you probably know me from instagram \|\| model ðŸ'¦ FREE link to my VIP OF ðŸ'‡ðŸ¼ðŸ"³ |
| itskateholland | your new gamer gf ðŸ"˜ back uppp: @thekateholland ðŸ™ˆ come see why iâ€™m top 0% ðŸ"ˆ apply to be my film partner here ðŸ'‡ðŸ¼ |
| alexisreidxo | come and take a walk on the wild side ðŸ"› i made my VIP OF free exclusively through this link ðŸ'‡ðŸ¼ðŸ"³ |
| celinedijjon | Your favourite trans creator âœ¨ 18+ ONLY âœ¨ 0.1% âœ¨ Talk to me on my FREE PAGE, âœ¨ I only respond on OF (I am not on any dating sites) NO COLLABS ðŸ«¶ðŸ» |
| sexytabbyxo | it gets even better than this ðŸ"ˆ i only respond on OF ðŸ¥µ film partner applications ðŸ'‡ðŸ¼ |
| thekennedykay | iâ€™m more than your average girl next door ðŸ"ˆ find out why the neighbors love me ðŸ"›ðŸ¥µ apply to film with me hereðŸ'‡ðŸ¼ðŸ"³ |

## SNAPCHAT

### ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 7:53:04.000 AM** |
| End Date/Time | **5/29/2025 7:54:11.000 AM** |
| Recorded Date/Time | **5/29/2025 7:54:11.978 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175482 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

### ARTIFACT INFORMATION

| | |
|---|---|
| State | **On** |
| Camera Type | **Back** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:20.925 PM** |
| Baseband Date/Time | **5/29/2025 7:53:15.337 AM** |
| Display Date/Time | **5/29/2025 7:53:15.582 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205653 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Off** |
| Camera Type | **Back** |
| Monotonic Date/Time | **1/23/1970 10:14:23.117 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.529 AM** |
| Display Date/Time | **5/29/2025 7:53:17.773 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205654 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:23.244 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.656 AM** |
| Display Date/Time | **5/29/2025 7:53:17.900 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205655 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Off** |
| Camera Type | **Back** |
| Monotonic Date/Time | **1/23/1970 10:14:23.117 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.529 AM** |
| Display Date/Time | **5/29/2025 7:53:17.773 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205654 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:23.244 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.656 AM** |
| Display Date/Time | **5/29/2025 7:53:17.900 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205655 |

**EVIDENCE INFORMATION**

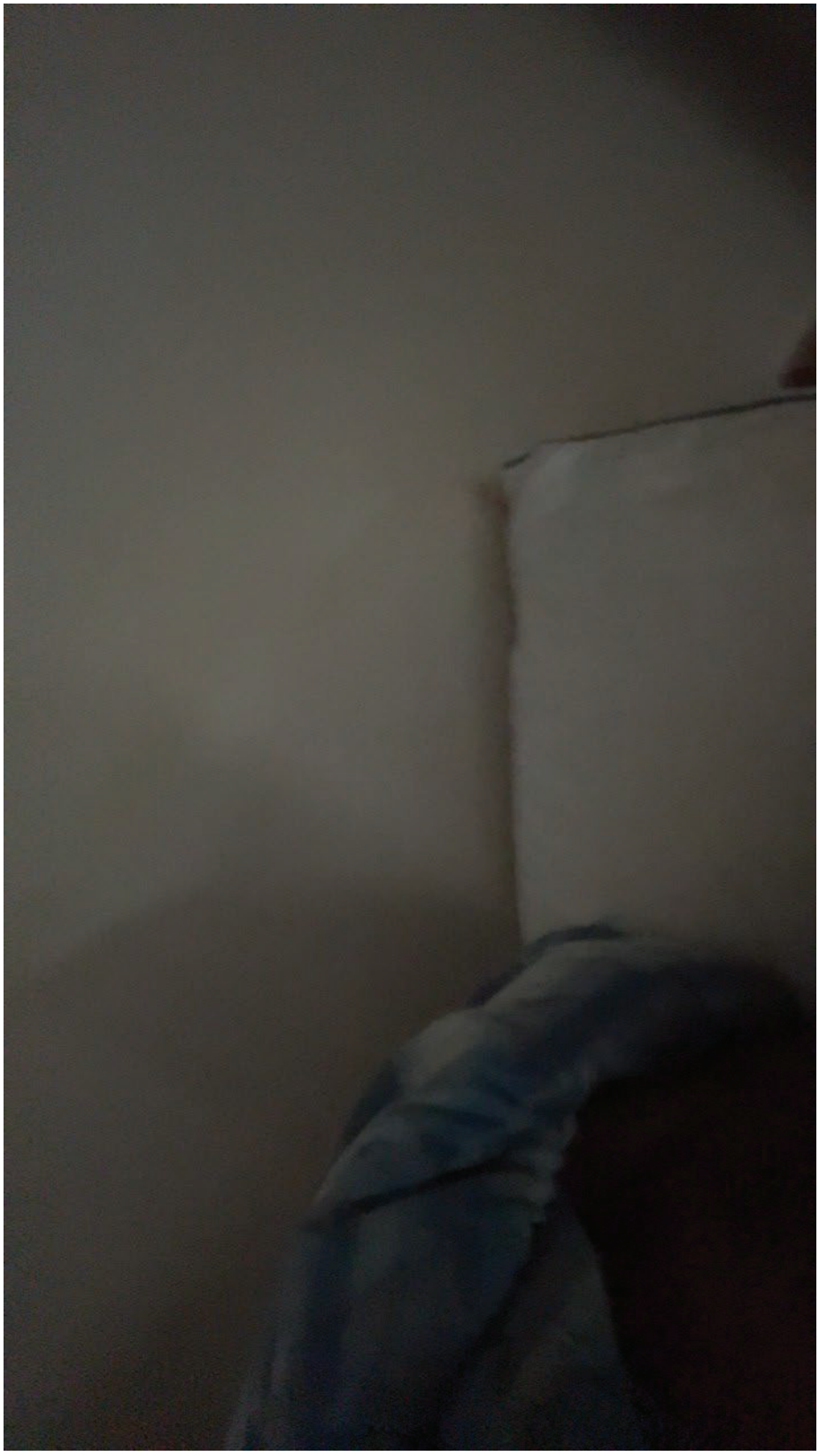
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 7:53:18.000 AM** |
| Last Accessed Date/Time | **5/29/2025 7:53:18.000 AM** |
| Last Modified Date/Time | **5/29/2025 7:53:18.000 AM** |
| Size (Bytes) | **108,236** |
| Skin Tone Percentage | **0.0** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **fca9400f5fd3fe43748562852f08cf60** |
| SHA1 Hash | **b8e36c1919ebd6a43a90703453c5f0aeb92a5ff8** |
| Artifact type | **Pictures** |
| Item ID | 782390 |

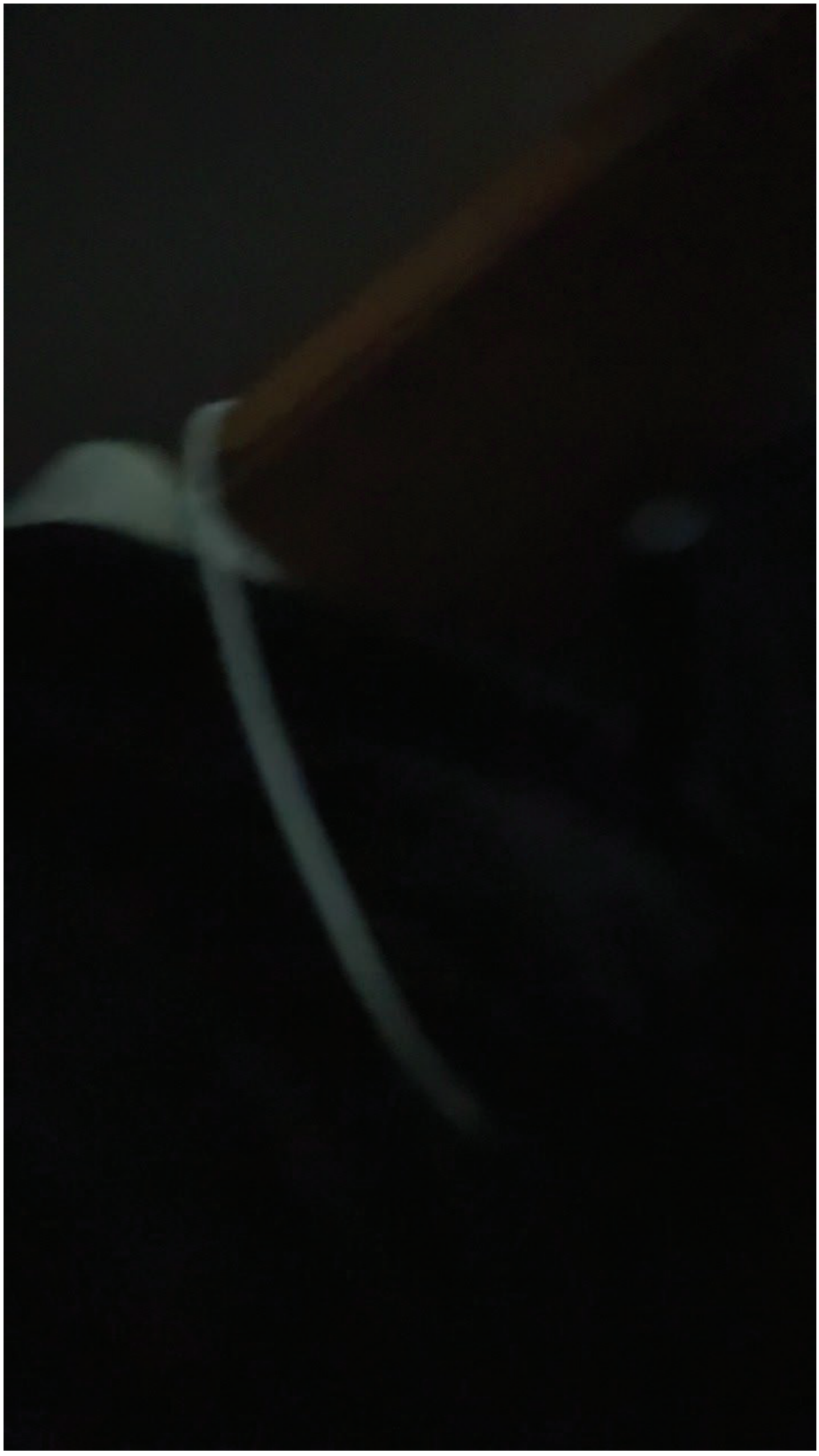
## EVIDENCE INFORMATION

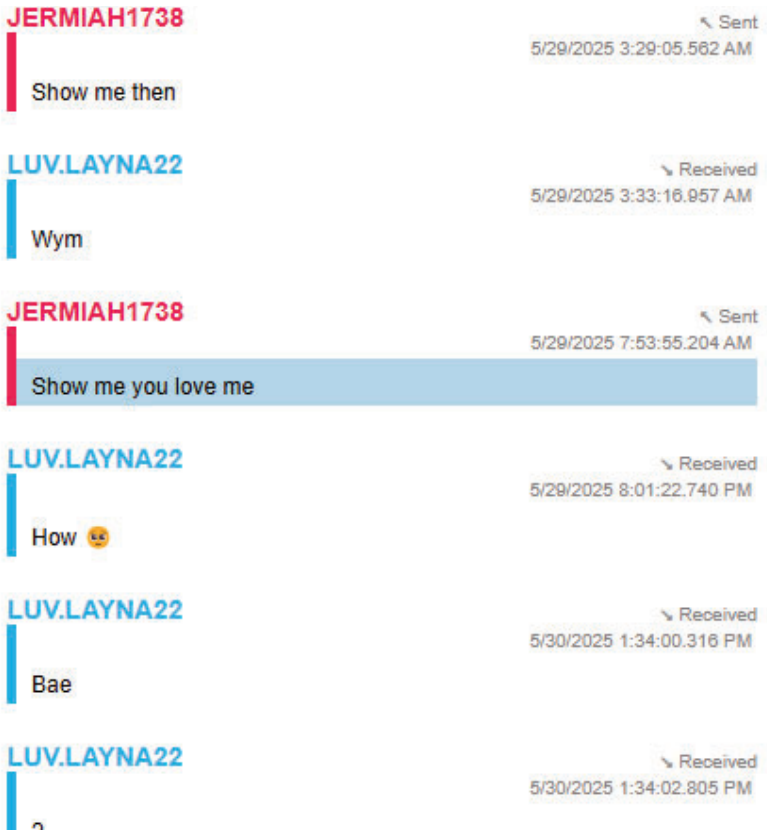
| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg** |
| Recovery method | **Parsing** |



**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **A5BD5969-9F93-4394-BD12-5A4FB27937C3.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 7:54:07.000 AM** |
| Last Accessed Date/Time | **5/29/2025 7:54:07.000 AM** |
| Last Modified Date/Time | **5/29/2025 7:54:07.000 AM** |
| Size (Bytes) | **88,500** |
| Skin Tone Percentage | **1.9** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **bc7391bbd86c90deab9834b56cd1ae50** |
| SHA1 Hash | **1057117d4cc251942bd973096eca828e17686d34** |
| Artifact type | **Pictures** |
| Item ID | 782391 |






**CALL LOGS**

| | | | | | | |
|---|---|---|---|---|---|---|
| +19105499482 | Incoming | FaceTime Audio | Unanswered | 5/29/2025 7:50:20.681 AM | 5/29/2025 7:50:20.681 AM | 00:00:00 |
| +19105499482 | Incoming | FaceTime Audio | Unanswered | 5/29/2025 7:50:23.192 AM | 5/29/2025 7:50:23.192 AM | 00:00:00 |
| +19105499482 | Incoming | Phone | Unanswered | 5/29/2025 7:50:30.992 AM | 5/29/2025 7:50:30.992 AM | 00:00:00 |

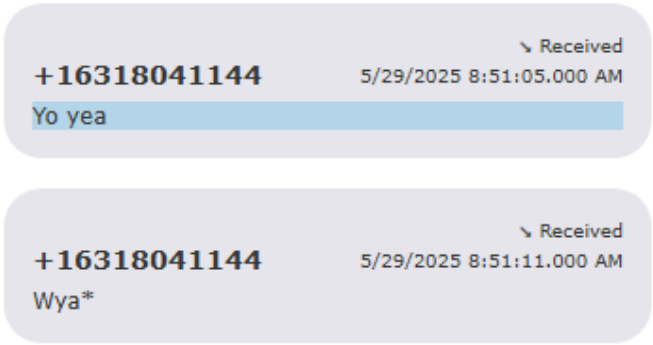
6. The examination of the Apple Photos App for the time period of 7:55:12 AM until 11:31:47 AM, revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing adult pornography. Between 7:55:12 AM and 8:25:54 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was primarily using the Apple Photos App. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing adult pornography, the device received an incoming phone call from "Brad Parker." The iPhone 15 Pro Max belonging to S/COPELAND received an additional four incoming calls until 9:01:12 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to any of the incoming phone calls. Between 8:25:56 AM and 8:26:03 AM, the user switched to the Apple iMessage App from the Apple Photos App. The user did not respond to any previously received text messages nor did the user appear to read any unread text messages. Between 8:26:05 AM and 8:52:51 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND started to use the Apple Photos App again. While the user was viewing pornography, the iPhone 15 Pro Max belonging to S/COPELAND received two text messages the phone number 631-804-1144 at 8:51 AM. The user did not respond to the text messages. Between 8:53:00 AM and 8:58:12 AM,

the device was putted into a locked state for 5 minutes and 12 seconds. While the device was in a locked state, the health database recorded health steps and distance events at 8:54:33 AM. The user then unlocked the device for 16 seconds then placed the device back into a locked state between 8:58:28 AM and 9:01:44 AM. SDFE DAVISON took the following screenshots:

**CALL LOGS**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| BRAD PARKER | +13605211599 | Incoming | Phone | Unanswered | 5/29/2025 7:59:41.796 AM | 5/29/2025 7:59:41.796 AM | 00:00:00 |
| | +17574077602 | Incoming | FaceTime Audio | Unanswered | 5/29/2025 8:25:55.786 AM | 5/29/2025 8:25:55.786 AM | 00:00:00 |
| WIRELESS CALLER | +19105499482 | Incoming | Phone | Unanswered | 5/29/2025 8:29:08.193 AM | 5/29/2025 8:29:08.193 AM | 00:00:00 |
| | +16318041144 | Incoming | FaceTime Audio | Unanswered | 5/29/2025 8:50:24.483 AM | 5/29/2025 8:50:24.483 AM | 00:00:00 |
| WIRELESS CALLER | +19105499482 | Incoming | Phone | Unanswered | 5/29/2025 9:01:12.025 AM | 5/29/2025 9:01:12.025 AM | 00:00:00 |

**TEXT MESSAGES**




**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 7:55:12.000 AM** |
| End Date/Time | **5/29/2025 8:25:44.000 AM** |
| Recorded Date/Time | **5/29/2025 8:25:45.069 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175459** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 8:25:52.000 AM** |
| End Date/Time | **5/29/2025 8:25:54.000 AM** |
| Recorded Date/Time | **5/29/2025 8:25:54.656 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175460 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 8:25:56.000 AM** |
| End Date/Time | **5/29/2025 8:26:03.000 AM** |
| ecorded Date/Time | **5/29/2025 8:26:03.529 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175553 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 8:26:05.000 AM** |
| End Date/Time | **5/29/2025 8:52:51.000 AM** |
| Recorded Date/Time | **5/29/2025 8:52:52.004 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175447** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

| | | | | |
|---|---|---|---|---|
| Locked | 5/29/2025 8:53:00 AM | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:15.919 AM | 0:05:12 |
| Unlocked | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:28 AM | 5/29/2025 8:58:29.715 AM | 0:00:16 |
| Locked | 5/29/2025 8:58:28 AM | 5/29/2025 9:01:44 AM | 5/29/2025 9:01:46.177 AM | 0:03:16 |

| | | | | |
|---|---|---|---|---|
| Health Distance | 41.6 | 5/29/2025 8:54:33.714 AM | 5/29/2025 9:01:41.307 AM | 7.13 |
| Steps | 64 | 5/29/2025 8:54:33.714 AM | 5/29/2025 9:01:41.307 AM | 7.13 |

7. Between 9:01:44 AM and 9:23:48 AM, the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device and was using the Apple Photos App to view pornography between 9:01:47 AM and 9:22:49 AM. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing pornography, the device received phone calls from “JEAN JACQUES,ED” and phone number 910-549-9482. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to any of the incoming phone calls. Prior to the device being placed in a locked state, the health database recorded health steps and distance events at 9:22:05 AM. Between 9:23:48 AM and 9:33:44 AM, the device was putted into a locked state for 9 minutes and 56 seconds. While the device was in a locked state, the health database recorded health steps and distance events at 9:33:46 AM. SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 9:01:47.000 AM** |
| End Date/Time | **5/29/2025 9:02:13.000 AM** |
| Recorded Date/Time | **5/29/2025 9:02:13.267 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | 175443 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 9:02:13.000 AM** |
| End Date/Time | **5/29/2025 9:22:49.000 AM** |
| Recorded Date/Time | **5/29/2025 9:22:49.478 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | 175431 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**CALL LOGS**

| | | | | | | |
|---|---|---|---|---|---|---|
| JEAN JACQUES,ED | Incoming | Phone | Unanswered | 5/29/2025 9:05:16.934 AM | 5/29/2025 9:05:16.934 AM | 00:00:00 |
| WIRELESS CALLER | Incoming | Phone | Unanswered | 5/29/2025 9:12:15.076 AM | 5/29/2025 9:12:15.076 AM | 00:00:00 |

**HEALTH DATA**

| | | | | |
|---|---|---|---|---|
| Health Distance | 112.13 | 5/29/2025 9:22:05.299 AM | 5/29/2025 9:24:54.296 AM | 2.82 |
| Steps | 159 | 5/29/2025 9:22:05.299 AM | 5/29/2025 9:24:54.296 AM | 2.82 |
| Health Distance | 13.69 | 5/29/2025 9:33:46.912 AM | 5/29/2025 9:33:59.716 AM | 0.21 |
| Steps | 23 | 5/29/2025 9:33:46.912 AM | 5/29/2025 9:33:59.716 AM | 0.21 |

8. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device using either the phone's facial biometrics or the PIN on 29May25, between

9:33:44 AM and 11:31:56 AM. The device remained in an unlocked state for 1 hour, 58 minutes, and 12 seconds. At 9:33:56 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND started using the Apple Photos App to view pornography for three seconds until putting the App in the background at 9:33:59 AM. Between 9:34:00 AM and 9:34:18 AM, the user then briefly switched to the Snapchat App for six seconds, then switched briefly to the Apple iMessage app for seven seconds, then switched again back to Snapchat App for two seconds, then switched back again to the Apple iMessage app for three seconds. The user did not respond to any previously received messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND did access two pictures in the Snapchat App at 9:34:01AM. The image file named 64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png is a thumbnail image created on the device at 9:34:01 AM. The file is located in the private\var\mobile\Library\Intents\Images\ directory. The purpose of the directory and this thumbnail appears to enable apps like Snapchat to integrate with iOS system features like Siri, shortcuts, and Spotlight. Specifically, this directory holds images associated with intent-related actions, such as group chat display thumbnails, or other visual assets that apps donate to the system for use in contextual suggestions. The original image appeared to be previously uploaded to the Snapchat app as the device's camera was not turned on for use with the Snapchat app until 9:34:13AM, and the file is saved as a .png file extension. The file named ba84c31cd6397c15534c237a861d177d was accessed on the iPhone 15 Pro Max belonging to S/COPELAND at 9:34:01 AM, which appears to indicate the user accessed the Snapchat message from the user name "angelina244506." The snapchat message history was not recovered during the examination. SDFE DAVISON took the following screenshots displayed in Axiom in chronological order.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 9:33:56.000 AM** |
| End Date/Time | **5/29/2025 9:33:59.000 AM** |
| Recorded Date/Time | **5/29/2025 9:33:59.970 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175423** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 9:34:00.000 AM** |
| End Date/Time | **5/29/2025 9:34:06.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:06.103 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175412** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png** |
| File Extension | **.png** |
| Created Date/Time | **5/29/2025 9:34:01.000 AM** |
| Last Accessed Date/Time | **5/29/2025 9:34:01.000 AM** |
| Last Modified Date/Time | **5/29/2025 9:34:01.000 AM** |
| Size (Bytes) | **59,392** |
| Skin Tone Percentage | **47.1** |
| Original Width | **180** |
| Original Height | **180** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 180**<br>**ImageHeight: 180** |
| MD5 Hash | **ce1228bf16701289f588a707f5a78d99** |
| SHA1 Hash | **5577d8d0a2eb69beeb5b7dbd22ed2e83b0cebf5b** |
| Artifact type | **Pictures** |
| Item ID | 163364 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Intents\Images\64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png |
| Recovery method | Parsing |



**FILE DETAILS**

| | |
|---|---|
| File name | **ba84c31cd6397c15534c237a861d177d** |
| Logical size | **5,534 bytes** |
| Created | **5/28/2025 11:51:26.000 PM** |
| Accessed | **5/29/2025 9:34:01.000 AM** |
| Modified | **5/28/2025 11:51:26.000 PM** |
| MD5 hash | **115f39170d3d42378ca556f6a69a380b** |
| SHA256 hash | **823968f77d3be11761c88c2248b3224e7a9bc0bdb148dd0152fd793a3d3535ef** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Documents\com.snap.file_manager_4_SCContent_\ba84c31cd6397c15534c237a861d177d |
| Evidence number | NFFO 13Y9L Item XUQP3 |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 9:34:06.000 AM** |
| End Date/Time | **5/29/2025 9:34:13.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:13.230 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175399 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 9:34:13.000 AM** |
| End Date/Time | **5/29/2025 9:34:15.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:15.620 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175398 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 11:55:19.171 PM** |
| Baseband Date/Time | **5/29/2025 9:34:13.583 AM** |
| Display Date/Time | **5/29/2025 9:34:13.827 AM** |
| Artifact type | **PowerLog Camera State** |
| Item ID | **1205659** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 9:34:15.000 AM** |
| End Date/Time | **5/29/2025 9:34:18.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:18.023 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175393** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

9. Between 9:34:18 AM and 11:31:47 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple Photos App to view adult pornography. The user viewed both pornographic images and videos during this timeframe and previously viewed adult pornography between 7:55:12 AM until 9:33:56 AM except for interruptions identified above. The user of the iPhone 15 Pro Max belonging to S/COPELAND viewed pornography primarily from videos and images saved to the device by the user in the \private\var\mobile\Media\DCIM\ subdirectories and from the iCloud account for the Apple ID listed as jermiahcopeland7@gmail.com. The user also watched a small number of adult pornographic videos on Twitter and Tiktok. SDFE DAVISON located and extracted the adult pornographic images and videos to the folder named "(e) Pornography" on the FINDINGS MEDIA. The folder contains a file name "report.pdf" which consists of the main page of the report. The examination also revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND started charging the phone at 11:08:17 AM until 12:12:27 PM. SDFE DAVISON took the following screenshot as displayed in Axiom.

**BATTERY CHARGING**

**ARTIFACT INFORMATION**

| | |
|---|---|
| GUID | 583C4431-426A-464E-B998-A2DFA6C55AA9 |
| Start Date/Time | 5/29/2025 11:08:17.000 AM |
| End Date/Time | 5/29/2025 12:12:27.000 PM |
| Recorded Date/Time | 5/29/2025 12:12:27.115 PM |
| Artifact type | Biome Device Plugged-in States |
| Item ID | 529386 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\db\biome\streams\restricted_DKEvent.Device.IsPluggedIn\local\762147266476412 |
| Recovery method | Parsing |

10. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND viewed pornographic videos related to the iCloud account for the Apple ID listed as jermiahcopeland7@gmail.com. The iCloud videos cannot be viewed when exported from Axiom as iOS appears to store the files as a compound file or concatenated file. A compound file or concatenated file is a single file that actually contains two or more different types of files inside. A compound file or concatenated file is not intended for an individual to interact with the file and is usually used for internal use or system integration. iOS in this case appears to use the compound file or concatenated file to allow Apple Photos App to view videos stored in an iCloud account. The compound files or concatenated files in this case contain a plist file followed by a video file. As identified above, Apple uses plist files to store structured data for App configuration settings, user preference settings, data serialization, and system settings. The user of the iPhone 15 Pro Max belonging to S/COPELAND watched 35 pornographic videos from the iCloud account. The file names all start with naming convention “CachedMedia-“ followed by numbers and/or letters. The files are all stored in the directory \private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia. A small number of the CacheMedia files were corrupt and could not be recovered. However, the file name associated with those files in the plist file resolves back to image files on the system associated with adult pornography. SDFE DAVSION manually carved 12 files to provide a representative sample of the pornography viewed by the user of the iPhone 15 Pro Max belonging to S/COPELAND. SDFE DAVISON also provided two files which were corrupt and could not be carved; however, SDFE DAVISON provided the image files resident on the device which resolved back to the files named in the plist file. SDFE DAVISON saved the files to a folder named “(f) Compound Files” on the FINDINGS MEDIA. SDFE DAVISON took the following screenshots as displayed in Axiom to show the manual carving process.

**MAIN INDEX FOR iOS FOR ICLOUD**

**diskcacherepository.plist**

NFFO 13Y9L Item XUQP3

PREVIEW

COLLAPSE ALL FIND

root
- [0] lastmodtime = 770611691.729295
- [1] automaticallyManagesSize = 1
- [2] checkedinlist
  - [0] https://cvws-h2.icloud-content.com/B/Af_tmvjHNkzK1ze0q6s_unTTvkZWAX6aUmxKvy-_LmZ0IIJBU750oVSa/IMG_0967.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-jB8j3S
  - [1] https://cvws-h2.icloud-content.com/B/AVhuCPfsy7wgyRu3ZsD4D2_FjBJDAfU96fu-PO8Ut7_FcqFm9_H5RTWK/IMG_3765.MOV = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-Hx3MNT
  - [2] https://cvws-h2.icloud-content.com/B/ARf4aYST9rzjynrOhtgwfVSEtGAPATKNrxANHGFRjDD0m_mtXwFfM44F/IMG_2022.MOV = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-A0pOWy
  - [3] https://cvws-h2.icloud-content.com/B/ATmUNpZrO4TvidV5p3TKnTvZCprOAc-zPBk060DKWWbBw2MbHZa2cedd/IMG_6832.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-73NCK1
  - [4] https://cvws-h2.icloud-content.com/B/Ab5PsoYZLcZ2s15VxtsXw94hRhCYASy_GnxFgTUgP_vO0aARKUz-Tvvo/IMG_1319.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-zSp3xy
  - [5] https://cvws-h2.icloud-content.com/B/AaeB9bBU7QdFicv-kTBPZhC2FqC1AfgbSu3rtyZYPfYqhmMpenMhVMHO/IMG_1219.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-CMTkHi
  - [6] https://cvws-h2.icloud-content.com/B/AfA4sgF1YP6npv6wkZ9t7hn-_EfRAVrmMre4wwmOj_ttstNwFnjrPkAE/IMG_5489.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-4QvbRL

## MANUAL CARVE OF PLIST FILE

Source private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia-HZCz1f
nt offset 6908
election 1275

FIND COPY SELECTION SAVE SELECTION Encoding US-ASCII


□? p @ q @ ` r @ ? s @ ? t □ stid<?xml version="1.0" encoding="UT
F-8"?> <!DOCTYPE plist PUBLIC "-//Apple//DTD PLIST 1.0//EN" "http://www.apple.com/DTDs/PropertyList-1.0.dtd"> <plist version
="1.0"> <dict> <key>FileName</key> <string>IMG_8077.MP4</string> <key>Last-Modified</key> <string>Thu, 29 May 2025 13:03
:12 GMT</string> <key>MIME Type</key> <string>video/mp4</string> <key>Size</key> <integer>1907999</integer> <key>URL</k
ey> <string>https://cvws-h2.icloud-content.com/B/AVzCLZD_TlIbz5gKnE0VhbPzbdQRARc1rg5U99A08cJSvOscMEp7dIow/IMG_8077.MP4?o=Ak
4S3XcrQybFLsDiqa7HHnp-fpVnAMTL8l3oYbWrMGmp&v=1&x=3&a=CAogPrD1hBUkI86-_Bw1HYL_vjWFm82VNpujR5fStmlth5MSbxCk8Y7h8TI
YpOHBs_IyIgEAUgTzbdQRWgR7dIowaicq8IHTLVYOVEEWSHkzABky-oYBMLklENVvt1gsg_6iIsxCQEEfn1NyJwvUPbkz2fhRszHGW-D6ZCL2o_zEoi6xcmNRqA_
rF0RRPQcYv48e3w&e=1748696592&fl=&r=B8281BA2-CA05-4826-97ED-4F508DCF2613-1&k=R-Huhrgm2c73C1MkaQwnrw&ckc=c
om.apple.photos.cloud&ckz=PrimarySync&y=1&p=40&s=4F4hxL9mU7-n3AxO-mU4y5kpLb4&og=1up%20Autoplay%20Movie%2
0Stream#YnBsaXN0MDDRAQJfEBtSZWNvbW1lbmR1ZEZvcklbWVyc212ZU1vZGUQAAgLKQAAAAAAAAEBAAAAAAAAAAMAAAAAAAAAAAAAAAAAAAAr</string> <
key>Version</key> <integer>1</integer> <key>must-validate</key> <false/> <key>no-cache</key> <false/> </dict> </plist>


**EXAMINER NOTE:** The plist file identifies the iCloud storage location and file name in the iCloud as in this example the file name "IMG_8077.MP4."

## HAND CARVE OF THE MP4 VIDEO FILE

View TEXT HEX

Source private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia-HZCz1f
Current offset 8192
Current selection 771

GO TO FIND HIDE DECODING COPY SELECTION SAVE SELECTION


```
0007950  4E 30 4D 44 44 52 41 51 4A 66 45 42 74 53 5A 57 4E 76 62 57 31 6C 62 6D 52 6C 5A 45 5A 76   N0MDDRAQJfEBtSZW
0007980  63 6B 6C 74 62 57 56 79 63 32 6C 32 5A 55 31 76 5A 47 55 51 41 41 67 4C 4B 51 41 41 41 41   ckltbWVyc212ZU1v
0008010  41 41 41 41 45 42 41 41 41 41 41 41 41 41 4D 41 41 41 41 41 41 41 41 41 41 41 41 41 41 41   AAAAEBAAAAAAAAAA
0008040  41 41 41 41 41 41 41 72 3C 2F 73 74 72 69 6E 67 3E 0A 09 3C 6B 65 79 3E 56 65 72 73 69 6F   AAAAAAAr</string
0008070  6E 3C 2F 6B 65 79 3E 0A 09 3C 69 6E 74 65 67 65 72 3E 31 3C 2F 69 6E 74 65 67 65 72 3E 0A   n</key>..<intege
0008100  09 3C 6B 65 79 3E 6D 75 73 74 2D 76 61 6C 69 64 61 74 65 3C 2F 6B 65 79 3E 0A 09 3C 66 61   .<key>must-valid
0008130  6C 73 65 2F 3E 0A 09 3C 6B 65 79 3E 6E 6F 2D 63 61 63 68 65 3C 2F 6B 65 79 3E 0A 09 3C 66   lse/>..<key>no-c
0008160  61 6C 73 65 2F 3E 0A 3C 2F 64 69 63 74 3E 0A 3C 2F 70 6C 69 73 74 3E 0A 00 1D 40 08 73 74   alse/>.</dict>.<
0008190  63 73 [redacted] 00 00 00 18 66 74 79 70 69 73 6F 6D 00 00 00 01 69 73 6F 6D 69 73 6F 34 00 00 35 A3   cs....ftypisom..
00082C0  6D 6F 6F 76 00 00 00 6C 6D 76 68 64 00 00 00 00 E3 A8 5A 30 E3 A8 5A 30 00 06 BA A8 00 5B   moov...lmvhd....
00082F0  E0 00 00 01 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00   à...............
0008320  00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 40 00 00 00 00 00 00 00 00   ...........@....
0008350  00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 03 00 00 00 15 69 6F 64 73   ............iods
0008380  00 00 00 00 10 07 00 4F FF FF 29 FE FF 00 00 1F 74 74 72 61 6B 00 00 00 5C 74 6B 68 64 00   .......Oÿÿ)þÿ..
00083B0  00 00 03 00 00 00 00 00 E3 A8 5A 30 00 00 00 01 00 00 00 00 00 00 5B 84 20 00 00 00 00 00   ........ã¨Z0....
00083E0  00 00 00 00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 01 00 00 00 00 00 00   ................
0008410  00 00 00 00 00 00 00 00 00 00 00 40 00 00 00 00 02 D0 00 00 00 05 00 00 00 00 00 1F 10 6D 64 69   ...........@....
0008440  61 00 00 00 20 6D 64 68 64 00 00 00 00 00 00 00 00 00 E3 A8 5A 30 00 00 EA 60 00 0C 73 80 55   a... mdhd.....
0008470  C4 00 00 00 00 00 33 68 64 6C 72 00 00 00 00 00 00 00 00 00 76 69 64 65 00 00 00 00 00 00 00   Ä.....3hdlr....
```

**EXAMINER NOTE:** An .mp4 video file's header is ftypisom as displayed above.

11. The user of the iPhone 15 Pro Max belonging to S/COPELAND terminated the Apple Photos App at 11:31:47 AM. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 11:31:56 AM and 11:34:44 AM for 2 minutes and 48 seconds. The iPhone 15 Pro Max belonging to S/COPELAND was briefly put into an unlocked state between 11:34:44 AM and 11:35:00 AM for 16 seconds. The user did not interact with any Apps during this brief unlock state. The iPhone 15 Pro Max belonging to S/COPELAND then entered into a locked state between 11:35:00 AM and 11:50:56 AM for 15 minutes and 56 seconds. While the device was in a locked state, the iPhone 15 Pro Max belonging to S/COPELAND received two incoming FaceTime Video calls from the phone number 360-720-3796. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the calls. SDFE DAVISON took the following screenshot as displayed in Axiom and the locked state Excel spreadsheet.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Bundle ID | **com.apple.mobileslideshow** |
| Process ID | **1518** |
| State | **Terminated** |
| Monotonic Date/Time | **1/24/1970 1:52:53.451 AM** |
| Baseband Date/Time | **5/29/2025 11:31:47.863 AM** |
| Display Date/Time | **5/29/2025 11:31:48.107 AM** |
| Artifact type | PowerLog Application State |
| Item ID | 1208117 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

| | | | | |
|---|---|---|---|---|
| Unlocked | 5/29/2025 9:33:44 AM | 5/29/2025 11:31:56 AM | 5/29/2025 11:31:59.616 AM | 1:58:12 |
| Locked | 5/29/2025 11:31:56 AM | 5/29/2025 11:34:44 AM | 5/29/2025 11:34:44.117 AM | 0:02:48 |
| Unlocked | 5/29/2025 11:34:44 AM | 5/29/2025 11:35:00 AM | 5/29/2025 11:35:00.897 AM | 0:00:16 |
| Locked | 5/29/2025 11:35:00 AM | 5/29/2025 11:50:56 AM | 5/29/2025 11:50:59.410 AM | 0:15:56 |

| | | | | | | |
|---|---|---|---|---|---|---|
| +13607203796 | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:47:16.361 AM | 5/29/2025 11:47:16.361 AM | 00:00:00 |
| +13607203796 | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:49:43.249 AM | 5/29/2025 11:49:43.249 AM | 00:00:00 |

**29MAY25 11:50AM to 1:13PM**

1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in a locked state between 11:50:56 AM and 1:13PM for 1 hour, 4 minutes, and 28 seconds during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND had limited interaction with the device. Between 11:52:27 AM and 11:57:08 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming FaceTime video calls from the phone number 360-720-3796 and incoming phones call from "Brad Parker." The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to the phone calls until 12:44:35 PM. Between 11:54:22 AM and 12:42:26 PM, the iPhone 15 Pro Max belonging to S/COPELAND received four text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not immediately respond to the text messages. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 76 | Unlocked | 5/29/2025 11:50:56 AM | 5/29/2025 11:53:04 AM | 5/29/2025 11:53:05.363 AM | 0:02:08 |
| 77 | Locked | 5/29/2025 11:53:04 AM | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:36.794 PM | 0:18:32 |
| 78 | Unlocked | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:52 PM | 5/29/2025 12:11:52.396 PM | 0:00:16 |
| 79 | Locked | 5/29/2025 12:11:52 PM | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:25.931 PM | 0:00:32 |
| 80 | Unlocked | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:44 PM | 5/29/2025 12:12:45.680 PM | 0:00:20 |
| 81 | Locked | 5/29/2025 12:12:44 PM | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:32.099 PM | 0:09:48 |
| 82 | Unlocked | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:52 PM | 5/29/2025 12:22:54.152 PM | 0:00:20 |
| 83 | Locked | 5/29/2025 12:22:52 PM | 5/29/2025 12:36:32 PM | 5/29/2025 12:36:33.766 PM | 0:13:40 |
| 84 | Unlocked | 5/29/2025 12:36:32 PM | 5/29/2025 12:37:56 PM | 5/29/2025 12:37:57.745 PM | 0:01:24 |
| 85 | Locked | 5/29/2025 12:37:56 PM | 5/29/2025 12:40:56 PM | 5/29/2025 12:40:56.874 PM | 0:03:00 |
| 86 | Unlocked | 5/29/2025 12:40:56 PM | 5/29/2025 12:41:08 PM | 5/29/2025 12:41:10.509 PM | 0:00:12 |
| 87 | Locked | 5/29/2025 12:41:08 PM | 5/29/2025 12:44:08 PM | 5/29/2025 12:44:08.423 PM | 0:03:00 |
| 88 | Unlocked | 5/29/2025 12:44:08 PM | 5/29/2025 12:49:48 PM | 5/29/2025 12:49:50.606 PM | 0:05:40 |
| 89 | Locked | 5/29/2025 12:49:48 PM | 5/29/2025 1:05:44 PM | 5/29/2025 1:05:46.414 PM | 0:15:56 |
| 90 | Unlocked | 5/29/2025 1:05:44 PM | 5/29/2025 1:40:24 PM | 5/29/2025 1:40:25.778 PM | 0:34:40 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Sender | **+13607203796** |
| Sender Name | **Bitch** |
| Recipient(s) | **Local User <NFFO 13Y9L Item XUQP3>** |
| Message Sent Date/Time | **5/29/2025 11:54:22.000 AM** |
| Message | **Interesting** |
| Message GUID | **5E591904-187D-4755-A4DD-6E4D9FE11547** |
| Type | **iMessage** |
| Status | **Received and Read** |
| Message Read Date/Time | **5/29/2025 6:51:40.000 PM** |
| Chat ID | **+13607203796** |
| Artifact type | iOS iMessage/SMS/MMS |
| Item ID | 386815 |

↘ Received
**+13605211599** 5/29/2025 12:06:21.000 PM
Is Resendes okay?

↘ Received
**+13605211599** 5/29/2025 12:13:43.000 PM
Also, let me know when you are on your way in

↘ Received
**+13605211599** 5/29/2025 12:42:26.000 PM
Call me

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:52:27.604 AM | 5/29/2025 11:52:27.604 AM | 00:00:00 |
| +13605211599 | BRAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 11:52:42.442 AM | 5/29/2025 11:52:42.442 AM | 00:00:00 |
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:52:54.720 AM | 5/29/2025 11:52:54.720 AM | 00:00:00 |
| +13605211599 | BRAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 11:53:01.597 AM | 5/29/2025 11:53:01.597 AM | 00:00:00 |
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:53:16.664 AM | 5/29/2025 11:53:16.664 AM | 00:00:00 |
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:53:40.722 AM | 5/29/2025 11:53:40.722 AM | 00:00:00 |
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:54:06.001 AM | 5/29/2025 11:54:06.001 AM | 00:00:00 |
| +13607203796 | | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:57:08.364 AM | 5/29/2025 11:57:08.364 AM | 00:00:00 |
| +13605211599 | BRAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 12:42:03.025 PM | 5/29/2025 12:42:03.025 PM | 00:00:00 |
| +13605211599 | | Outgoing | Phone | Answered | 5/29/2025 12:44:35.052 PM | 5/29/2025 12:44:52.012 PM | 00:00:17 |
| +13605211599 | | Outgoing | Phone | Answered | 5/29/2025 12:45:04.032 PM | 5/29/2025 12:49:16.973 PM | 00:04:13 |

2. At 11:50:56 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone and used the Apple iMessage App between 11:51:01 AM and 11:52:55 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND appears to interact with the text message from the phone number 910-549-9482 at 11:51:58 AM. The user did not respond to the text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND appears to interact with the text message from the phone number 254-203-0672 identified as belonging V/RESENDIZ at 11:52:47 AM. The user did not respond to the text messages. The iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 11:53:04 AM and 12:11:36 PM for 18 minutes and 32 seconds. At 11:53:29 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was wearing the Apple Watch SE (2nd generation) Cellular - 40mm as noted by the recorded Heart Rates in the Apple Health Data. On 29May25, between 11:53:29 AM and 12:29:33 PM, the individual wearing the Apple Watch paired with the iPhone 15 Pro Max belonging to S/COPELAND had nine Heart Rate events recorded. The exact time the user of the iPhone 15 Pro Max belonging to S/COPELAND started wearing the Apple Watch SE (2nd generation) Cellular - 40mm device is unknown, but the first recorded event is at 11:53:29 AM. The last recorded event indicating the user was wearing the watch is at 12:29:33 PM. SDFE DAVISON took the following screenshots.

## ARTIFACT INFORMATION

| | |
|---|---|
| Title | +1 (910) 549-9482 |
| Action Type | com.apple.Messages |
| Service | com.apple.MobileSMS |
| Recorded Date/Time | 5/29/2025 11:51:58.678 AM |
| Content Link | sms://open?service=(null)&recipient=+19105499482 |
| Metadata | __kIMChatRegistryUserActivityLastMessageKey<br>Look I need you to reply<br>__kIMChatRegistryContinuityURLKey<br>sms://open?service=(null)&recipient=+19105499482 |
| GUID | C6BAC427-E2E0-4787-92BE-A05A81317C02 |
| Artifact type | Biome User Activity |
| Item ID | 801745 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\UniversalRecents.UserActivity.Metadata\local\769881111917767 |
| Recovery method | Parsing |

| | | | | |
|---|---|---|---|---|
| Heart Rate | 84 | 5/29/2025 11:53:29.000 AM | | Sedentary |
| Heart Rate | 84 | 5/29/2025 11:55:39.000 AM | | Sedentary |
| Heart Rate | 81 | 5/29/2025 12:01:29.000 PM | | Sedentary |
| Heart Rate | 86 | 5/29/2025 12:05:28.000 PM | | Sedentary |
| Heart Rate | 85 | 5/29/2025 12:12:36.000 PM | | Background |
| Heart Rate | 83 | 5/29/2025 12:14:43.000 PM | | Sedentary |
| Heart Rate | 94 | 5/29/2025 12:23:19.000 PM | | Background |
| Heart Rate | 88 | 5/29/2025 12:27:39.000 PM | | Background |
| Heart Rate | 84 | 5/29/2025 12:29:33.000 PM | | Background |
| Health Distance | 0.5 | 5/29/2025 2:08:08.349 PM | 5/29/2025 2:08:10.910 PM | 0.04 |
| Steps | 1 | 5/29/2025 2:08:08.349 PM | 5/29/2025 2:08:10.910 PM | 0.04 |
| Health Distance | 13.57 | 5/29/2025 4:53:24.654 PM | 5/29/2025 4:53:32.336 PM | 0.13 |
| Steps | 21 | 5/29/2025 4:53:24.654 PM | 5/29/2025 4:53:32.336 PM | 0.13 |

**ARTIFACT INFORMATION**

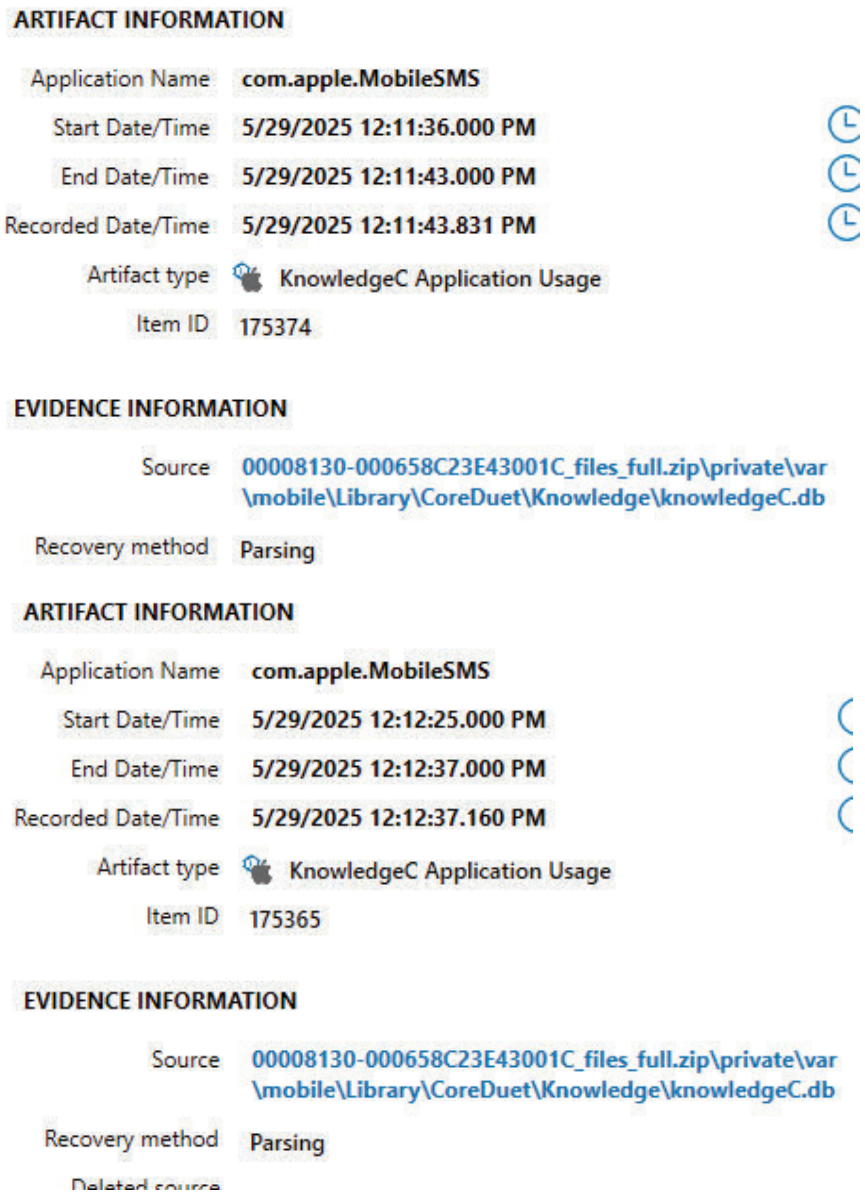
| | |
|---|---|
| Title | **+1 (254) 203-0672** |
| Action Type | **com.apple.Messages** |
| Service | **com.apple.MobileSMS** |
| Recorded Date/Time | **5/29/2025 11:52:47.993 AM** |
| Content Link | **sms://open?service=(null)&recipient=+12542030672** |
| Metadata | **__kIMChatRegistryUserActivityLastMessageKey**<br>**OKAY**<br>**__kIMChatRegistryContinuityURLKey**<br>**sms://open?service=(null)&recipient=+12542030672** |
| GUID | **432794DB-6C8D-470B-9E97-C993468F164A** |
| Artifact type | Biome User Activity |
| Item ID | 801747 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\UniversalRecents.UserActivity.Metadata\local\769881111917767 |
| Recovery method | Parsing |

3. At 12:11:04 PM, the iPhone 15 Pro Max belonging to S/COPELAND received a Snapchat message from the Snapchat user name “mia.carman05.” At 12:11:36 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 16 seconds. The user did not check the Snapchat message or reply. The user had the Apple iMessage app active until 12:11:43 PM, then the device was placed into a locked state at 12:11:52 PM. The user did not respond to any previous messages or send any messages. Between 12:11:52 PM and 12:12:24 PM, the device was in a locked state for 32 seconds. At 12:12:24 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 20 seconds. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple iMessage app between 12:12:25 PM and 12:12:37 PM. The user did not respond to any previous messages or send any messages. The iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 12:12:44 PM and 12:22:32 PM for 9 minutes and 48 seconds. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 78 | Unlocked | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:52 PM | 5/29/2025 12:11:52.396 PM | 0:00:16 |
| 79 | Locked | 5/29/2025 12:11:52 PM | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:25.931 PM | 0:00:32 |
| 80 | Unlocked | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:44 PM | 5/29/2025 12:12:45.680 PM | 0:00:20 |
| 81 | Locked | 5/29/2025 12:12:44 PM | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:32.099 PM | 0:09:48 |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:11:36.000 PM** |
| End Date/Time | **5/29/2025 12:11:43.000 PM** |
| Recorded Date/Time | **5/29/2025 12:11:43.831 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175374 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:12:25.000 PM** |
| End Date/Time | **5/29/2025 12:12:37.000 PM** |
| Recorded Date/Time | **5/29/2025 12:12:37.160 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175365 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |

4. At 12:22:32 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 20 seconds. The user had the Apple iMessage App active between 12:22:35 PM and 12:22:45 PM. The user did not respond to any previous messages or send any messages. Between 12:22:52 PM and 12:36:32 PM, the device was in a locked state for 13 minutes and 40 seconds. Between 12:36:32 PM and 12:37:56 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 1 minute and 24 seconds. The user had the Apple iMessage App active between 12:36:48 PM and 12:36:52 PM. The user did not respond to any previous messages or send any messages. Between 12:36:52 PM and 12:36:58 PM, the user switched to the Cash App. Between 12:37:02 PM and 12:37:49 PM, the user switched to Snapchat app although the user did not respond to any previous messages. The examination

revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to take two pictures while using Snapchat based on the camera being active and the .jpg file extension. Snapchat saved the image named 50391EFB-141E-499C-8AE8-186C17E5FB28.jpg and 61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg. The user then appears to watch two videos on Snapchat of women on a boat. Between 12:37:56 PM and 12:40:56 PM, the device was in a locked state for 3 minutes. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 82 | Unlocked | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:52 PM | 5/29/2025 12:22:54.152 PM | 0:00:20 |
| 83 | Locked | 5/29/2025 12:22:52 PM | 5/29/2025 12:36:32 PM | 5/29/2025 12:36:33.766 PM | 0:13:40 |
| 84 | Unlocked | 5/29/2025 12:36:32 PM | 5/29/2025 12:37:56 PM | 5/29/2025 12:37:57.745 PM | 0:01:24 |
| 85 | Locked | 5/29/2025 12:37:56 PM | 5/29/2025 12:40:56 PM | 5/29/2025 12:40:56.874 PM | 0:03:00 |
| 86 | Unlocked | 5/29/2025 12:40:56 PM | 5/29/2025 12:41:08 PM | 5/29/2025 12:41:10.509 PM | 0:00:12 |
| 87 | Locked | 5/29/2025 12:41:08 PM | 5/29/2025 12:44:08 PM | 5/29/2025 12:44:08.423 PM | 0:03:00 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:22:35.000 PM** |
| End Date/Time | **5/29/2025 12:22:45.000 PM** |
| Recorded Date/Time | **5/29/2025 12:22:45.575 PM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175361** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:36:48.000 PM** |
| End Date/Time | **5/29/2025 12:36:52.000 PM** |
| Recorded Date/Time | **5/29/2025 12:36:52.956 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175353 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.squareup.cash** |
| Start Date/Time | **5/29/2025 12:36:52.000 PM** |
| End Date/Time | **5/29/2025 12:36:58.000 PM** |
| Recorded Date/Time | **5/29/2025 12:36:58.849 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175354 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 12:37:02.000 PM** |
| End Date/Time | **5/29/2025 12:37:49.000 PM** |
| Recorded Date/Time | **5/29/2025 12:37:49.311 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175348 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/24/1970 2:58:10.056 AM** |
| Baseband Date/Time | **5/29/2025 12:37:03.364 PM** |
| Display Date/Time | **5/29/2025 12:37:04.712 PM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205664 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **50391EFB-141E-499C-8AE8-186C17E5FB28.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 12:37:06.000 PM** |
| Last Accessed Date/Time | **5/29/2025 12:37:06.000 PM** |
| Last Modified Date/Time | **5/29/2025 12:37:06.000 PM** |
| Size (Bytes) | **118,219** |
| Skin Tone Percentage | **69.9** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **895f27a5be1ec3982fe31b1f897e5fb3** |
| SHA1 Hash | **ea380e32efdd42d08981a7de5ecdb096f2cd387f** |
| Artifact type | Pictures |
| Item ID | 782034 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\50391EFB-141E-499C-8AE8-186C17E5FB28.jpg** |
| Recovery method | Parsing |



## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 12:37:16.000 PM** |
| Last Accessed Date/Time | **5/29/2025 12:37:16.000 PM** |
| Last Modified Date/Time | **5/29/2025 12:37:16.000 PM** |
| Size (Bytes) | **1,060,594** |
| Skin Tone Percentage | **75.7** |
| Original Width | **3840** |
| Original Height | **2160** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 3840**<br>**ImageHeight: 2160** |
| MD5 Hash | **b3774a687a936c5bda263c797c25b1f4** |
| SHA1 Hash | **84feaac452e0a630dd1b932d60f1c6602597a873** |
| Artifact type | **Pictures** |
| Item ID | 782123 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg** |



5. At 12:40:56 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 12 seconds. The user had the Snapchat app active between 12:40:56 PM and 12:40:58 PM for 2 seconds. The user then switched to the Apple iMessages app between 12:40:58 PM and 12:41:01 PM. The user did not respond to either Snapchat or text messages. Between 12:41:08 PM and 12:44:08 PM, the iPhone 15 Pro Max belonging to S/COPELAND was in a locked state for 3 minutes. At 12:42:03 PM, the iPhone 15 Pro Max belonging to S/COPELAND received an incoming phone call from "Brad Parker." At 12:42:26 PM, the iPhone 15 Pro Max belonging to S/COPELAND received a text message from "Brad Parker." The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the call. At 12:44:08 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device until 12:49:48 PM. The user then

initiates two phone calls to “Brad Parker.” SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 12:40:56.000 PM** |
| End Date/Time | **5/29/2025 12:40:58.000 PM** |
| Recorded Date/Time | **5/29/2025 12:40:58.594 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175346 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:40:58.000 PM** |
| End Date/Time | **5/29/2025 12:41:01.000 PM** |
| Recorded Date/Time | **5/29/2025 12:41:01.956 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175342 |

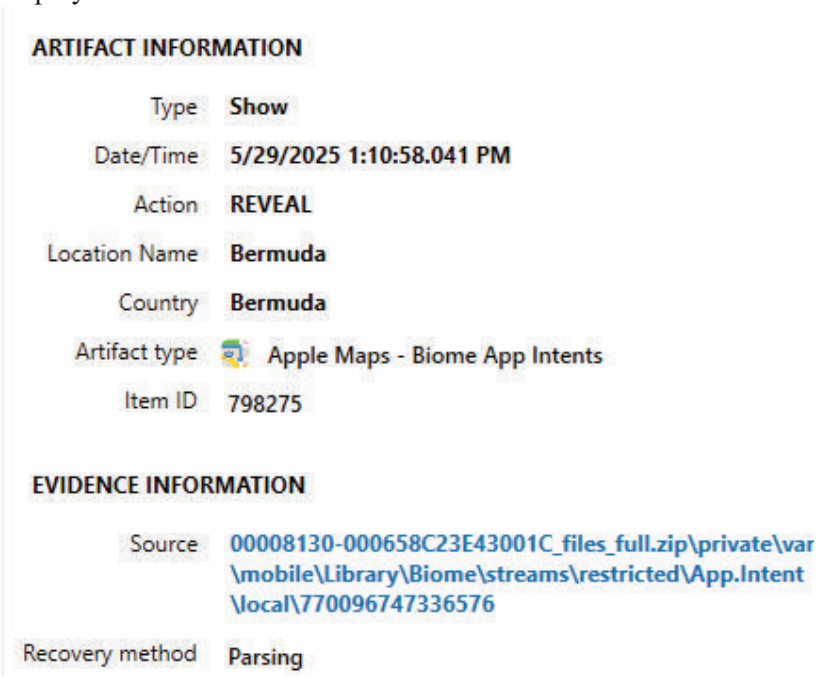
**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

↘ Received
**+13605211599** 5/29/2025 12:42:26.000 PM
Call me

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| +13605211599 | BRAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 12:42:03.025 PM | 5/29/2025 12:42:03.025 PM | 00:00:00 |
| +13605211599 | | Outgoing | Phone | Answered | 5/29/2025 12:44:35.052 PM | 5/29/2025 12:44:52.012 PM | 00:00:17 |
| +13605211599 | | Outgoing | Phone | Answered | 5/29/2025 12:45:04.032 PM | 5/29/2025 12:49:16.973 PM | 00:04:13 |

6. After the phone call with "Brad Parker," the iPhone 15 Pro Max belonging to S/COPELAND is put in a locked state between 12:49:48 PM and 1:05:44 PM for 15 minutes and 56 seconds. At 1:05:44 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocks the device. Between 1:05:57 PM and 1:10:52 PM, the user of iPhone 15 Pro Max belonging to S/COPELAND interacted with Snapchat and Instagram app although the user did not respond to any messages. Between 1:10:52 PM and 1:12:01 PM, the user of iPhone 15 Pro Max belonging to S/COPELAND interacted with the Apple Maps App. The user did an attempt for directions to Bermuda and searched for Chick-Fil-A in Norfolk. SDFE DAVISON took the following screenshots as displayed in Axiom.



**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **Show** |
| Date/Time | **5/29/2025 1:10:58.041 PM** |
| Action | **REVEAL** |
| Location Name | **Bermuda** |
| Country | **Bermuda** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798275 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **PlaceCardTap** |
| Date/Time | **5/29/2025 1:10:59.116 PM** |
| Action | **GET_DIRECTIONS** |
| Location Name | **Bermuda** |
| Country | **Bermuda** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798281 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Chick-fil-A** |
| Address | **Norfolk** |
| Created Date/Time | **5/29/2025 1:11:29.355 PM** |
| Artifact type | Apple Maps Searches |
| Item ID | 576450 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1 |
| Recovery method | Parsing |

[redacted]

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 02JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF NAVY FEDERAL CREDIT UNION SUBPOENA FOR [redacted] ACCOUNT

1. As background, [redacted] and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95 were placed into a Unauthorized Absence (UA) status subsequent to 29May25, after failing to report to work. On 01Jun25, after speaking with S/COPELAND's mother, Rochell BROWN, CIV, NCIS and BROWN contacted Naval Station Norfolk (NOB) Base Police to conduct a follow-up health and welfare check on both S/COPELAND and [redacted]. The Naval Station Norfolk Watch Commander advised NOB Security Forces located S/COPELAND in his barracks rooms located on NOB, Willis Manor (X-2), Room 335. NCIS was advised that Security Forces received no answer at [redacted]'s door when they knocked on her barracks room located on NOB, Miller Hall, Room 1083

2. On 02Jun25, Reporting Agent (RA) obtained and served a military subpoena to Navy Federal Credit Union (NFCU) relative to [redacted]'s checking account the date range spanned of 02May25-01Jun25; Enclosure (A) pertains.

3. On 02Jun25, NFCU's subpoena compliance team returned records, which indicated no substantial checking account activity since 28May25. The last substantial monetary purchase that posted to the account occurred on 28May25 at Target, 1245 N. Military Highway Norfolk, VA for $289.46; Enclosure (B) pertains.

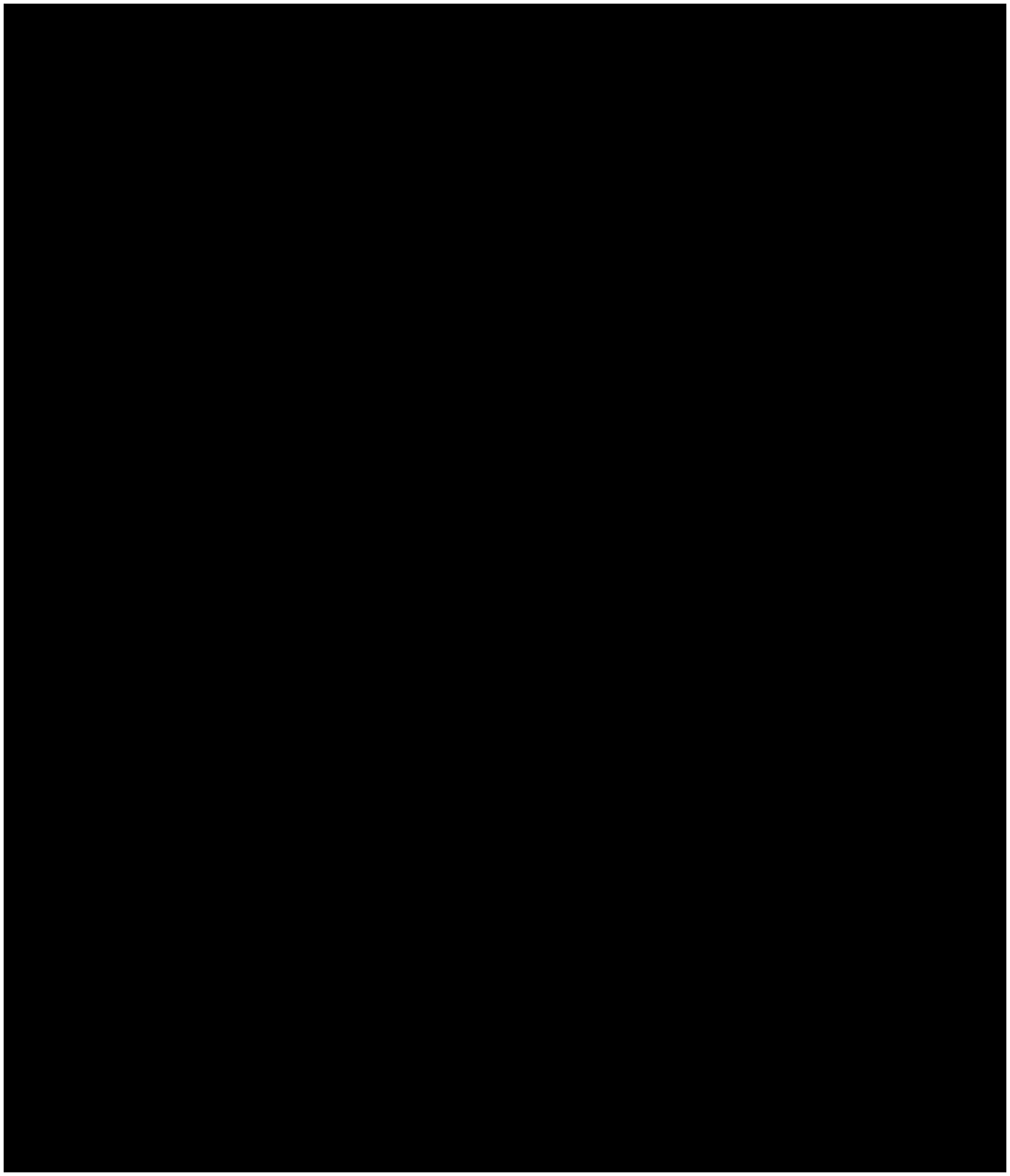
4. Two (2) additional charges were observed post 28Jun25, however, they appear to be subscription base.

ENCLOSURE(S)
(A) NAVY FEDERAL CREDIT UNION SUBPOENA/02JUN25
(B) NAVY FEDERAL CREDIT UNION RECORDS/02JUN25

REPORTED BY: MATTHEW FRANK MILLER, Supervisory Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA

*PAGE 1 LAST EU V2 LNN*

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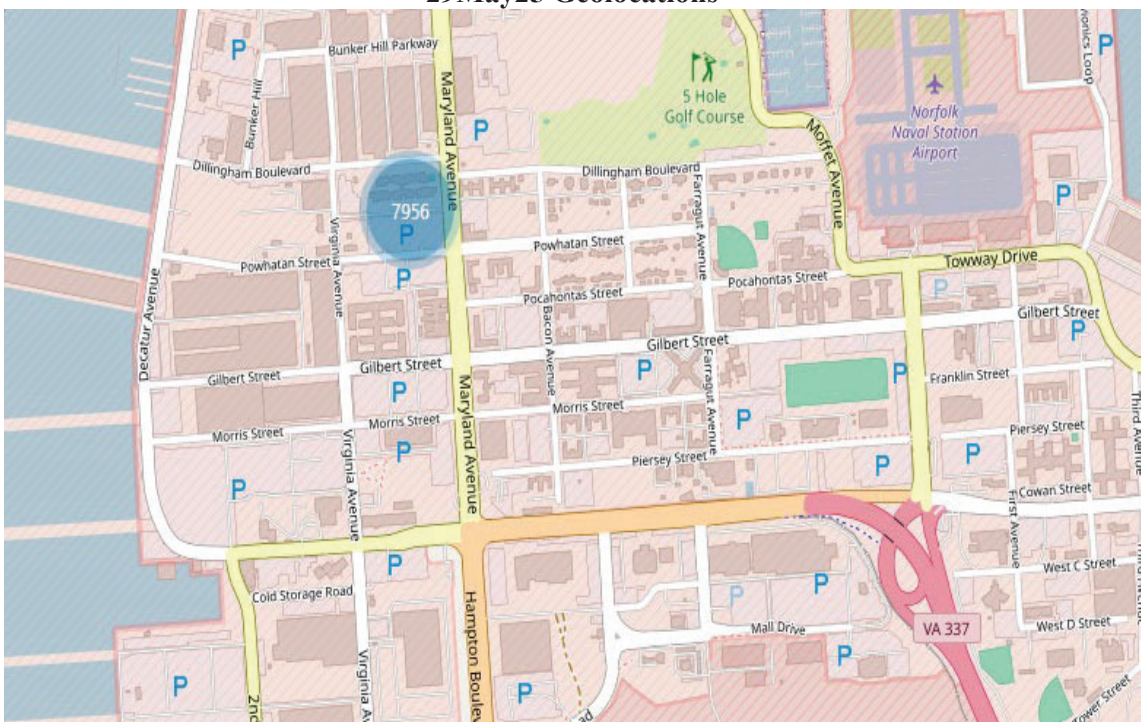


**GEOLOCATION DATA**

1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND did not contain any geolocation data other than locations near Willis Manor X-2 between 29-31May25. The geolocation data does not include cell tower data identified below. The Cached locations being considered for this assessment are based on accuracy measurements of 2 to 4 meters. The examination revealed two geolocations recorded in the device near the Vista Point Center, NSA Norfolk, on 30May25. However, the accuracy for each logged Cached location had an accuracy of over 2774 meters and are not considered accurate visited locations. The examination also disclosed a significant number of the 2316 Cached locations on 30May25 are over 800 meters

and are not considered accurate visited locations. The examination also revealed a significant number of Cached Locations on 31May25 had large accuracy measurements and are not considered accurate visited locations. SDFE DAVISON took the following screenshots as displayed in Axiom.

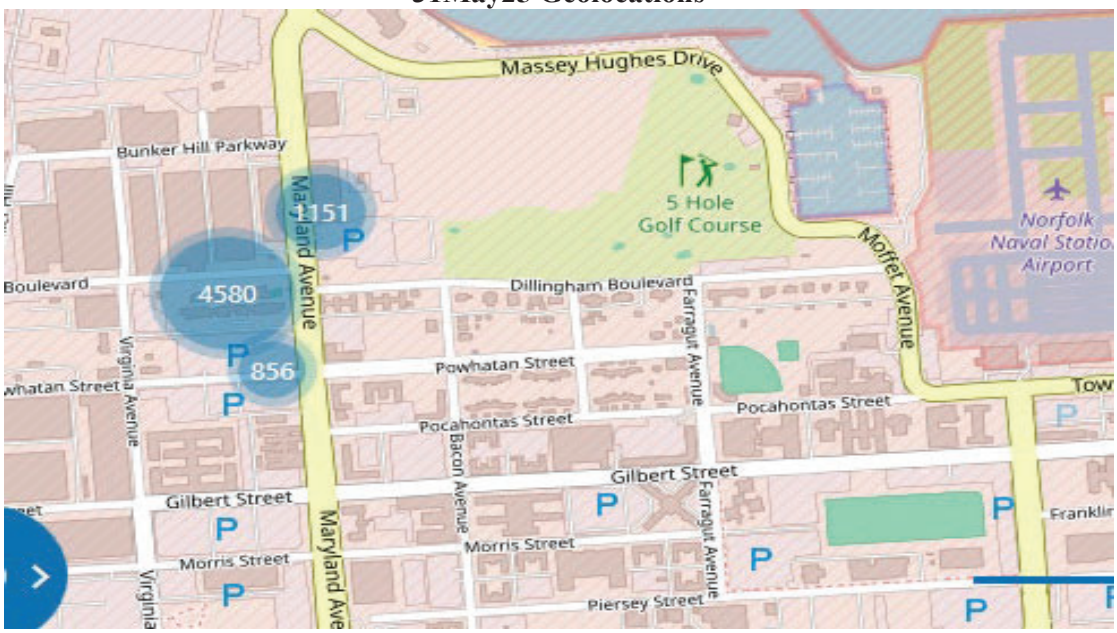
**29May25 Geolocations**




**30May25 Geolocations**

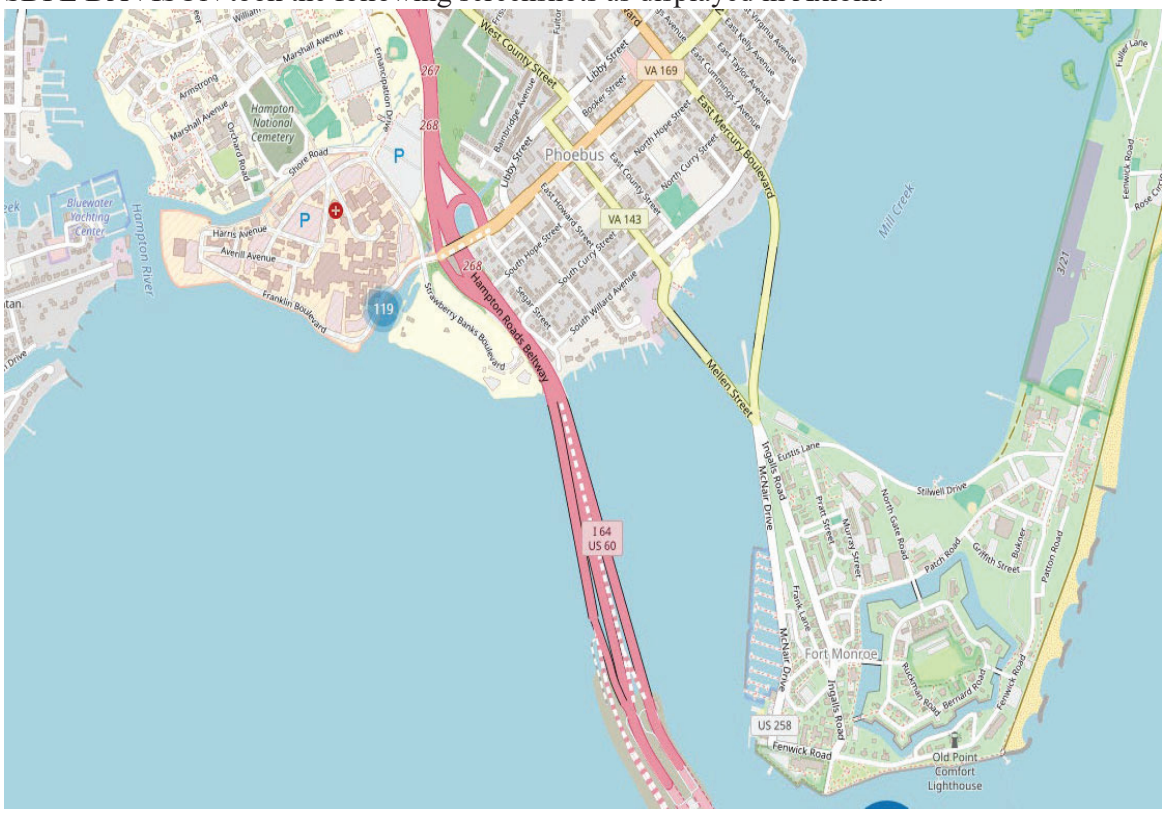



**31May25 Geolocations**




2. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND recorded 119 Cached locations near Hampton, VA, on 01Jun25, between 12:12:31 PM and 12:21:23 PM. The exact location in Hampton cannot be determined as the accuracy of the Cached locations are between 2205 and 2206 meters which is approximately 1.3 miles. Based on the I-64 Hampton Roads Bridge-Tunnel being 3.5-mile corridor according to Wikipedia.org, the geolocations

appear to be somewhere in Hampton, VA. The geolocation data for this timeframe did not contain enough data to determine routes and specific locations. Additionally, the iPhone 15 Pro Max belonging to S/COPELAND recorded cached locations near Willis Manor X-2 within several milliseconds and seconds of the cached locations recorded in Hampton, VA. The examination revealed the Apple Watch SE (2nd generation) Cellular - 40mm identified above appears to record the geolocations near Willis Manor X-2 during this timeframe. The examination revealed the Apple Watch SE (2nd generation) Cellular - 40mm appears to be turned on and kept on a charger between 30May25, at 5:57:36 PM and 04Jun25, at 3:46:25 PM. SDFE DAVISON took the following screenshots as displayed in Axiom.

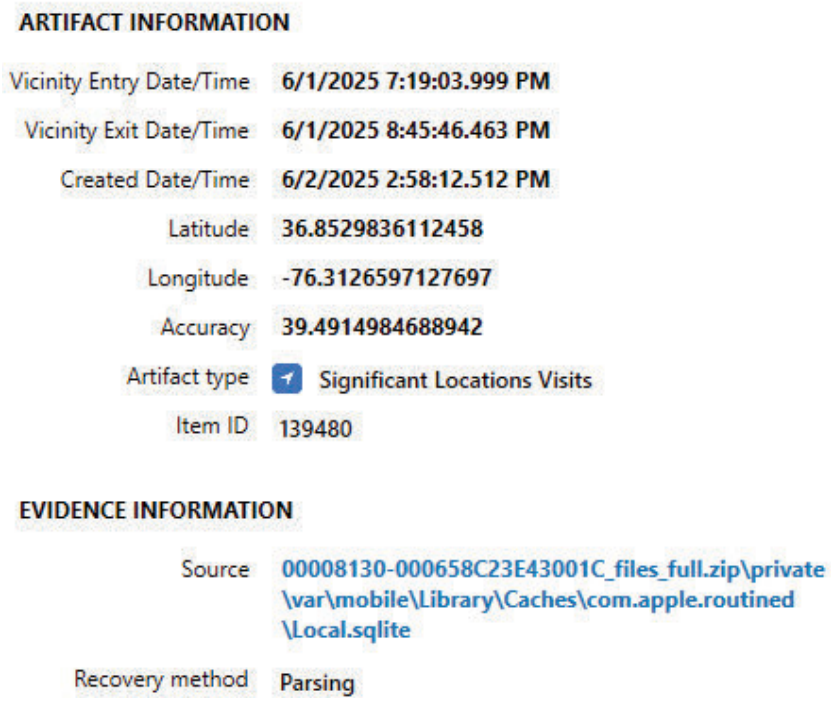



**User Notification Events**

| | | |
|---|---|---|
| Low Power Mode Off | Apple Watch battery sufficiently charged | 5/30/2025 5:57:36.389 PM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 5/30/2025 6:01:00.280 PM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 5/31/2025 11:24:56.794 AM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 6/1/2025 1:20:36.485 AM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 6/1/2025 12:13:19.111 PM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 6/1/2025 1:30:36.137 PM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 6/2/2025 4:29:21.320 AM |
| Low Power Mode Off | Apple Watch battery sufficiently charged | 6/4/2025 3:46:25.370 PM |

Click to Review Hampton Cached Locations

3. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled from Willis Manor X-2 to Harper Ave, Portsmouth, VA, on 01Jun25 between 6:55 PM and 9:23 PM. The examination revealed the device remained at the signification location between 7:19:03 PM and 8:45:46 PM. The examination also revealed the iPhone 15 Pro Max belonging to S/COPELAND appeared to travel to a Chipotle on Hampton Blvd, between 8:59:45 PM and 9:09:43 PM. The iPhone 15 Pro Max belonging to S/COPELAND remained near Willis Manor X-2 for the remainder of the day on 01Jun25. The iPhone 15 Pro Max belonging to S/COPELAND also remained near Willis Manor X-2 on 02Jun25, between 12:00 AM and approximately 4:13 AM until the device started traveling as reported above. SDFE DAVISON took the following screenshots as displayed in Axiom.



**ARTIFACT INFORMATION**

| | |
|---|---|
| Vicinity Entry Date/Time | **6/1/2025 7:19:03.999 PM** |
| Vicinity Exit Date/Time | **6/1/2025 8:45:46.463 PM** |
| Created Date/Time | **6/2/2025 2:58:12.512 PM** |
| Latitude | **36.8529836112458** |
| Longitude | **-76.3126597127697** |
| Accuracy | **39.4914984688942** |
| Artifact type | **Significant Locations Visits** |
| Item ID | 139480 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.routined\Local.sqlite** |
| Recovery method | **Parsing** |

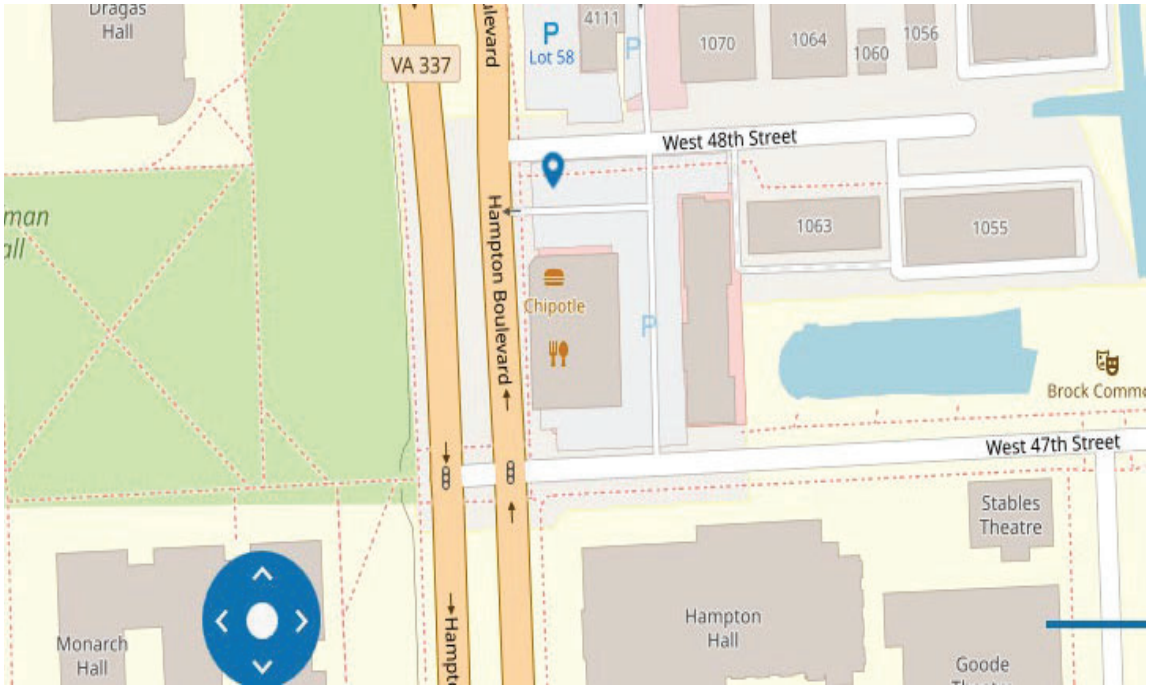



**ARTIFACT INFORMATION**

| | |
|---|---|
| Vicinity Entry Date/Time | **6/1/2025 8:59:45.999 PM** |
| Vicinity Exit Date/Time | **6/1/2025 9:09:43.533 PM** |
| Created Date/Time | **6/2/2025 2:58:12.512 PM** |
| Latitude | **36.8869044448531** |
| Longitude | **-76.3022567347288** |
| Accuracy | **22.5185401011051** |
| Artifact type | **Significant Locations Visits** |
| Item ID | **139495** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.routined\Local.sqlite** |
| Recovery method | **Parsing** |

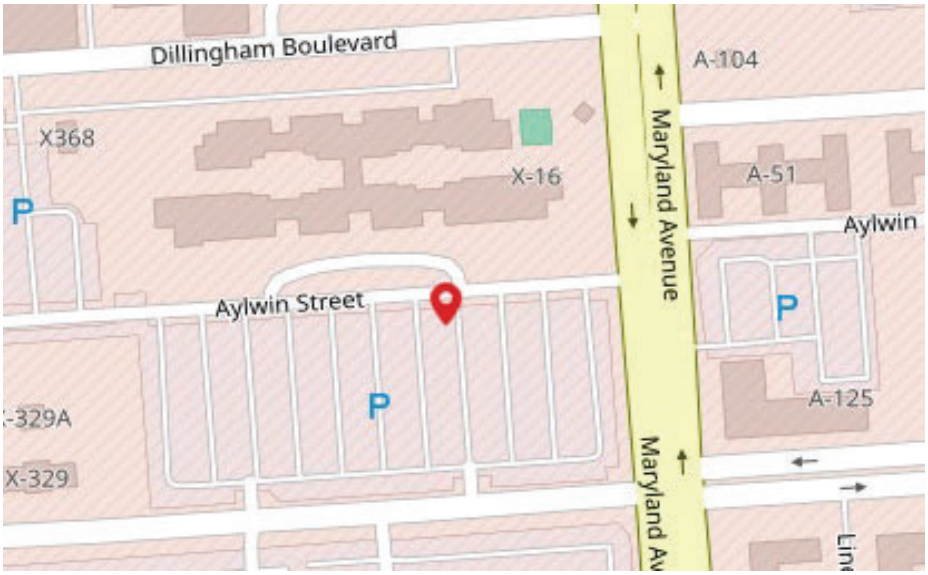



**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | **36.9503392666398** |
| Longitude | **-76.3207493227094** |
| Accuracy (m) | **24.0** |
| Altitude (m) | **1.74516553491354** |
| Altitude Accuracy (m) | **30.0** |
| Timestamp Date/Time | **6/1/2025 11:59:53.068 PM** |
| Artifact type | **Cached Locations** |
| Item ID | **281699** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.routined\Cache.sqlite** |
| Recovery method | **Parsing** |


Dillingham Boulevard
A-104
X368
X-16
A-51
Maryland Avenue
Aylwin
P
Aylwin Street
P
P
A-125
-329A
X-329
Maryland Av
Lin

[redacted]

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[PII]

RESULTS OF CONTACT WITH LTJG DAVID DEMAZURE, USN

1. On 03Jun25, LTJG David DEMAZURE, USN, USS JAMES E. WILLIAMS (DDG 95) provided Reporting Agent (RA) with the duty schedule and work schedule pertaining to CSSN [V/A.R.] ([V/A.R.] USN, DDG 95, CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, ET3 Daniel RICH, USN, DDG 95, and HT3 Michael GILLESPIE, USN, DDG 95; Enclosure (A) pertains.

2. LTJG DEMAZURE explained ET3 RICH and HT3 GILLESPIE work Monday through Friday and also stand duty. ET3 RICH was on duty 26May25, and HT3 GILLESPIE was on duty 28May25. [V/A.R.] and S/COPELAND do not stand duty. [V/A.R.] was scheduled to work 26-27May25 and 30-31May25. S/COPELAND was scheduled to work 23-25May25 and 28-29May25.

3. LTJG DEMAZURE also provided a leave chit for ET3 RICH which showed ET3 RICH was on leave from 29May25 at 1600 to 02Jun25 at 0700. The leave address listed was [PII] Norfolk, VA, 23505; Enclosure (B) pertains. LTJG DEMAZURE stated [V/A.R.] S/COPELAND, and HT3 GILLESPIE did not have any leave in the prior 3 months.

4. On 03Jun25, LTJG DEMAZURE informed RA that [V/A.R.] and S/COPELAND do not have any personal spaces onboard DDG 95 as neither individual stands duty. Of note, on 06Jun25, S/COPELAND was placed on restriction and provided with personal spaces onboard.

5. On 06Jun25, LTJG DEMAZURE provided RA with a recall roster for DDG 95; Enclosure (C) pertains.

ENCLOSURE(S)
(A) DUTY AND WORK SCHEDULE/03JUN25
(B) LEAVE CHIT FOR ET3 DANIEL RICH, USN/03JUN25
(C) RECALL ROSTER/06JUN25

REPORTED BY: CAROLINE E ROBINSON, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK

*PAGE 1 LAST DO V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted] PII

RESULTS OF INTERVIEW OF MARY BENSON, CIV, AND CSSN CARMESHA SAUNDERS, USN

1. On 06Jun25, Reporting Agent (RA) and Participating Agent Cheyenne SIMMONS interviewed Mary B. BENSON, CIV, X2 Barracks Manager, Naval Station (NAVSTA) Norfolk, VA, and CSSN Carmesha SAUNDERS, USN, NAVSSTA, regarding their interaction with CCSN Jeremiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) during the weekend from 30May25 to 01Jun25 at Barracks X2, NAVSTA.

2. BENSON advised she worked both Friday, 30May25 and Sunday, 01Jun25, at Barracks X2. BENSON stated she worked the day shift from 0600 to either 1530 or 1600. BENSON stated she is familiar with S/COPEPLAND as being a resident of the barracks and living on the third floor. BENSON stated she saw S/COPELAND on 30May25 "early part of the morning" in the fifth-floor lounge of Barracks X2. S/COPELAND was on his cellular telephone and wearing a dark hoodie shirt, with the hood pulled up over his head. BENSON stated at first, she did not recognize him because he had the hood over his head; however, once she spoke with him, she recognized him as he identified himself. BENSON came back to the lounge a little while later and asked what S/COPELAND was doing, to which he responded his roommate was "getting on his nerves". BENSON offered to move his room, and S/COPELAND denied the request. Looking at the lounge from outside of the door, S/COPELAND was sitting in the far-right chair in the far-right corner of the room. BENSON stated she did not see him the rest of the day.

3. BENSON stated on Sunday, 01Jun25, she was working at Barracks X2 and she received a call from the "ROC", which BENSON believed stood for Regional Operations Center. The ROC was checking on the whereabouts of S/COPELAND. BENSON stated base police also arrived to check on S/COPELAND, but they could not find S/COPELAND. BENSON said she went to the fifth floor and found S/COPELAND in a bathroom. BENSON knocked on the door to the bathroom and S/COPELAND responded that he was in the bathroom. BENSON stated she did not see S/COPELAND; she just spoke with him through the door. BENSON stated Base police then went up to the fifth floor and spoke with S/COPELAND.

4. BENSON further advised the company who cleans the floors in the barracks is Titan, and BENSON believed they started cleaning the floors either on 28May25 or 29May25. The supervisor for Titan is Antonio (NFI) and his number is 757-910-6405.

5. CSSN Carmesha SAUNDERS, USN, Naval Station Norfolk, advised she worked



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **06JUN25**

the front desk of X-2 on Friday and also saw S/COPELAND in the fifth-floor lounge between 1100 and 1200; however, did not know it was him until BENSON told her. SAUNDERS stated she saw a male with a dark hoodie on his telephone sitting in the lounge in the same chair BENSON described above. SAUNDERS stated she worked the rest of the weekend; however, she did not see S/COPELAND after Friday.

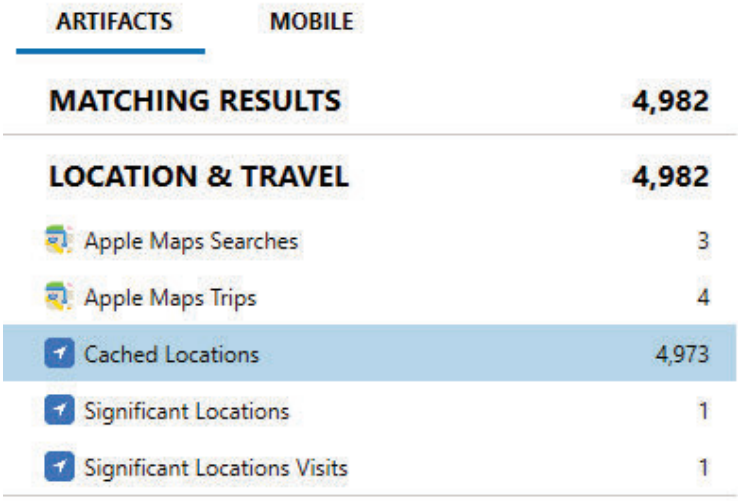
6. RA was provided a photocopy of the Contractor Sign-In Log for Barracks X2, which identifies who from Titan signed in to clean the floors from 23May25 to 06Jun25; Enclosure (A) pertains.

ENCLOSURE(S)
(A) PHOTOCOPY OF CONTRACTOR SIGN-IN LOG/06JUN25

REPORTED BY: GEORGE JOSEPH MACCINI, Special Agent
OFFICE: RESIDENT AGENCY MCAS NEW RIVER

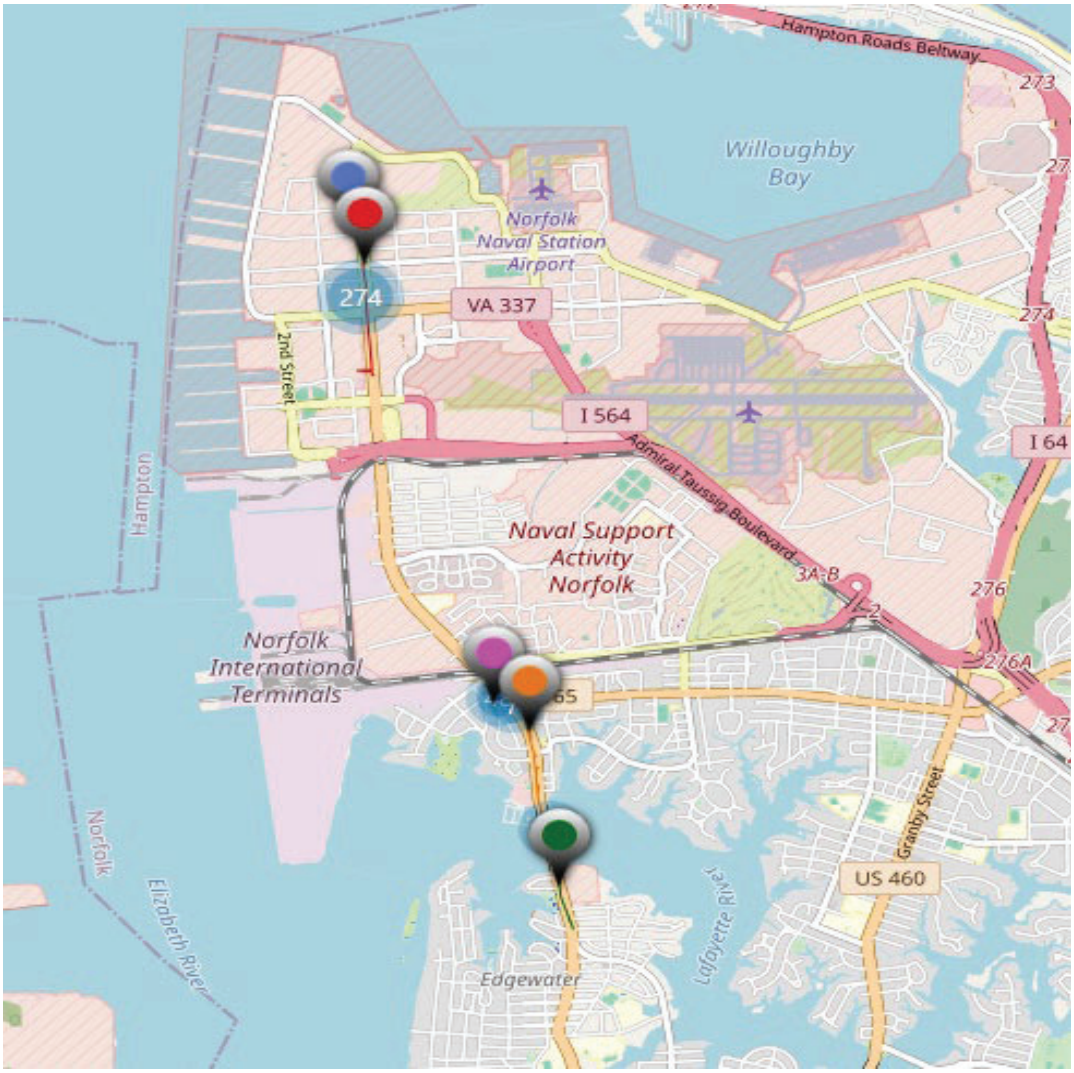


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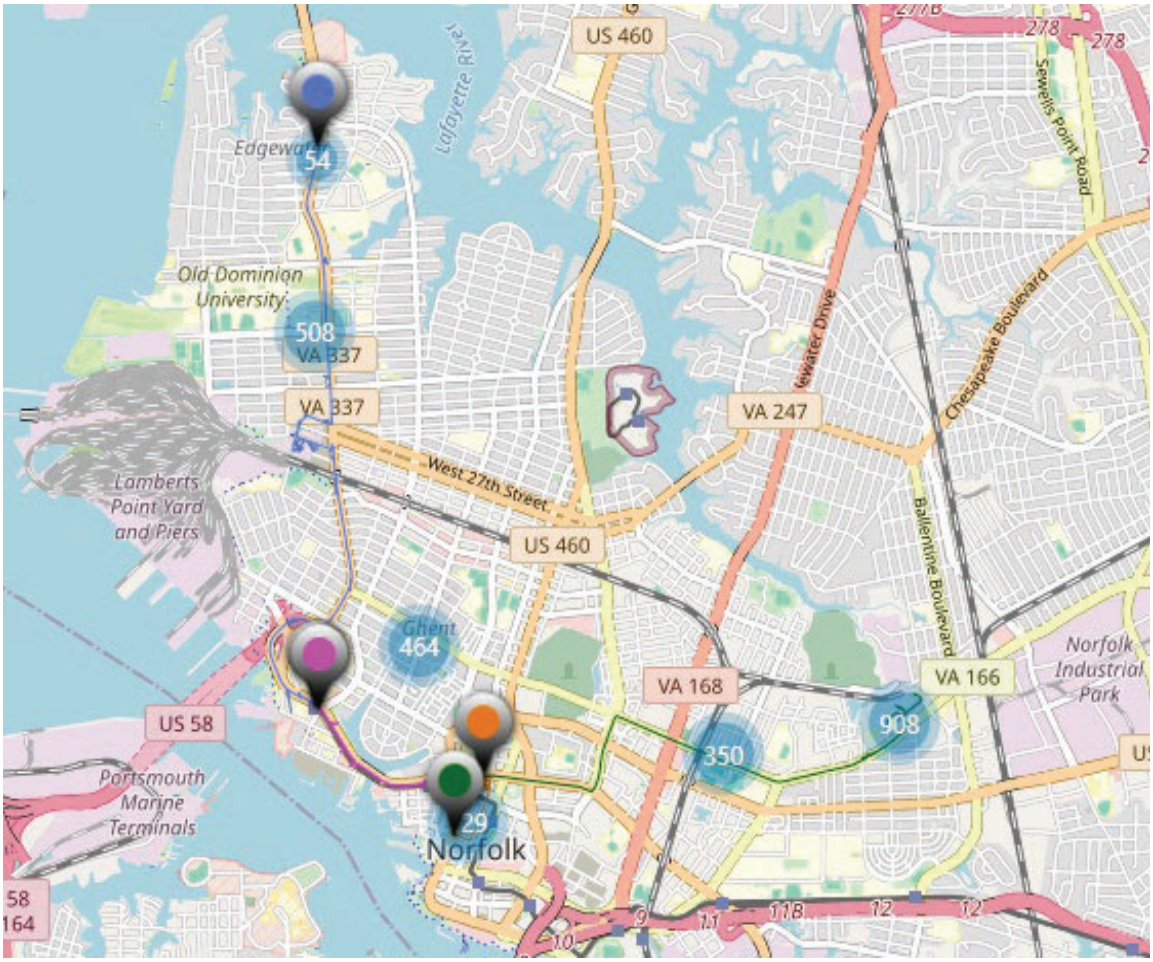



Click to Review Geolocation Report

3. The examination of the 4982 location and travel artifacts revealed a route the iPhone 15 Pro Max belonging to S/COPELAND traveled on 02Jun25, between 04:00 AM and 06:00 AM. SDFE DAVISON created three route videos using Axiom Route View. SDFE DAVISON exported and saved the three videos to a folder named "(b) Geolocations" on the FINDINGS MEDIA. The video file named "route_export_part1.mp4" represents the first portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The first portion of the route starts on 02Jun25, at 04:00 AM and ends at 04:32 AM. Between 4:18 AM (end of red route) and 4:29 AM (start of pink route), the precise location and route traveled by the iPhone 15 Pro Max belonging to S/COPELAND is unknown since the device did not record enough geolocation data during this timeframe. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




4. The video file named “route_export_part2.mp4” represents the second portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The second portion of the route starts on 02Jun25, at 04:32 AM, and ends at 05:16 AM. While the device was traveling, the user of the iPhone 15 Pro Max belonging to S/COPELAND conducting a search for Parks in Norfolk and Trails in Norfolk. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Parks** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:32:56.637 AM** |
| Artifact type | Apple Maps Searches |
| Item ID | 576454 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1 |
| Recovery method | Parsing |

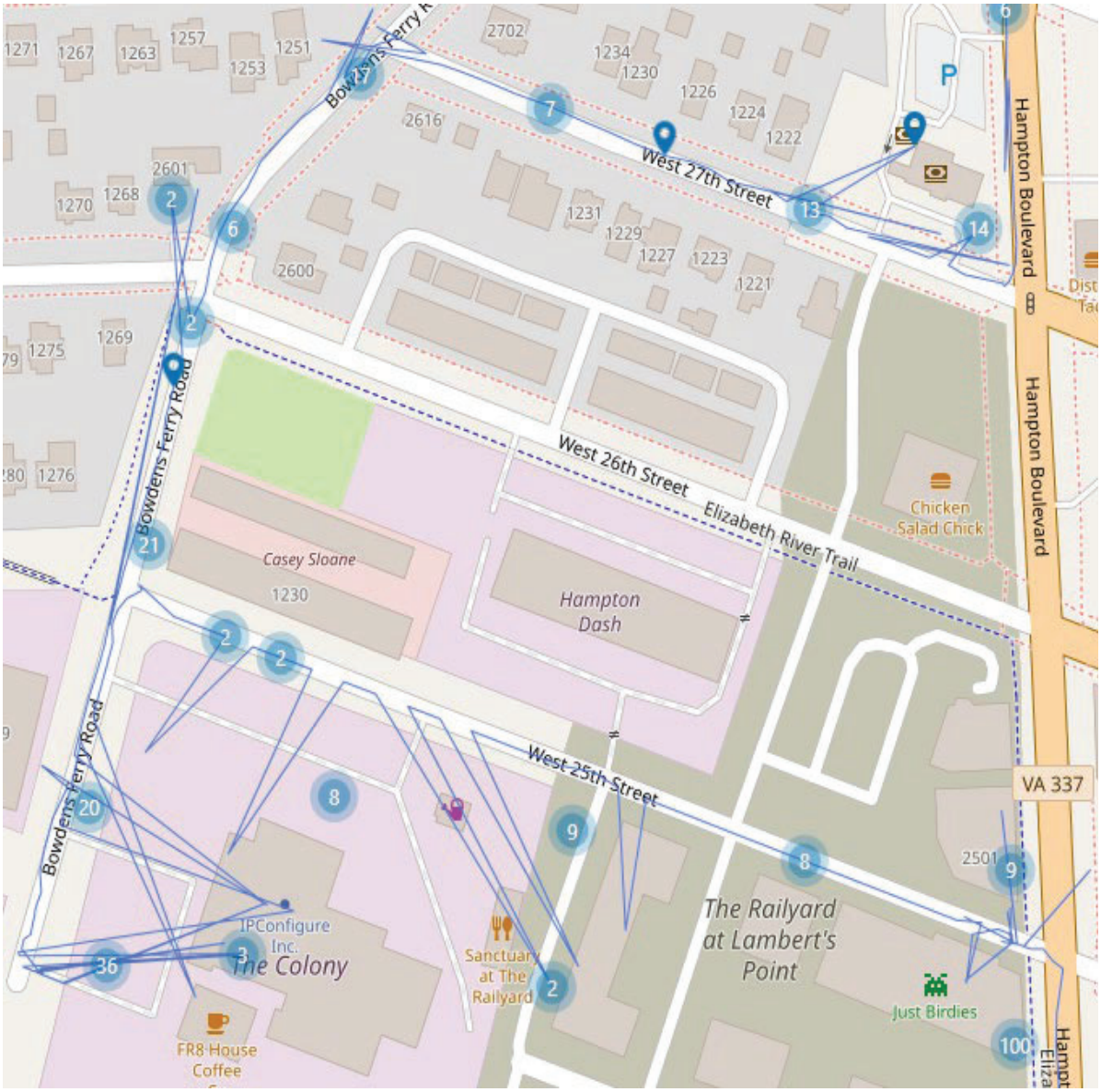
**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Trails** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:33:48.243 AM** |
| Artifact type | **Apple Maps Searches** |
| Item ID | **576458** |

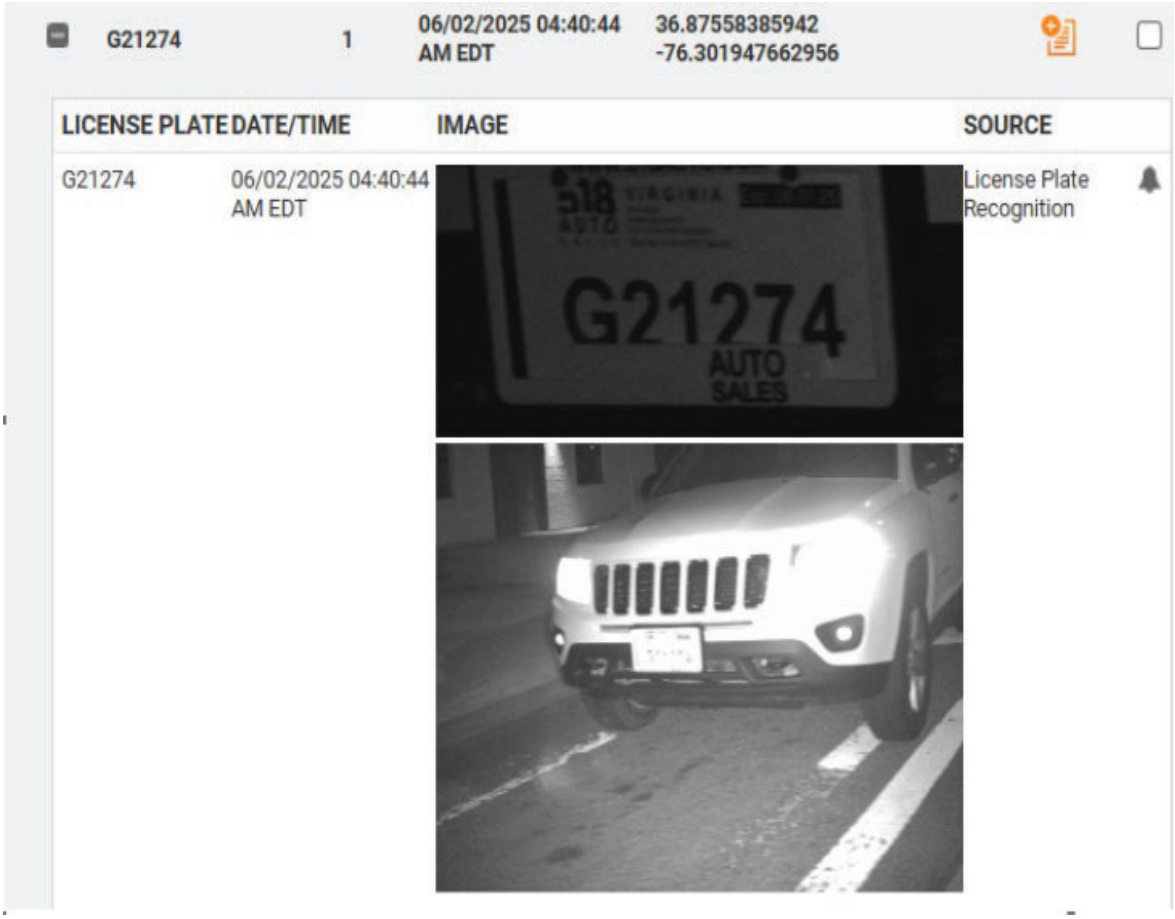
**EVIDENCE INFORMATION**

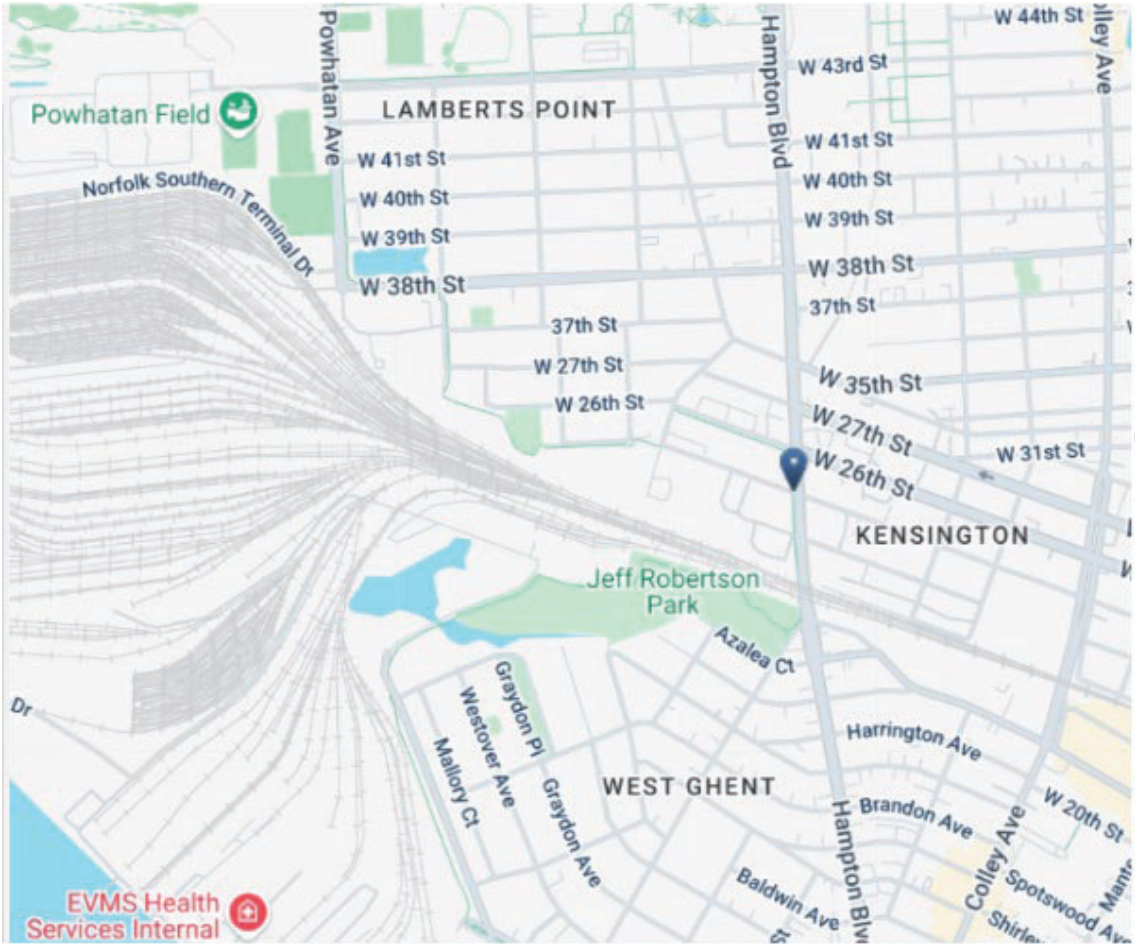
| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1** |
| Recovery method | **Parsing** |

5. The examination of the second portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled on West 27th Street, Norfolk, by the Langley Federal Credit Union, 2701 Hampton Blvd, Norfolk, VA, on 02Jun25, at approximately 04:36 AM. The device continued to travel on Bowdens Ferry Road, Norfolk, VA, then onto West 25th Street, Norfolk, VA. The device started to travel South again on Hampton Blvd starting at approximately 04:40 AM. The fluctuations in the blue lines are location and travel artifacts with varying geolocation accuracy. An examiner must rely on all of the available data to rebuild an accurate picture of a route traveled. SDFE DAVISON took a screenshot of the data as displayed in Axiom.

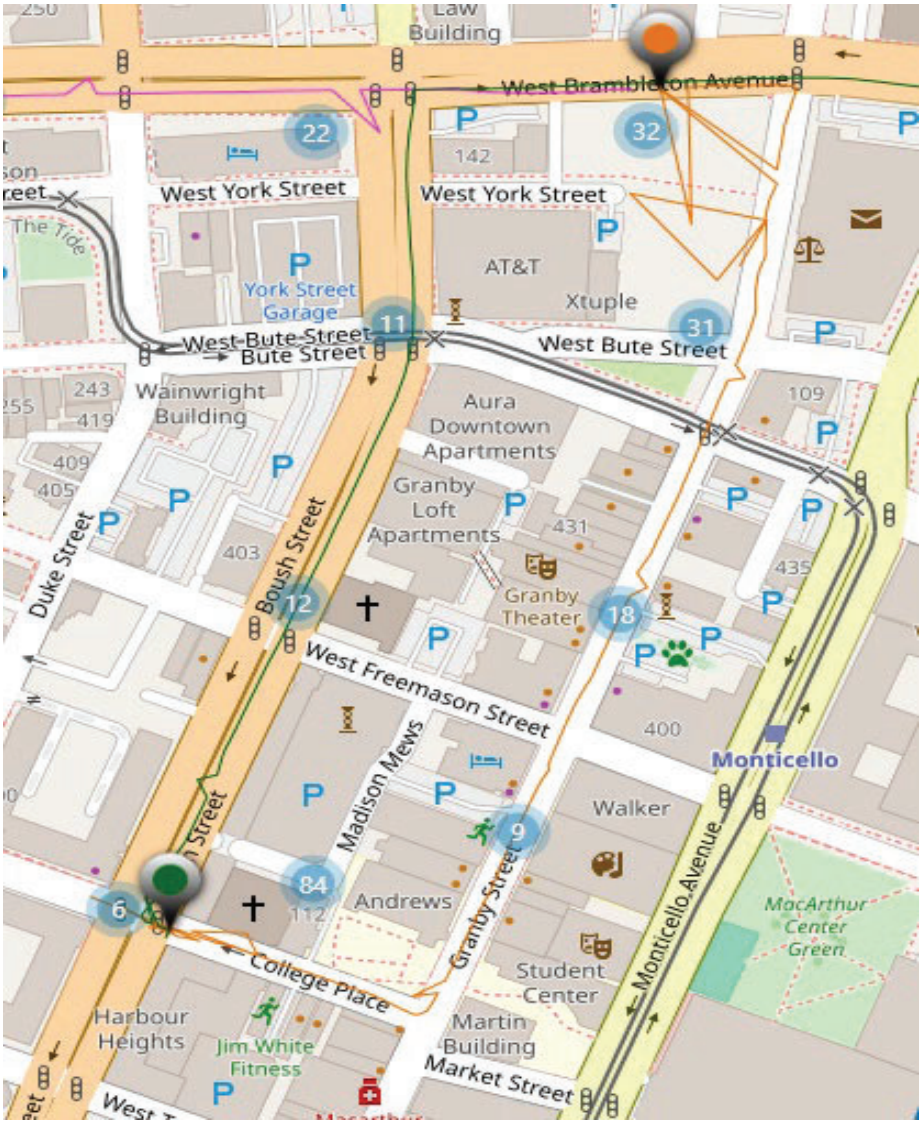



6. On 13Jun25, Investigative Analyst (IA) Mary OAKLEY, NCISRA Yorktown, VA, provided SDFE DAVSION an image from the Vigilant Database System, which she received from the Newport News Police Department, VA. The image shows a white vehicle with temporary Virginia License plate number G21274 taken on 02Jun25, at 04:40:44AM. The picture was taken near West 25th street and Hampton Blvd, Norfolk, VA. SDFE DAVISON took a screenshot of the image file.


G21274
1
06/02/2025 04:40:44 AM EDT
36.87558385942
-76.301947662956
LICENSE PLATE
DATE/TIME
IMAGE
SOURCE
G21274
06/02/2025 04:40:44 AM EDT
License Plate Recognition
G21274
AUTO
SALES

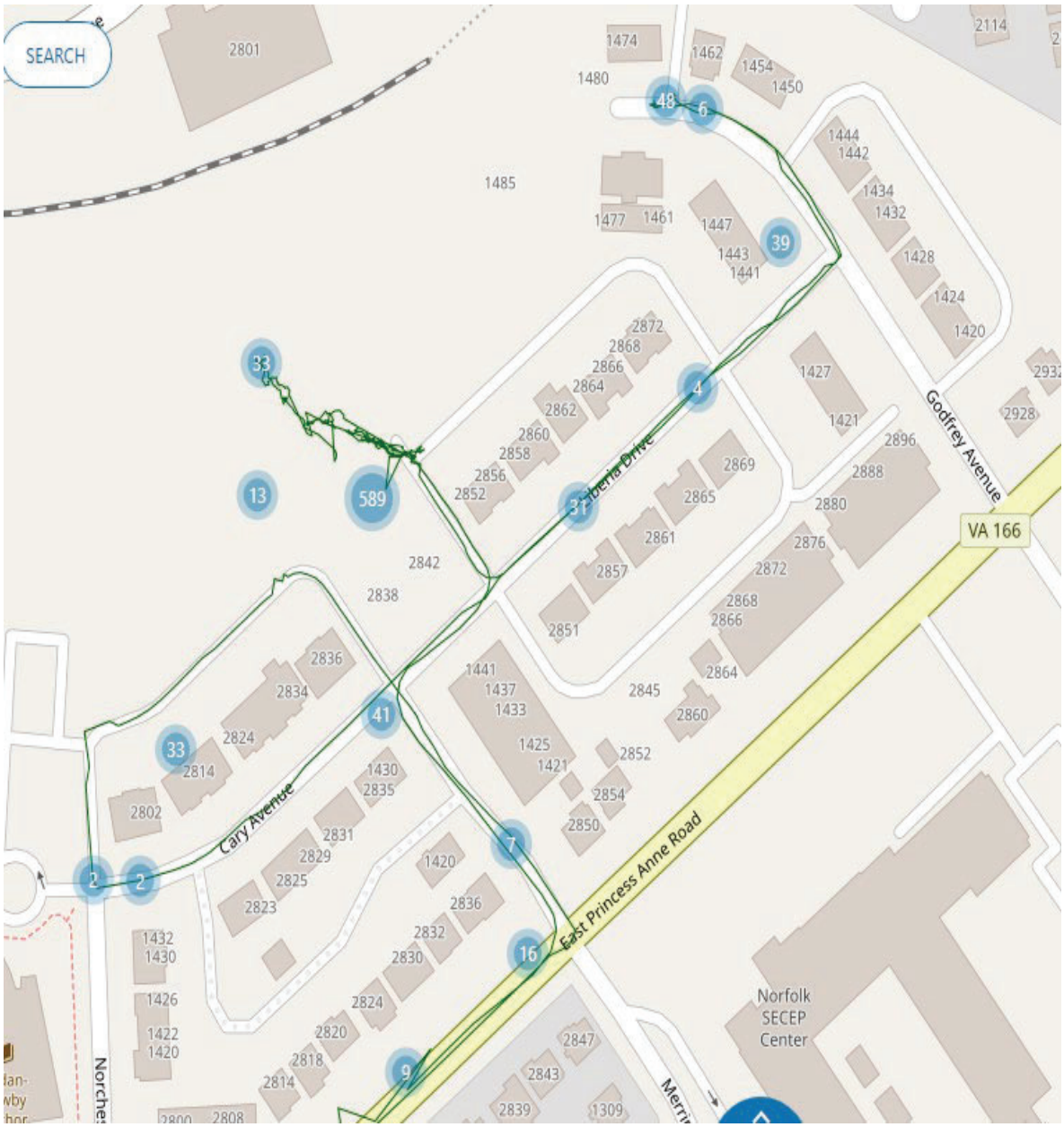


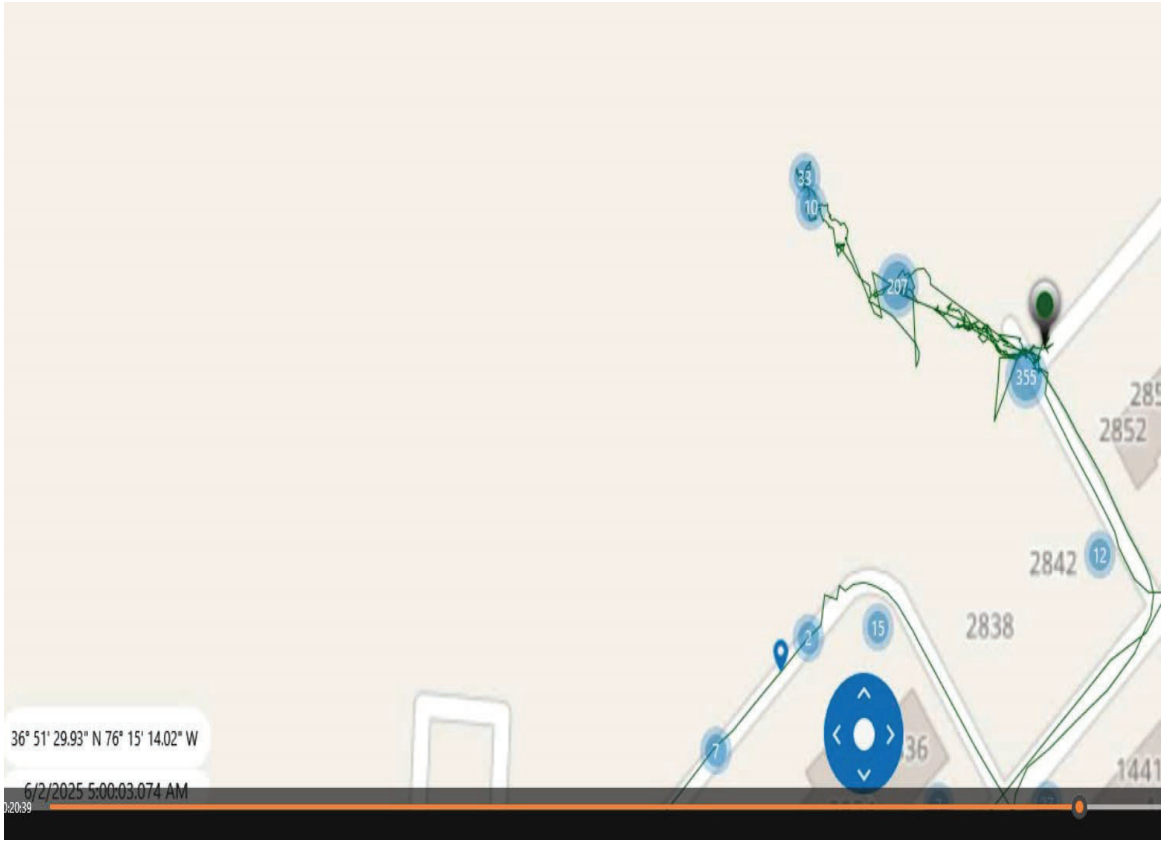

7. The examination of the second portion also revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled on Granby Street, Norfolk, on 02Jun25, at approximately 04:45 AM. The device continued to travel on College Place, Norfolk, VA, then onto Boush Street, Norfolk, VA. The device started to travel East again on West Brambleton Ave, Norfolk, starting approximately 04:48 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




8. The examination of the second portion also revealed the iPhone 15 Pro Max belonging to S/COPELAND entered Merrimac Ave, Norfolk, VA, near the Broad Creek Apartments on 02Jun25, at approximately 04:56 AM. The device traveled around the residential area until appearing to stop behind 2852 Cary Ave, Norfolk, VA, on 02Jun25, at approximately 05:00 AM. According to the health data reported above, the user of the iPhone 15 Pro Max belonging to S/COPELAND began to record health data steps and distance on 02Jun25, at approximately 05:02:25 AM. The light blue circles with the white numbers in the images below represent the number of location and travel artifacts records in the area. The lower the number of artifacts represents the lower confidence in the data to place a device in a specific area. Conversely, the higher the number of artifacts represents the higher confidence in the data to place a device in a specific area. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND recorded 635 location and travel artifacts on 02Jun25, between 5:00:11 AM and 5:15:42 AM, near the area of 2852 Cary Ave, Norfolk, VA. Based on the extremely high number of 635

location and travel artifacts, the examination revealed with extremely high confidence the iPhone 15 Pro Max belonging to S/COPELAND was in this location on 02Jun25, between 5:00:11 AM and 5:15:42 AM. SDFE DAVISON took screenshots of the data as displayed in Axiom and the video.






9. The examination revealed the first artifact recorded in the area was a cached location recorded on the device on 02Jun25, at 5:00:11 AM, with a latitude of 36.8586565668269 and a longitude of -76.2542549822841. SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom and the data displayed in the website https://www.gps-coordinates.net/.

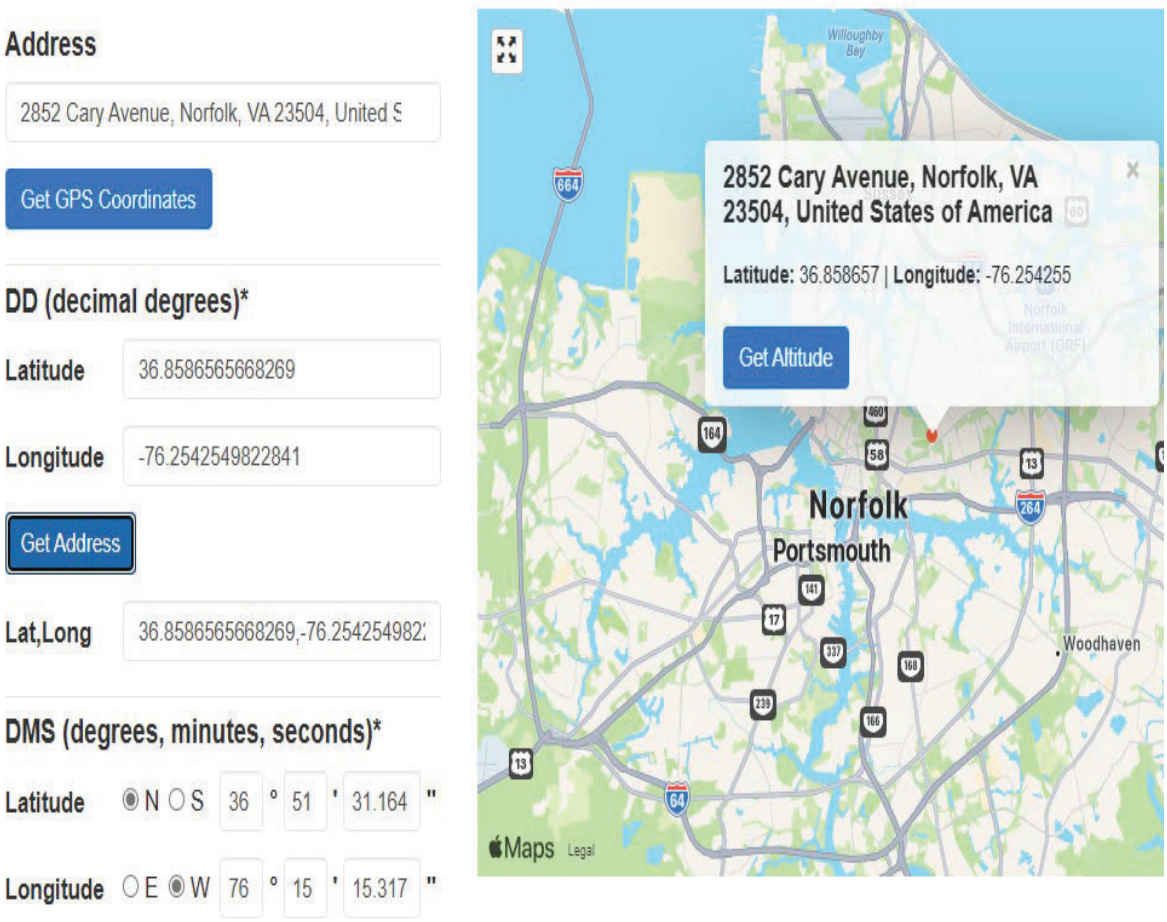
## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.8586565668269** |
| Longitude | **-76.2542549822841** |
| Accuracy (m) | **2.17346270927512** |
| Altitude (m) | **4.39380321186036** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **322.299926757813** |
| Speed (m/s) | **0.0** |
| Timestamp Date/Time | **6/2/2025 5:00:11.000 AM** |
| Artifact type | Cached Locations |
| Item ID | 286023 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 420453) |
| Evidence number | NFFO 13Y9L Item XUQP3 |




10. SDFE DAVISON visited Google Maps with website address https://www.google.com/maps/ and entered the latitude of 36.8586565668269 and a longitude of -76.2542549822841 into Google Maps search function. SDFE DAVISON took a screenshot of the area as displayed in Google Maps layers.




11. The examination revealed the last artifact recorded in the area was a cached location recorded on the device on 02Jun25, at 5:15:34 AM, with a latitude of 36.8585963908018 and a longitude of -76.2542297475689. On 13Jun25, SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom.

**DETAILS**

**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | 36.8585963908018 |
| Longitude | -76.2542297475689 |
| Accuracy (m) | 2.57647018551187 |
| Altitude (m) | 4.09938742686063 |
| Altitude Accuracy (m) | 3.0 |
| Direction | 136.626916411902 |
| Speed (m/s) | 2.12394713406014 |
| Timestamp Date/Time | 6/2/2025 5:15:34.999 AM |
| Artifact type | Cached Locations |
| Item ID | 287141 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 421120) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

12. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND recorded artifact Item ID 286920 in the area as a cached location on 02Jun25, at 5:10:32.999 AM. The cached location has a latitude of 36.858794493743 and a longitude of -76.2547692449198 with an accuracy of 3.30219342916624 meters or 10 feet and 10.0076 inches. On 13Jun25, SDFE DAVISON visited Google Maps with website address https://www.google.com/maps/ and entered the coordinates. SDFE DAVISON took screenshots of the data as displayed in Axiom and as displayed in Google maps layers.

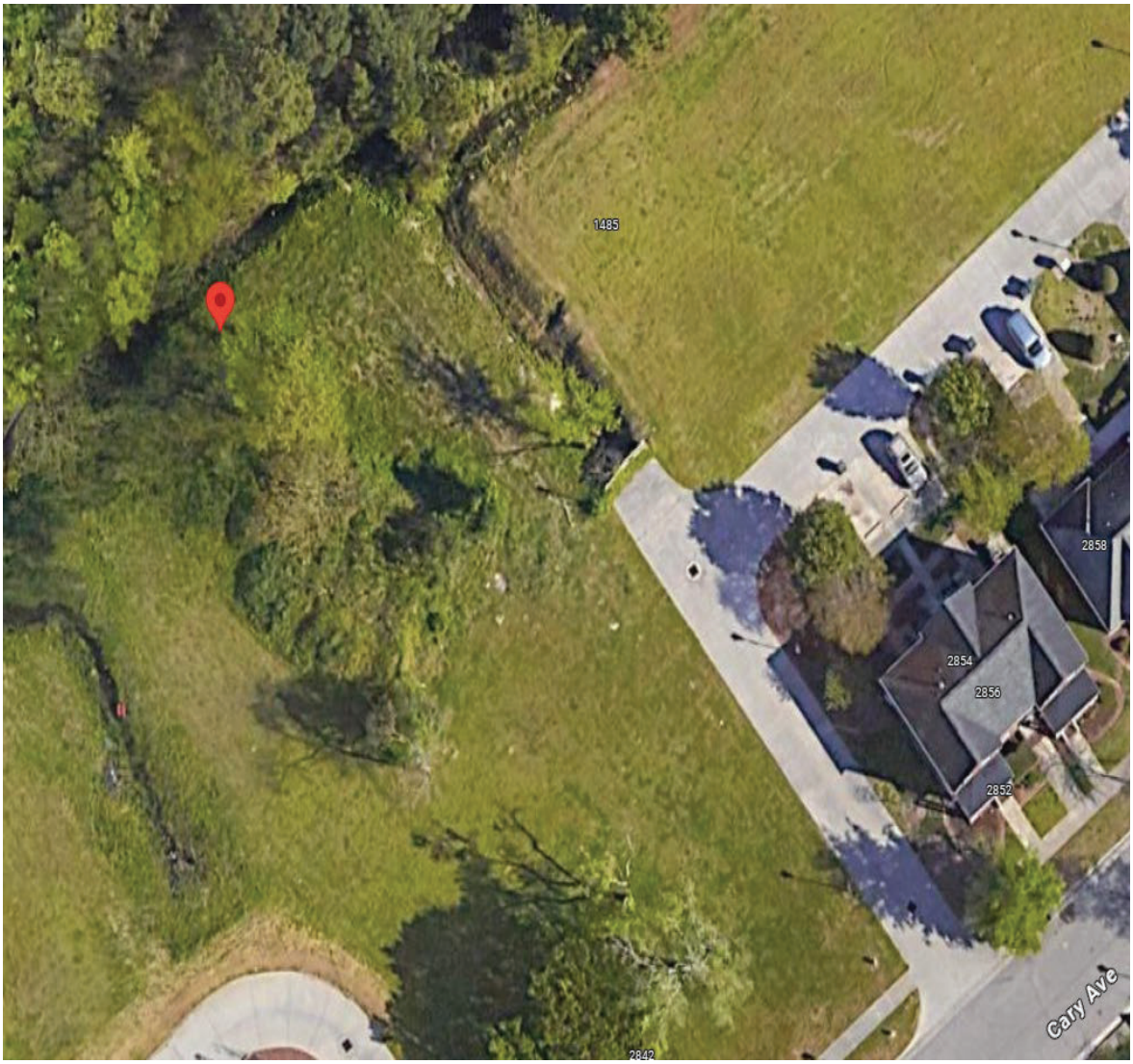
## DETAILS

### ARTIFACT INFORMATION

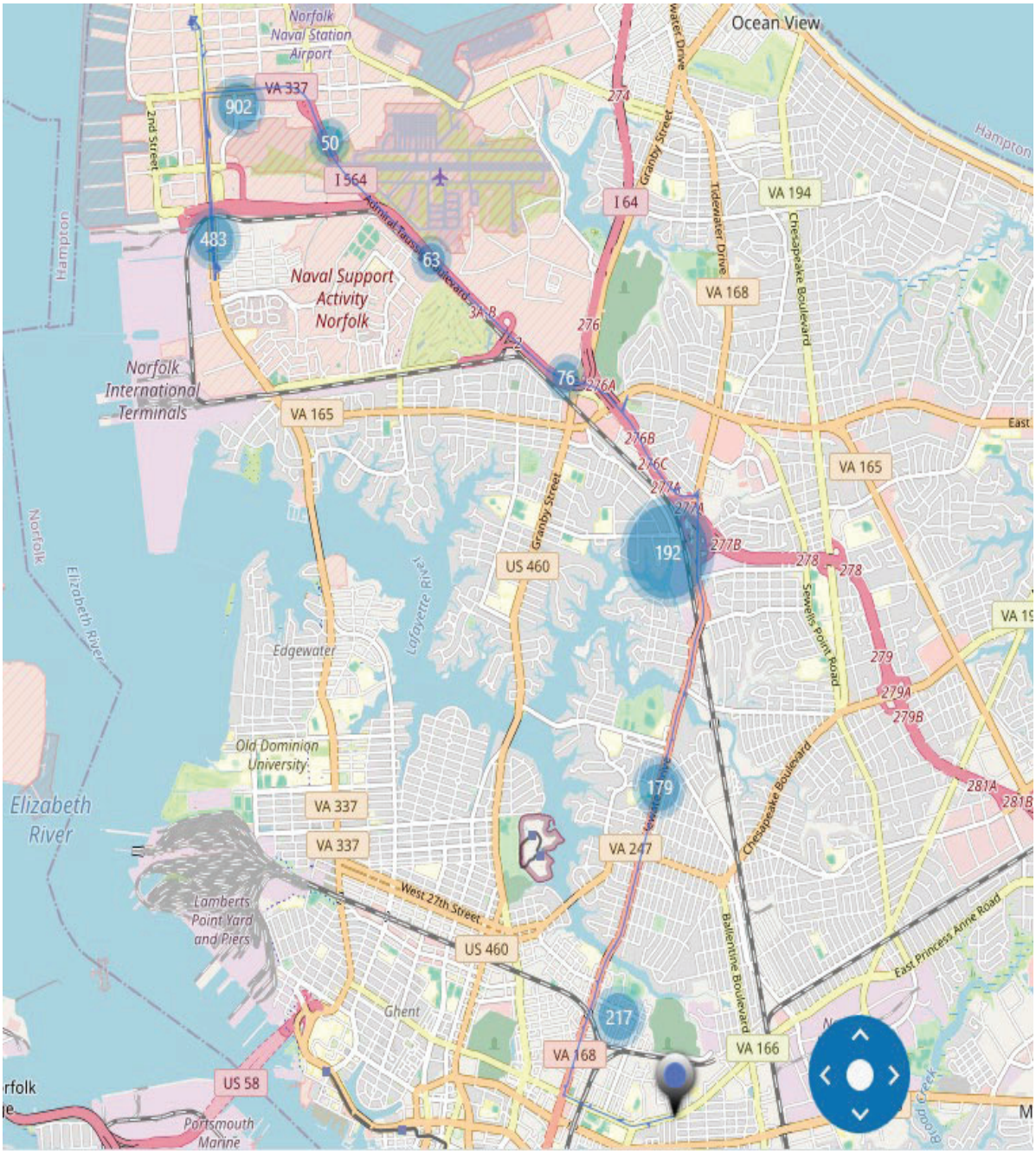
| | |
|---|---|
| Latitude | **36.858794493743** |
| Longitude | **-76.2547692449198** |
| Accuracy (m) | **3.30219342916624** |
| Altitude (m) | **4.77955871913582** |
| Altitude Accuracy (m) | **3.0** |
| Speed (m/s) | **0.17978067328381** |
| Timestamp Date/Time | **6/2/2025 5:10:32.999 AM** |
| Artifact type | Cached Locations |
| Item ID | 286920 |

### EVIDENCE INFORMATION

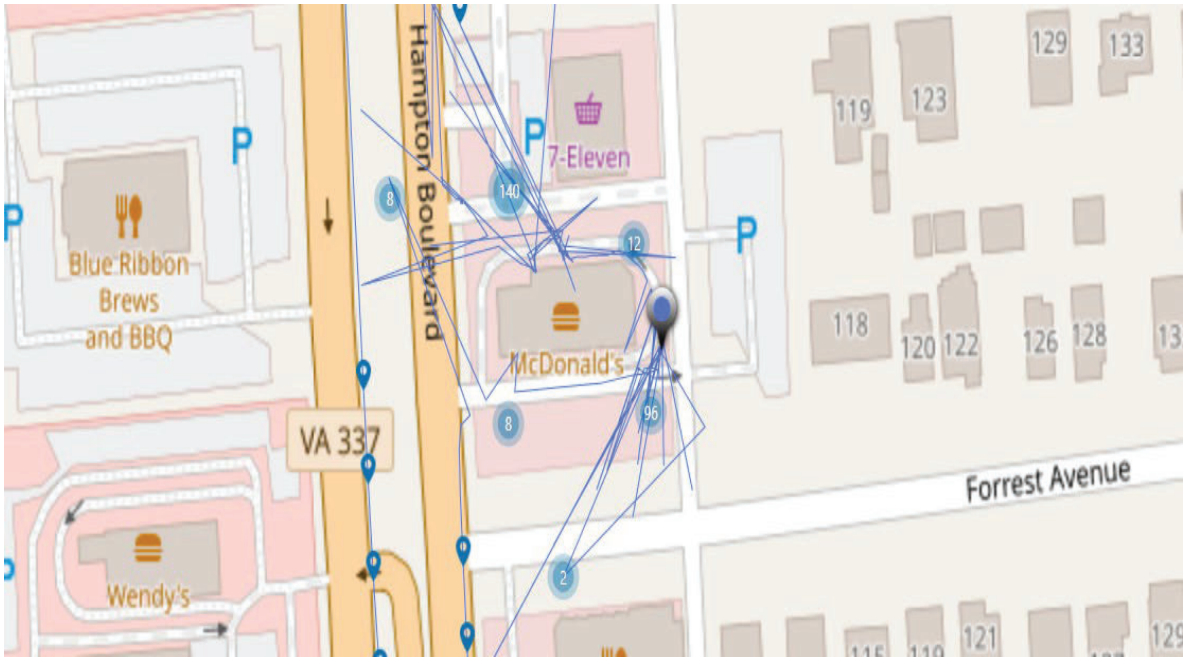
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 420954) |
| Evidence number | NFFO 13Y9L Item XUQP3 |




13. The video file name “route_export_part3.mp4” represents the final portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The third portion of the route starts on 02Jun25, at 05:16 AM, and ends at 05:58 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




14. The examination of the third portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled to the McDonald's restaurant at 8300 Hampton Blvd, Norfolk, on 02Jun25, entered at approximately 05:33 AM, and exited the McDonald's at approximately 05:37 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




15. The examination of the third portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled and entered Gate 2 NAS Norfolk, VA, on 02Jun25, at approximately 05:42 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.


sey Street
Maryland Avenue
E-26
Z-144
E-13
Admiral Taussig Boulevard
Gate 1
VA 337
Sewells
Point Clinic
TB-7
Hampton Boule
36° 56' 40.97" N 76° 19' 06.88" W
6/2/2025 5:42:37.580 AM

[redacted]

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 3 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Place or Places of Trial)* *(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 3 of 25; Preliminary Hearing (PHE 44(b)); Pre-Trial Allied Papers; and Record of Proceedings (through Verbatim Recording CLOSED Audio and Transcript (30APR2026).



# PRELIMINARY HEARING

[redacted]

| Record | Tags | Floors/ Distance (meters)/ Steps Taken | Start Date/Time | End Date/Time | Duration (Minutes) |
|---|---|---|---|---|---|
| 217 | Steps | 330 | 6/2/2025 3:45:10.000 AM | 6/2/2025 3:55:09.067 AM | 9.99 |
| 181 | Health Distance | 227.54 | 6/2/2025 3:45:10.000 AM | 6/2/2025 3:55:09.067 AM | 9.99 |
| 22 | Health Floors | 2 | 6/2/2025 3:55:06.506 AM | 6/2/2025 3:55:26.990 AM | |
| 180 | Health Distance | 55.31 | 6/2/2025 3:55:09.067 AM | 6/2/2025 4:02:08.988 AM | 7.0 |
| 218 | Steps | 70 | 6/2/2025 3:55:09.067 AM | 6/2/2025 4:02:08.988 AM | 7.0 |
| 182 | Health Distance | 148.94 | 6/2/2025 4:05:56.878 AM | 6/2/2025 4:11:55.337 AM | 5.97 |
| 219 | Steps | 237 | 6/2/2025 4:05:56.878 AM | 6/2/2025 4:11:55.337 AM | 5.97 |
| 183 | Health Distance | 14.46 | 6/2/2025 4:28:45.292 AM | 6/2/2025 4:38:06.108 AM | 9.35 |
| 220 | Steps | 20 | 6/2/2025 4:28:45.292 AM | 6/2/2025 4:38:06.108 AM | 9.35 |
| 184 | Health Distance | 257.63 | 6/2/2025 5:02:25.696 AM | 6/2/2025 5:12:14.588 AM | 9.81 |
| 221 | Steps | 365 | 6/2/2025 5:02:25.696 AM | 6/2/2025 5:12:14.588 AM | 9.81 |
| 185 | Health Distance | 78.85 | 6/2/2025 5:13:05.792 AM | 6/2/2025 5:20:54.364 AM | 7.81 |
| 222 | Steps | 104 | 6/2/2025 5:13:05.792 AM | 6/2/2025 5:20:54.364 AM | 7.81 |
| 186 | Health Distance | 27.82 | 6/2/2025 5:24:39.679 AM | 6/2/2025 5:28:37.817 AM | 3.97 |
| 223 | Steps | 52 | 6/2/2025 5:24:39.679 AM | 6/2/2025 5:28:37.817 AM | 3.97 |
| 187 | Health Distance | 237.86 | 6/2/2025 5:47:47.486 AM | 6/2/2025 5:57:20.972 AM | 9.56 |
| 224 | Steps | 356 | 6/2/2025 5:47:47.486 AM | 6/2/2025 5:57:20.972 AM | 9.56 |
| 23 | Health Floors | 2 | 6/2/2025 5:49:17.076 AM | 6/2/2025 5:49:37.559 AM | |

**GEOLOCATION DATA 02JUN25 0400-0600**

1. On 09Jun25, SDFE DAVISON located geolocation data during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The examination revealed a cached location recorded on the device on 02Jun25, at 5:14:51 AM, with a latitude of 36.8586915425567 and a longitude of -76.2544464206239. SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2842 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom and the data displayed in the website https://www.gps-coordinates.net/.

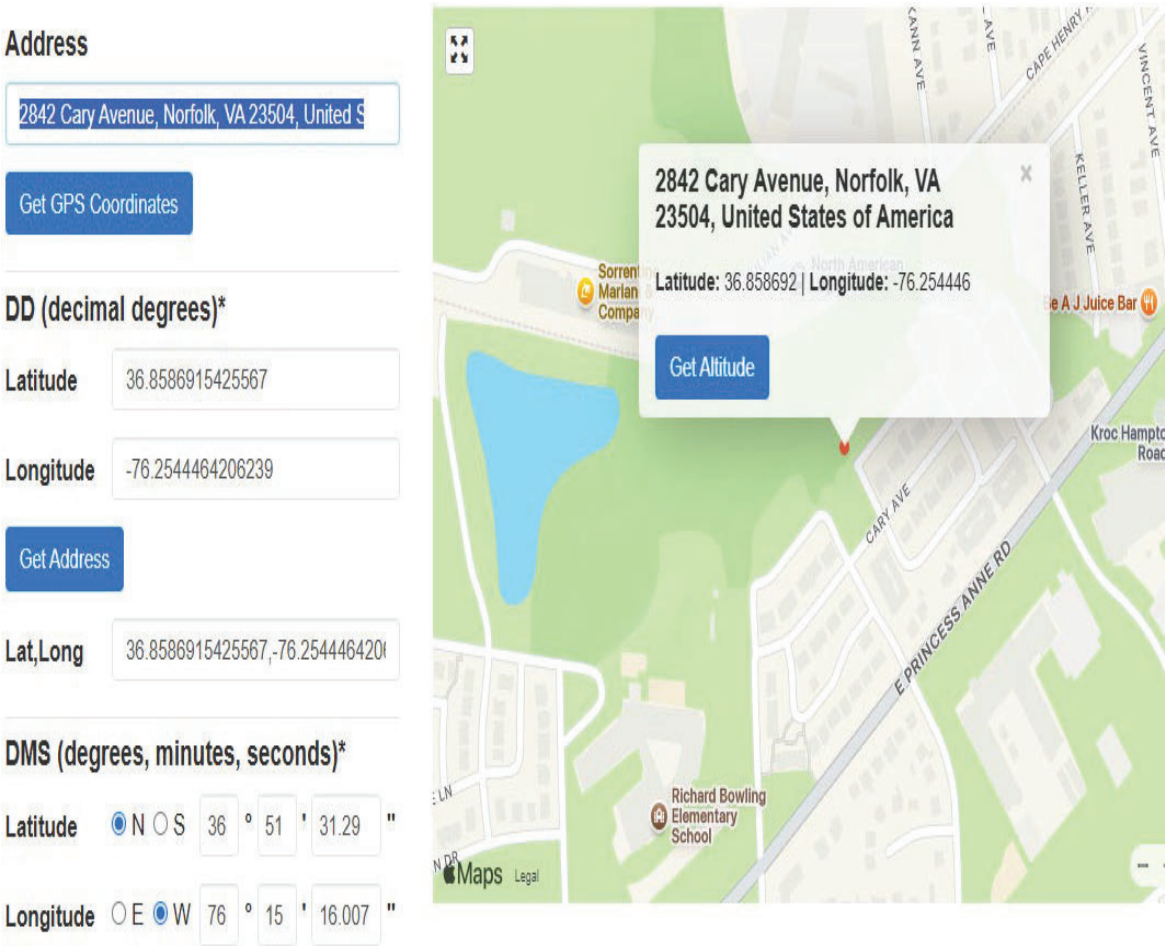
## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | 36.8586915425567 |
| Longitude | -76.2544464206239 |
| Accuracy (m) | 12.2885636467086 |
| Altitude (m) | 7.5534259629363 |
| Altitude Accuracy (m) | 18.335994720459 |
| Speed (m/s) | 2.18263292312622 |
| Timestamp Date/Time | 6/2/2025 5:14:51.492 AM |
| Artifact type | Cached Locations |
| Item ID | 286998 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 421024) |
| Evidence number | NFFO 13Y9L Item XUQP3 |




2. SDFE DAVISON located and extracted 4982 location and travel artifacts during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The location and travel artifacts consist of Apple Map Searches, Apple Map Trips, Cached Locations, Significant Locations, and Significant Location Visits with a time filtered for 02Jun25, between 04:00 AM and 06:00 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE:**
NCISRA Oceana

| **2. TITLE:** | **3. CCN:** | **4. CASE AGENT'S NAME:** |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | SA Shane Skowron |

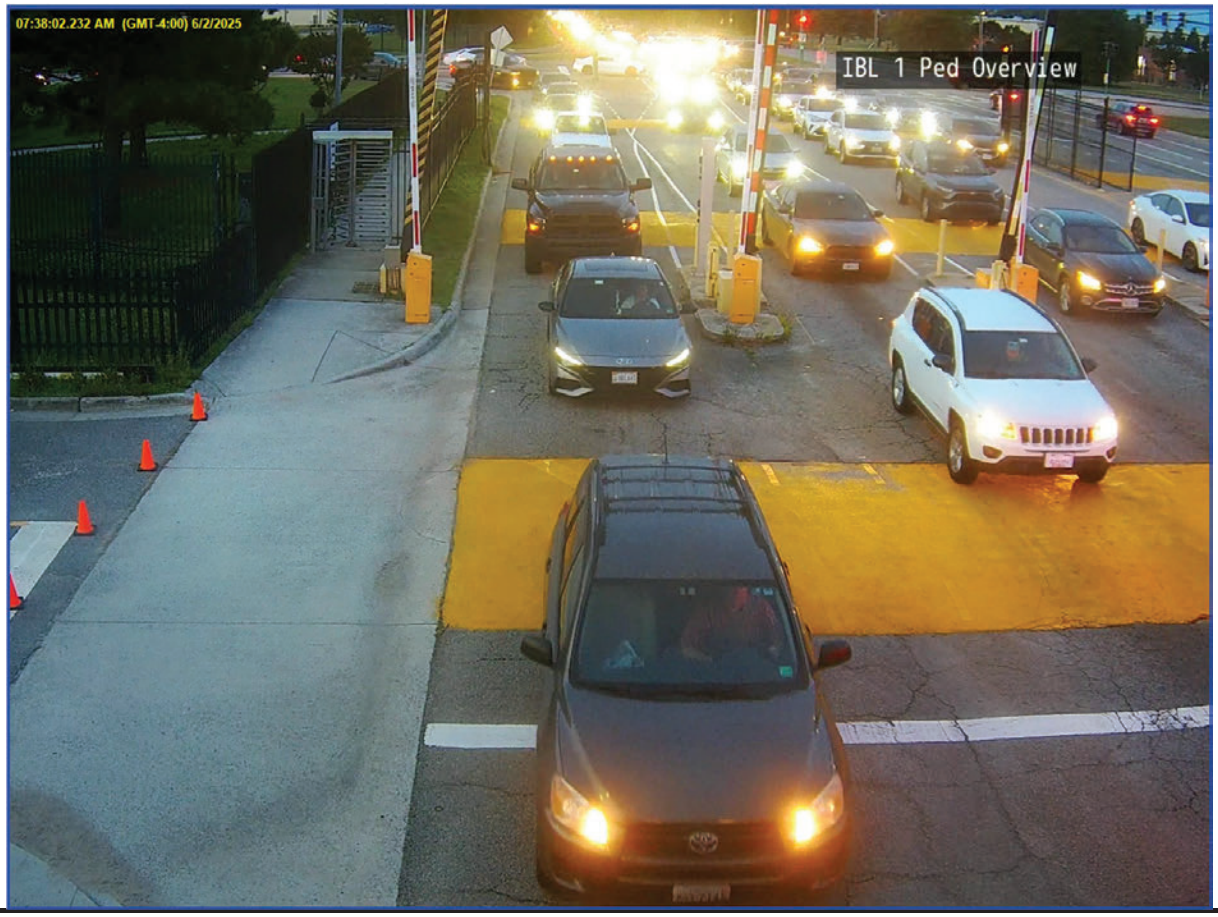
| **5. SUMMARY/DESCRIPTION:** | **6. PHOTOGRAPHER DATE PHOTO TAKEN:** |
|---|---|
| Screen capture of surveillance footage of Naval Station Norfolk Gate 2 outbound, with a white Jeep visible. | SA Shane Skowron<br>23JUL25 |

**NCIS 5580/91 (Rev 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

**Enclosure ( A )**

**Photograph (1)**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE:**
NCISRA Oceana

| **2. TITLE:** | **3. CCN:** | **4. CASE AGENT'S NAME:** |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | SA Shane Skowron |

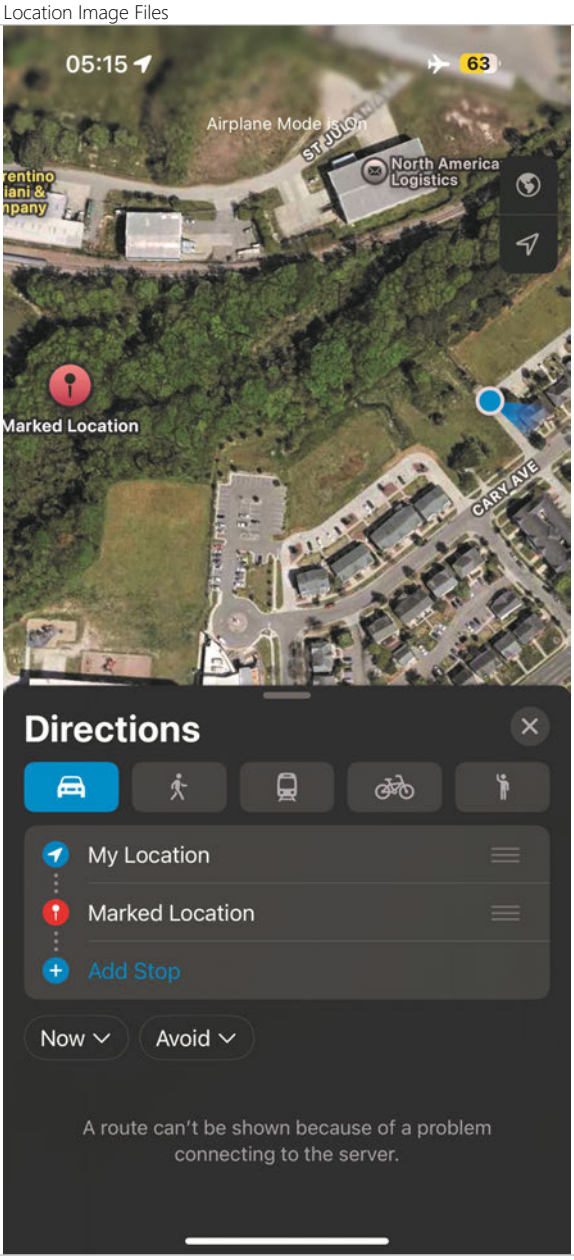
| **5. SUMMARY/DESCRIPTION:** | **6. PHOTOGRAPHER DATE PHOTO TAKEN:** |
|---|---|
| Screen capture of surveillance footage of Naval Station Norfolk Gate 2 inbound, with a white Jeep visible. | SA Shane Skowron<br>23JUL25 |

**NCIS 5580/91 (Rev 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

**Enclosure ( A )**

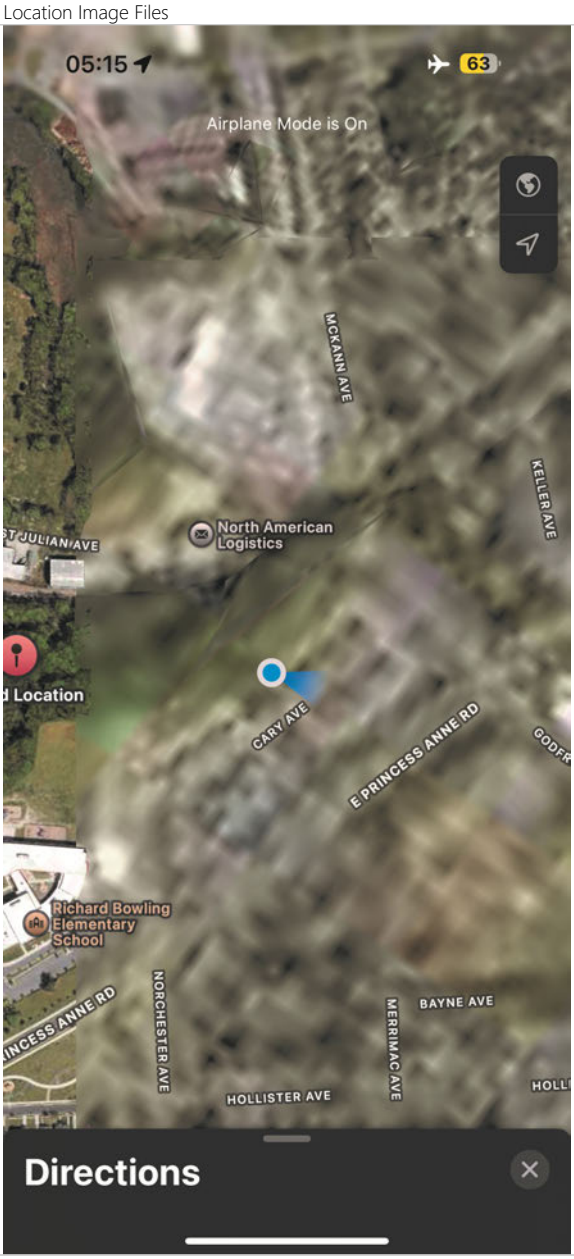
**Photograph (2)**

Record 1

| | |
|---|---|
| Tags | Location Image Files |
| Image |  |
| File Name | IMG_2621.PNG |
| File Extension | .PNG |
| Created Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:22.000 AM |
| Last Accessed Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:22.000 AM |
| Last Modified Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:22.000 AM |
| Size (Bytes) | 4868791 |
| Skin Tone Percentage | 7.5 |
| Original Width | 1290 |
| Original Height | 2796 |
| Exif Extraction Status | Complete |

| | |
|---|---|
| Exif Data | Extraction Result: Complete<br>ImageWidth: 1290<br>ImageHeight: 2796<br>DateTimeOriginal: 06/02/2025 05:15:21 |
| MD5 Hash | 84189d5d588a52efdb047b7d59af1efd |
| SHA1 Hash | 5028272075763484 87bd4760e3dc3fbe753cbdf6 |
| _rawData | [Binary data] |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Media\DCIM\132APPLE\IMG_2621.PNG |
| Location | • n/a |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Recovery method | • Parsing |
| Item ID | 399761 |

Record 2

| | |
|---|---|
| Tags | Location Image Files |
| Image |  |
| File Name | IMG_2622.PNG |

| | |
|---|---|
| File Extension | .PNG |
| Created Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:26.000 AM |
| Last Accessed Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:26.000 AM |
| Last Modified Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/2/2025 5:15:26.000 AM |
| Size (Bytes) | 4334502 |
| Skin Tone Percentage | 5.4 |
| Original Width | 1290 |
| Original Height | 2796 |
| Exif Extraction Status | Complete |
| Exif Data | Extraction Result: Complete<br>ImageWidth: 1290<br>ImageHeight: 2796<br>DateTimeOriginal: 06/02/2025 05:15:25 |
| MD5 Hash | aab5c40816a59879688ae305d07587f2 |
| SHA1 Hash | 3a2d988be6133c0f17508663e98c53956fc839af |
| _rawData | [Binary data] |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Media\DCIM\132APPLE\IMG_2622.PNG |
| Location | • n/a |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Recovery method | • Parsing |
| Item ID | 399762 |




**MARKED LOCATION TIMELINE**

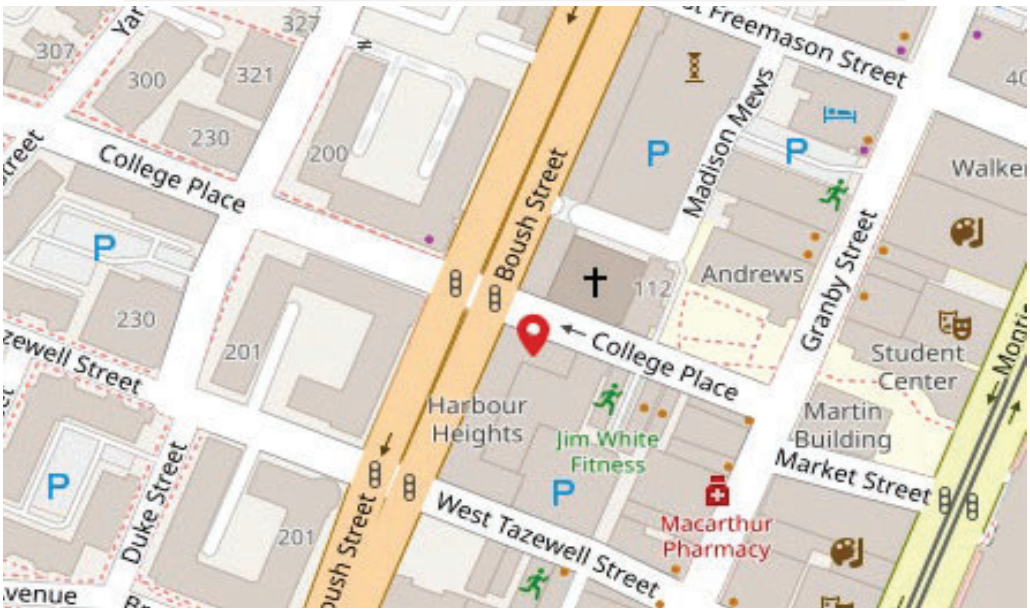
1. SDFE DAVISON located and exported timeline data concerning when the user of the iPhone 15 Pro Max belonging to S/COPELAND tagged the geolocation coordinates with the longitude 36.858536 and latitude -76.256816. The coordinates are displayed in the screenshot in the image file named IMG_2621.PNG identified above although the screenshot was not captured until later. The geolocation coordinates resolve to the wooded area in the vicinity of 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON saved all timeline location data to a folder named (c) Tagged Location Data on the FINDINGS MEDIA. The folder contains a Microsoft Excel file named, "Marked location Timeline Analysis.xlsx" which consists of the timeline report. The examination revealed that on 02Jun25, at 4:47:13 AM, the iPhone 15 Pro Max belonging to S/COPELAND was located approximately near the corner of College Place and Boush Street, Norfolk, VA. SDFE DAVISON took the following screenshots as display in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | **36.850312757729** |
| Longitude | **-76.2917290636136** |
| Accuracy (m) | **3.54225873139757** |
| Altitude (m) | **3.62044929992408** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **293.100677490234** |
| Speed (m/s) | **1.97243570661196** |
| Timestamp Date/Time | **6/2/2025 4:47:13.998 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 285058 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZRTCLLOCATIONMO(Z_PK: 419687)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |



2. The examination revealed that on 02Jun25, at 4:47:14 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device using either the phone's facial biometrics or the PIN. The user of the iPhone 15 Pro Max belonging to S/COPELAND kept the phone in an unlocked status until 02Jun25, at 4:57:06 AM. SDFE DAVISON took the following screenshot as display in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Unlocked** |
| Start Date/Time | **6/2/2025 4:47:14.000 AM** |
| End Date/Time | **6/2/2025 4:57:06.000 AM** |
| Recorded Date/Time | **6/2/2025 4:57:06.445 AM** |
| Artifact type | KnowledgeC Device Lock States |
| Item ID | 226323 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZOBJECT(Z_PK: 56748) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

3. On 02Jun25, at 4:47:21 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to start using the Apple Maps App. The Apple Maps App was opened on the iPhone 15 Pro Max belonging to S/COPELAND until 4:57:06 AM. SDFE DAVISON took the following screenshot as display in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.Maps** |
| Start Date/Time | **6/2/2025 4:47:21.000 AM** |
| End Date/Time | **6/2/2025 4:57:06.000 AM** |
| Recorded Date/Time | **6/2/2025 4:57:06.361 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 167286 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZOBJECT(Z_PK: 56747)<br>Table: ZSTRUCTUREDMETADATA(Z_PK: 2) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

4. On 02Jun25, at 4:47:32 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to start browsing map locations using Apple Maps. The user appears to continue browsing map locations until the user of the iPhone 15 Pro Max belonging to S/COPELAND marks a location in Apple Maps on 02Jun25, at 4:47:50 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND marks the longitude of 36.858536 and latitude of -76.256816 as the geolocation coordinates. The user of the iPhone 15 Pro Max belonging to S/COPELAND then appears to request navigational directions to the marked location on 02Jun25, at 4:47:52 AM. On 02Jun25, at approximately 4:47:56AM, the iPhone 15 Pro Max belonging to S/COPELAND appears to start traveling again. SDFE DAVISON took the following screenshots as displayed in Axiom and visited the website address https://maps.apple.com/?ll=36.858536,-76.256816&q=Marked%20Location to provide a visual representation of the marked location.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **7-Eleven Affordable Towing & Recovery of Norfolk AutoZone Barraud Park CVS Pharmacy Calvary Cemetery Citgo Dollar General Dollar Tree Longshoreman Hall O'Reilly Auto Parts Shoop Park Smoke & vape Waffle House Walmart Neighborhood Market Wawa Winks Lash & Beauty Bar bp** |
| Accessed Date/Time | **6/2/2025 4:47:32.000 AM** |
| Size (Bytes) | **1,017** |
| Artifact type | **iOS Maps** |
| Item ID | 630172 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: data(rowid: 41880)**<br>**Table: access_times(rowid: 41880)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **Richard Bowling Elementary School** |
| Accessed Date/Time | **6/2/2025 4:47:35.000 AM** |
| Size (Bytes) | **282** |
| Artifact type | iOS Maps |
| Item ID | 627727 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: data(rowid: 39926)<br>Table: access_times(rowid: 39926) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **Sorrentino Mariani & Company** |
| Accessed Date/Time | **6/2/2025 4:47:35.000 AM** |
| Size (Bytes) | **278** |
| Artifact type | iOS Maps |
| Item ID | 627730 |

**EVIDENCE INFORMATION**

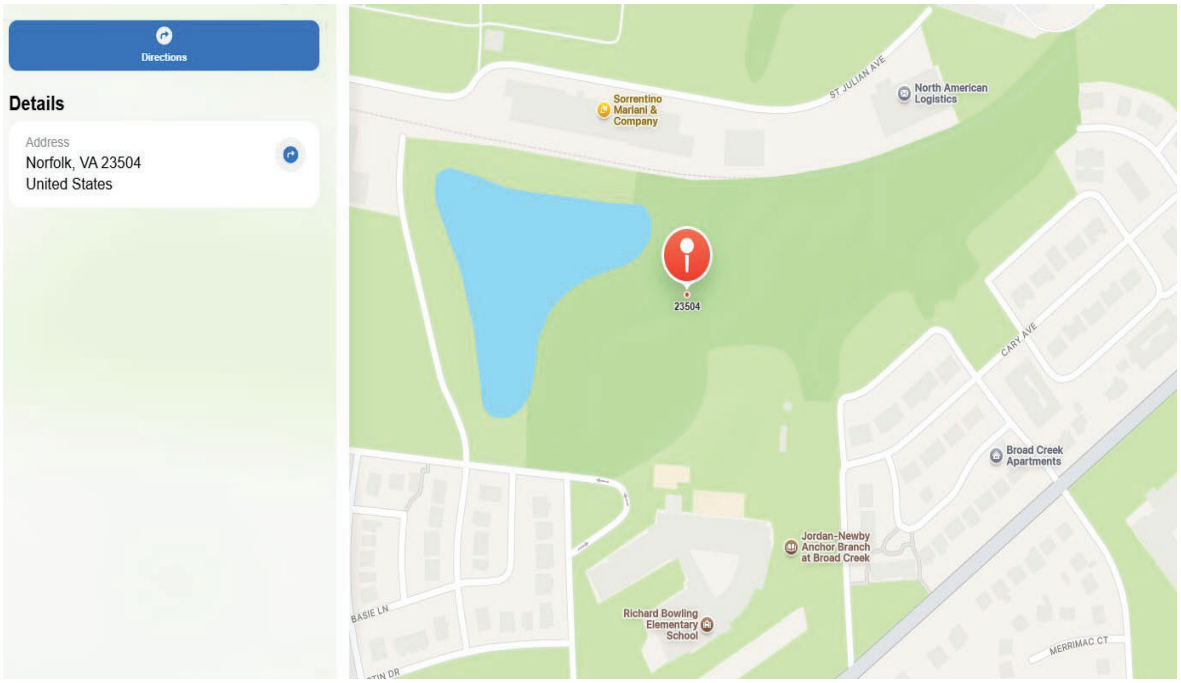
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: data(rowid: 39929)<br>Table: access_times(rowid: 39929) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

## ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.apple.Maps** |
| Activity Type | **com.apple.Maps** |
| URL | **https://maps.apple.com/?ll=36.858536,-76.256816&q=Marked%20Location** |
| Event Date/Time | **6/2/2025 4:47:50.000 AM** |
| Recorded Date/Time | **6/2/2025 4:48:38.494 AM** |
| Artifact type | KnowledgeC Application Activities |
| Item ID | 282604 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZOBJECT(Z_PK: 56740) |
| | Table: ZSTRUCTUREDMETADATA(Z_PK: 36277) |
| Evidence number | NFFO 13Y9L Item XUQP3 |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **PlaceCardTap** |
| Date/Time | **6/2/2025 4:47:50.880 AM** |
| Action | **GET_DIRECTIONS** |
| Location Name | **23504** |
| City | **Norfolk** |
| State/Province | **VA** |
| ZIP/Postal Code | **23504** |
| Country | **United States** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798596 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770384691348320 |
| Recovery method | Parsing |
| Deleted source | |
| Location | File Offset 416728 |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Bundle ID | **com.apple.Maps** |
| Type | **Navigation** |
| Recorded Date/Time | **6/2/2025 4:47:52.000 AM** |
| GUID | **529E7DAE-2D13-43B7-8C7F-D6D8A34B3C19** |
| Artifact type | Biome Application Intents |
| Item ID | 798605 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770384691348320 |
| Recovery method | Parsing |
| Deleted source | |
| Location | File Offset 418396 |
| Evidence number | NFFO 13Y9L Item XUQP3 |

## ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.8503379026954** |
| Longitude | **-76.2917722172768** |
| Accuracy (m) | **4.01498245028085** |
| Altitude (m) | **4.07436991017312** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **293.100677490234** |
| Speed (m/s) | **1.48103499871239** |
| Timestamp Date/Time | **6/2/2025 4:47:56.999 AM** |
| Artifact type | **Cached Locations** |
| Item ID | **285111** |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZRTCLLOCATIONMO(Z_PK: 419740)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |



**AIRPLANE MODE**

1. SDFE DAVISON located and extracted 15 Airplane mode events during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND activated Airplane mode on the device on 02Jun25, at 4:34:41AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then set the device's Airplane mode to off on 02Jun25, at 4:36:54 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND again activated Airplane mode on the device on 02Jun25, at 4:48:08 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then set the device's Airplane mode to off on 02Jun25, at 5:16:13 AM. SDFE DAVISON took the following screenshot as displayed in the Cellebrite Report.

| | | | | | |
|---|---|---|---|---|---|
| 3 | **Start time:** 6/2/2025 5:16:13 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOff | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/7682286777719675 : 0x1FF28 |
| 4 | **Start time:** 6/2/2025 4:48:08 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOn | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/7682286777719675 : 0x1FF38 |
| 5 | **Start time:** 6/2/2025 4:36:54 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOff | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/7682286777719675 : 0x1FF48 |
| 6 | **Start time:** 6/2/2025 4:34:41 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOn | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/7682286777719675 : 0x1FF58 |

Click to Read Airplane Mode Report

[redacted]

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 05JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted PII]

RESULTS OF INTERVIEW OF ABHAA DEONDRE WILLIAMS, USN

1. On 05JUN25, Reporting Agent (RA) and Participating Agent (PA) Nigal TUFT-WILLIAMS interviewed ABHAA Deondre WILLIAMS, USN, USS DWIGHT D. EISENHOWER (CVN-69), regarding the whereabouts of CCSN [redacted V/A.R.] [redacted V/A.R.], USN, JAMES E. WILLIAMS (DDG-95). As background, ABHAA WILLIAMS was identified as a friend of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95.

2. The interview of ABHAA WILLIAMS was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. ABHAA WILLIAMS stated he was friends with S/COPELAND and has known him for approximately two (2) months and they typically hang out on the weekends. ABHAA WILLIAMS said S/COPELAND gets aggressive with girls if they reject him. RA asked ABHAA WILLIAMS to describe what he meant by saying aggressive, to which he stated S/COPELAND gets physically and verbally aggressive towards girls and is more violent when he drinks alcohol.

4. ABHAA WILLIAMS stated he knew S/COPELAND "disappeared" on Thursday, 29MAY25. ABHAA WILLIAMS said he saw S/COPELAND through FaceTime from an unknown civilian female in their friend group around midnight of the 29th going into the 30th. ABHAA WILLIAMS said the FaceTime looked like S/COPELAND was at work, and it appeared he was on his ship. ABHAA WILLIAMS stated he did not see him in person until Monday, 02JUN25. ABHAA WILLIAMS stated LSSA Omeri SMOOT, USN, CVN-69, was at his barracks in Portsmouth when S/COPELAND called him. ABHAA WILLIAMS stated LSSA SMOOT left to go pick up S/COPELAND and would bring him back to ABHAA WILLIAMS' barracks. ABHAA WILLIAMS stated he believed S/COPELAND told LSSA SMOOT he was in jail over the weekend, and he was not with [redacted V/A.R.] ABHAA WILLIAMS said he did not ask S/COPELAND where he had been or what he had done over the weekend. ABHAA WILLIAMS stated S/COPELAND slept in ABHAA WILLIAMS' barracks that Monday night.

5. ABHAA WILLIAMS stated S/COPELAND has a large duffle bag which has wheels. ABHAA WILLIAMS stated he believed it was beige in color and stored in his closet. ABHAA WILLIAMS stated S/COPELAND had backpacks and other bags in his closet.

6. ABHAA WILLIAMS noted a change in behavior from S/COPELAND when he came



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



over on Monday, 02JUN25. ABHAA WILLIAMS stated S/COPELAND was texting every day to come over and hang out which he never did prior to now.

7. ABHAA WILLIAMS voluntarily air dropped twenty-eight (28) screenshots from a group chat and text messages between ABHAA WILLIAMS and S/COPELAND. A photo template was created depicting five (5) of these photographs; Enclosure (B) pertains. All screenshots provided were placed onto a CD-R; Enclosure (C) pertains.

8. The identification of other group chat members remains ongoing. The results of their identification and interviews will be documented under separate cover.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF ABHAA DEONDRE WILLIAMS, USN/05JUN25
(B) PHOTO TEMPLATE: 5 SCREENSHOTS AND TEXT MESSAGES/05JUN25
(C) CD-R: SCREENSHOTS AND TEXT MESSAGES/05JUN25

REPORTED BY: NICHOLAS E ZWIESLER, Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 05JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[redacted PII]

RESULTS OF INTERVIEW OF LSSA OMERI SMOOT, USN

1. On 05JUN25, Reporting Agent (RA) and Participating Investigator (PI) Cotie WILSON interviewed LSSA Omeri SMOOT, USN, USS DWIGHT D. EISENHOWER (CVN-69), regarding the whereabouts of CCSN [redacted V/A.R.] [redacted V/A.R.] USN, USS JAMES E WILLIAMS (DDG-95). LSSA SMOOT was identified as a friend of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95.

2. The interview of LSSA SMOOT was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. LSSA SMOOT was identified in a previous interview as the person who said S/COPELAND told him he was in jail over the weekend of 31MAY25-01JUN25.

4. LSSA SMOOT denied ever being told by S/COPELAND he was in jail during that weekend. LSSA SMOOT said this theory came from people in the group chat throwing out ideas to explain why S/COPELAND was counted as Unauthorized Absence (UA). LSSA SMOOT stated he picked up S/COPELAND on 02JUN25 and took him over to their friends' barracks in Portsmouth to hang out. During this car ride, LSSA SMOOT asked S/COPELAND what happened and why he was unaccounted for Friday. LSSA SMOOT stated S/COPELAND told him the Command would not let him on the ship. LSSA SMOOT also said S/COPELAND told him [redacted V/A.R.] was sad and she was having possible boyfriend issues when he last saw her. LSSA SMOOT did not press or ask any further questions as he did not want the car ride to be awkward.

5. LSSA SMOOT stated S/COPELAND stayed at this friends barracks in Portsmouth overnight and he drove him to work the next morning which was 03JUN25.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF LSSA OMERI SMOOT, USN/05JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **05JUN25**

REPORTED BY: NICHOLAS E ZWIESLER, Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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**BACKGROUND:** On 31May25, NCIS was contacted by Norfolk Police Department (NPD) in reference to a missing person's report. NPD relayed ET3 Daniel RICH, USN, USS JAMES E WILLIAMS (DDG 95), was attempting to make a missing person's report regarding CSSN V/A.R. ( V/A.R. USN, DDG 95. NCIS subsequently contacted Command who advised V/A.R. and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, were in a status of Unauthorized Absence (UA) beginning on Thursday, 29May25. Command advised they believed V/A.R. and S/COPELAND were involved romantically, but did not know to what extent. On 01Jun25, NCIS made contact with Naval Station Norfolk Base Police to conduct a welfare check on the rooms of S/COPELAND and V/A.R. Base Police stated they found S/COPELAND in his barracks room; however, received no answer at V/A.R. door when they knocked. NCIS responded to Naval Station Norfolk and was able to gain entry to V/A.R. barracks room, in which she was not located. Subsequently, NCIS' Multiple Threat Alert Center (MTAC) initiated cell phone pings on V/A.R. mobile phone, which yielded no location data due to the phone possibly being powered off. NCIS conducted an interview of S/COPELAND who stated V/A.R. came over to his barracks on Wednesday, 28May25. S/COPELAND stated V/A.R. stayed the night and the next day, 29May25, FCC Brad PARKER, USN, DDG 95, came to his barracks room because he failed to report for work. S/COPELAND stated he borrowed his roommate's vehicle and drove V/A.R. back to her barracks around 1000 on 29May25. During the interview of S/COPELAND, he signed a Permissive Authorization for Search and Seizure (PASS) for his cellular device which was provided to NCIS Digital Forensic Examiners (DFE) for review. The DFE observed a screenshot on the device of S/COPELAND of a saved marked location near Cary Avenue in Norfolk, VA. During the course of this investigation, NCIS would launch search teams near known phone pings and last locations of both V/A.R. and S/COPELAND. On 09Jun25, subsequent to receiving the screenshot from the DFE, NCIS conducted a foot search of the area near the marked location and discovered a black duffel bag containing human remains, later identified through DNA as V/A.R.

**JURISDICTION AND ARRIVAL:** At approximately 1700, NCIS arrived to the location of Cary Avenue in Norfolk, VA, and conducted a foot search around the Broad Creek neighborhood and Richard Bowling Elementary School. Figure [1] is the screenshot of the marked location utilized by NCIS. At 1735, Reporting Agent (RA) received a phone call from Participating Agent (PA) Tiffany MARTINEZ stating a bag had been located off of a brush covered path behind a row of townhomes. Due to the location of the bag, at 1740, NCIS initiated contact with the Norfolk Police Department (NPD) who responded to the scene to assist. A copy of the NPD incident report detailing their response is appended as Enclosure (A).

**SCENE SECURITY:** Upon arrival to the scene, no other persons were present in the area but residents going about their daily routine. The area which was searched was not secured prior to arrival and was an open, wooded area, behind a school and residential community. NCIS participants divided into groups and ultimately located the bag by following the smell. Once the duffel bag was located, Andrew PISKE, CIV, K9 Handler, Virginia Department of Emergency Management (VDEM), and K9 Kyra, Certified Human Remains Detection Dog, approached the bag where she presented a positive alert to PISKE. An aerial topography image of the area searched by PISKE and K9 Kyra is appended as Enclosure (B). NCIS partially unzipped the bag to verify its contents to which human remains were observed. NPD was immediately contacted, and all searching immediately ceased. Due to rain, at approximately 1755, to protect the duffel bag, PISKE placed a black tarp over the bag. Figure [2] is a photo of the overall brush area where the remains were located. Figure [3] is a photo of the duffel bag in place. Figure [4] is the approximate GPS location of the duffel bag after conducting the foot search with the assistance of CalTopo. Figure [5] is the confirmation of the human remains inside the bag.



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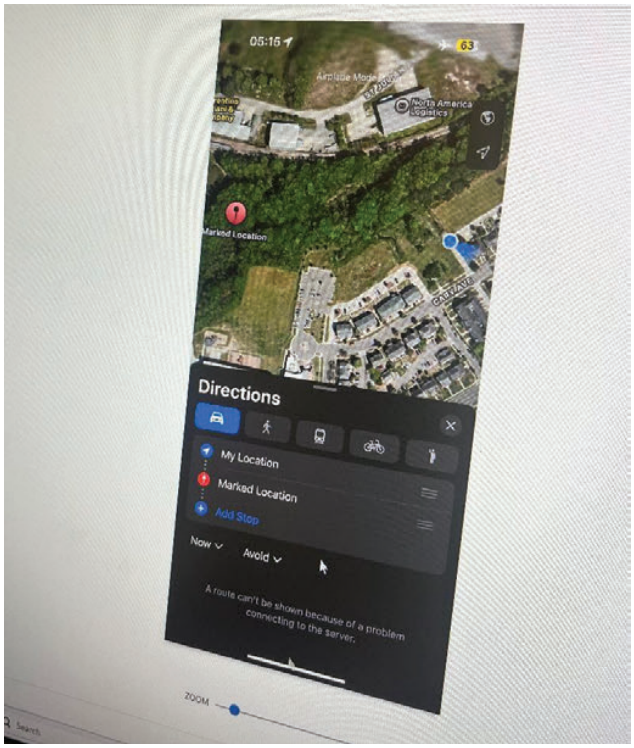



*Figure [1]: Screenshot of the marked location (retrieved from phone of S/COPELAND)*



*Figure [2]: Overall photo of the brush topography (DSC_6939)*



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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**27 July 26** |

---

The Court hereby finds good cause to seal Preliminary Hearing Exhibit (PHE) 47a, page 3; PHE 47b, pages 8 and 10; Prosecution Exhibit (PE) 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; Appellate Exhibit (AE) LIX, pages 424 and 426; and AE LXI, page 348; all of which depict extremely sensitive images CS3 A.R.'s body.[1]

**ORDER**

1. **Items Sealed.** PHE 47a, page 3; PHE 47b, pages 8 and 10; PE 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; AE LIX, pages 424 and 426; and AE LXI, page 348.

2. **Order.** The documents identified in paragraph 1 are hereby ordered **SEALED.** The envelope(s) containing these item(s) shall be sealed and placed only in the original record of trial, and no person shall open this envelope or examine its contents except as authorized by competent authority in accordance with Rule for Courts-Martial 1113. A copy of this order shall be placed on the envelope, over the envelope flap, in the original record of trial, and a copy of this order shall appear in lieu of the item(s) in all copies of the record of trial.

3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 27th day of July 2026.

[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."

**SCENE DOCUMENTATION:** NPD assisted in maintaining the scene by providing a tent for protection from the rain while waiting for the Medical Examiner. At approximately 1900, Sarah CARNEY, CIV, Medicolegal Death Investigator, Tidewater Office of the Chief Medical Examiner (OCME) viewed the bag and remains inside. CARNEY captured several photos for her file and stated based off the condition of the remains it was recommended to not remove the contents and transport the bag as is to be opened in a controlled environment at autopsy. At 1905, CARNEY approved a search of the exterior pockets of the bag which was conducted by RA with no findings. At 2019, Price Removal Service arrived on scene to transport the remains to OCME for autopsy. Figure [6] is a photo of the transport tag. Once the duffel bag was removed, additional photography was conducted of the ground underneath. Figure [7] is a photo of the dumpsite with no bag present.

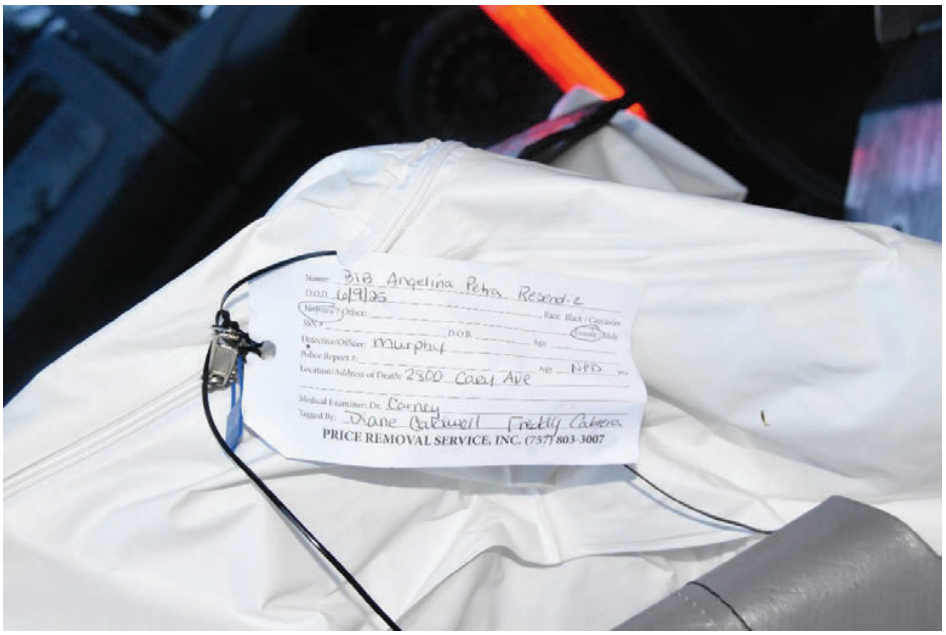



*Figure [6]: Photo of the body bag with transport tag (DSC_7016)*

*(area intentionally left blank)*



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*Figure [7]: Photo of the dumpsite after bag removed (DSC_7022)*

**WEATHER AND LIGHTING:** On 09Jun25, at approximately 1700, the weather in the area was approximately 80 degrees Fahrenheit, according to the Apple Weather App accessed via RA's NCIS-issued cellular phone. It was windy, hot and humid with low, dense, cloud cover and thunderstorms were predicted. Between 1850 and 2000, there was a range of weather from light rain to heavy thunderstorms and lightening.

**EVIDENCE SEIZURE:** No physical items of evidence were collected at the scene. PA Alison FOX completed photographic coverage of the scene utilizing a Nikon digital camera. A total of 113 digital photographs were captured, all of which were burned to a DVD-R and are appended as Enclosure (B). A disc was also placed into the Norfolk Consolidated Evidence Facility. FC Morgan CURRIE conducted FARO scans of the area which will be documented under separate cover and also placed into the Norfolk Consolidated Evidence Facility. A traditional hand drawn sketch was not completed due to the administering of the FARO device.

**SEARCH PARTICIPANTS**: SA Ashley ULLOM; SA Caroline ROBINSON; SA Salvatore MURGOLO; INV Nick BURROWES; SA Alison FOX; SSA Danielle ORTIZ; SA Joy NAROWSKI; SA Victoria PADILLA-MARTINEZ; SA John KEMP; SA Lauryn GODETTE; FC Morgan CURRIE; SA Morgan JOHNS; SA Tiffany MARTINEZ; SA Brandon MOORE; SA Cheyenne SIMMONS; INV Jesse CLAAR; SA Seza KYSER; SA Anthony JONES; SA Fritzner PHILEMON; SA Devin RUIC; SSA Elly UFFORD; SA Jessica GOKEY; Sean LACY & K9 PIXEL (Isle of Wight Sheriff's Office), and Andrew PISKE & K9 KYRA (VDEM).

**SCENE RELEASE:** NCIS left the scene at approximately 2100 and NPD was still present maintaining perimeter.

**ENCLOSURE(S)**

(A) Norfolk Police Department Incident Report/09Jun25
(B) Aerial Map Image of Area Searched by K9 Kyra/09Jun25
(C) DVD-R: Scene Photographs/09Jun25



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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**27 July 26** |

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So **ORDERED**, this 27th day of July 2026.

[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."



**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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F. D. HUTCHISON
Military Judge



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| 1. OFFICE CODE: NFNF | | |
|---|---|---|
| 2. TITLE: S/COPELAND, JERMIAH TAYLOR/SN USN | 3. CCN: 01JUN25-NFNF-00237-7MNA | 4. AGENT'S NAME: SA Alison FOX |
| 5. SUMMARY/DESCRIPTION: Photograph of V/A.R. as reported by IS3 SANTIAGO. | | 6. DATE PHOTO RECEIVED: 07JUN25 |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

PHOTOGRAPH (7) OF (9)

ENCLOSURE (B)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:01JUN25-NFNF-00237-7HNA 22JUL25

[redacted]

84. On 10JUN25, NCIS attended the autopsy of the remains, which was identified as belonging to V/A.R. based off of fingerprints taken; Exhibit (156) pertains.

[redacted]



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 10JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted PII]

RESULTS OF AUTOPSY ATTENDANCE

1. On 10Jun25, Reporting Agent (RA), Participating Agent (PA) Morgan CURRIE, and Detective John MURPHY, CIV, Norfolk Police Department (NPD), attended the autopsy of CSSN [redacted V/A.R.] [redacted V/A.R.], USN, USS JAMES E. WILLIAMS (DDG 95) conducted at the Tidewater Chief Medical Examiner (OCME), Norfolk, VA. The autopsy was conducted by Dr. Fernanda LAMEIRA, CIV, Medical Examiner, OCME.

2. The removal o [redacted V/A.R.] from the duffel bag was conducted at 0915. The external examination of [redacted V/A.R.] commenced at 0920 after she was removed from the bag. Additional x-rays were conducted at 0925 yielding no fractures. Upon completion, [redacted V/A.R.] was placed on an examination table into a supine position. [redacted V/A.R.] was not wearing any clothes and showed visible signs of decomposition. [redacted V/A.R.] was wearing earrings, a gold cross necklace, and had remnants of a red cross tattoo on her back. Located in the duffel bag was a piece of foam. The hair of [redacted V/A.R.]Z had separated from her skull wherein a Navy patch with an E3 rank patch was located. Oral and anal swabs were collected from [redacted V/A.R.]Z. The aforementioned items were seized and entered into the NCISRA Norfolk, VA Evidence Repository under Evidence Custody Document Number NUM9W.

3. The internal examination commenced at 0959 using a "Y" autopsy incision. Dr. LAMEIRA completed an internal exam and stated [redacted V/A.R.]s organs appeared to be without disease and revealed nothing of note. Due to the condition of the remains, Dr. LAMEIRA could not indicate a preliminary cause and manner of death. The final autopsy report is pending the results of microscopic examination and toxicology results.

4. Fingerprints were taken from [redacted V/A.R.] utilizing a gloving technique and remain on file with OCME. The photographs were also placed into evidence; however, a copy is appended as Enclosure (A). A selection of photographs was placed onto a photo template; Enclosure (B) pertains.

5. The autopsy ended at 1147. The results of the autopsy and toxicology will be documented under separate cover.

ENCLOSURE(S)
(A) DVD-R: 125 AUTOPSY PHOTOGRAPHS/10JUN25
(B) PHOTO TEMPLATE: SELECT AUTOPSY PHOTOGRAPHS/10JUN25



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **10JUN25**

REPORTED BY: DANIELLE ORTIZ, Supervisory Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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| Name: V/A.R.<br>Case Number: T2025-00840 | POSTMORTEM EXAMINATION REPORT<br>OFFICE OF THE CHIEF MEDICAL EXAMINER<br>COMMONWEALTH OF VIRGINIA | PAGE<br>1 |
|---|---|---|

**DEPARTMENT OF HEALTH**
**OFFICE OF THE CHIEF MEDICAL EXAMINER**
**830 SOUTHAMPTON AVENUE, SUITE 100**
**NORFOLK, VIRGINIA 23510**
**(757) 683-8366**

**AUTOPSY NO:** T- 246-25
**DATE/DAY/TIME:** Tuesday, June 10, 2025, 0830
**DECEDENT:** V/A.R.
**AUTOPSY AUTHORIZED BY:** Dr. Lameira, acting Medical Examiner for Norfolk

**Body Identified by**: Tags on the body bag and suitcase. Definitive ID by fingerprint comparison.
**Persons present at autopsy**: Ms. Lacombe, Ms. Magruder, Ms. Sloulin, NCIS Danielle Ortiz, Morgan Currie, NPD John Murphy

**Rigor:** Absent **Livor:** Undetermined
**Age:** 21 **Race:** White **Sex:** F **Length:** 58" **Weight**:72 lbs. **Eyes:** No eyes
**Hair:** Black **Body Heat:** Refrigerated

**GENERAL EXTERNAL EXAMINATION:** The decedent is received in a sealed white body bag (lock #1504667). There is a second white body bag. A suitcase (38" x 21" x 15.5") is inside the second body bag. The suitcase is made of black fabric; brown fluid, maggots, and grass are around the suitcase. The body is that of a normally developed adult female. It is partially skeletonized, with the eyes, tongue, left hand, and some bones of the right hand absent. There are decomposition changes, including odor mortis and insect activity. The teeth are natural and in good condition. The chest and back are symmetric, with skeletonization of the right thorax, revealing the right anterior ribs and organs within the chest cavity. The abdomen is soft. The fingernails of the right hand appear free of tears; the toenails are unremarkable. There are areas of skin and soft tissue loss in the external genitalia. The anus is unremarkable.

**CLOTHING AND PERSONAL EFFECTS**: Nude. Personal effects: necklace, two earrings, a larger earring.

**EXTERNAL WOUNDS**: Examination limited by decomposition changes.

**SCARS, TATTOOS:** Tattoos on left arm and upper back,

**MARKS OF THERAPY**: None.

**HISTORY:** Missing person from May 29, found dead inside a suitcase on June 9.

**PATHOLOGICAL DIAGNOSES:**

1. Partially skeletonized woman
   a. Scene report – found in a wooden area inside a suitcase.
   b. Right rib fractures – 2nd-5th, likely postmortem.
   c. Autopsy with no evident trauma to the body.
   d. Postmortem toxicology positive for ethanol 0.083 % by weight by volume.

2. Additional findings: decomposition, advanced stage.

**Cause of Death:** Undetermined

The facts stated herein are true and correct to the best of my knowledge and belief.

[redacted]

8/18/2025 — **Date Signed**
OCME Norfolk, VA — **Place of Autopsy**
**Signature of Pathologist**
Fernanda Lameira, M.D

**GROSS DESCRIPTION:** *Note: exam limited by decomposition changes.*

**SKIN:** Tattoos. Partially skeletonized.

**SEROUS CAVITIES:** No adhesions or fluid accumulation. The diaphragm is intact. The organs are in normal anatomic position.

**NECK ORGANS:** Layered dissection reveals unremarkable soft tissue of the anterior neck. The larynx and hyoid are intact. The thyroid gland has a normal size and shape.

**HEART**: 77 g. The coronary arteries arise normally and have a right dominant posterior circulation. There is no significant atherosclerosis. The valves are normally formed. The foramen ovale is closed. The great vessels are unremarkable and free of obvious injury.

**AORTA:** The aorta and its major branches are normally distributed, with no significant atherosclerosis.

**LUNGS:** Left 155 g, right 181 g. The pleural surfaces are unremarkable and cover red-purple, mildly edematous pulmonary parenchyma.

**LIVER:** 299 g. The liver capsule is smooth and glistening, covering red-purple congested parenchyma.

**GALLBLADDER:** No bile. No stones were identified.

**SPLEEN:** 80 g. The splenic capsule is smooth, glistening, and intact. There is unremarkable underlying red-purple parenchyma.

**LYMPH NODES:** No lymphadenopathy is appreciated.

**PANCREAS:** Unremarkable.

**ADRENALS:** Examination limited due to decomposition changes; no evident lesions present.

**GI TRACT:** The tongue is absent. The esophagus is lined by gray-white smooth mucosa and courses to the stomach without focal lesions. The stomach is empty. A small amount of yellow chyme is present in the small bowel, and soft brown stool in the large bowel. An unremarkable appendix is identified in the right lower quadrant.

**KIDNEYS:** Left 155 g, right 181 g. Smooth cortical surfaces. Well-circumscribed cortico-medullary junctions. No dilatation of the collecting system or ureters.

**BLADDER:** Contains no urine. Unremarkable mucosa and wall.

**GENITALIA:** Unremarkable uterus, fallopian tubes, and ovaries.

**BRAIN AND MENINGES:** 784 g. Complete loss of normal architecture. The brain is a brow/gray soft tissue.

**SKULL:** Intact.

**MUSCULOSKELETAL:** Aside from the postmortem changes, the bony framework, supporting musculature, and soft tissues are grossly unremarkable. The cervical spinal column is removed, visualized, and it is intact.

**MICROSCOPIC DESCRIPTION:**
Liver (Slide 2): Interpretation is limited due to postmortem artifact. No evidence of inflammation, steatosis, or necrosis.

Kidney (Slide 2): Interpretation is limited due to postmortem artifact. Well-distributed tubules and glomeruli with no histopathological abnormalities.

Lungs (Slide 1): Interpretation is limited due to postmortem artifact. Edema and no other significant histopathological changes were observed.

**TOXICOLOGY:**
Samples were submitted for toxicological analysis. See Certificate of Analysis.
Waiting for another toxicology analysis. Still pending.

**DNA AND FINGERPRINTS:**
Samples of blood and fingerprints were taken and retained.

**POSTMORTEM PHOTOGRAPHY:**
Postmortem photographs were taken and retained.

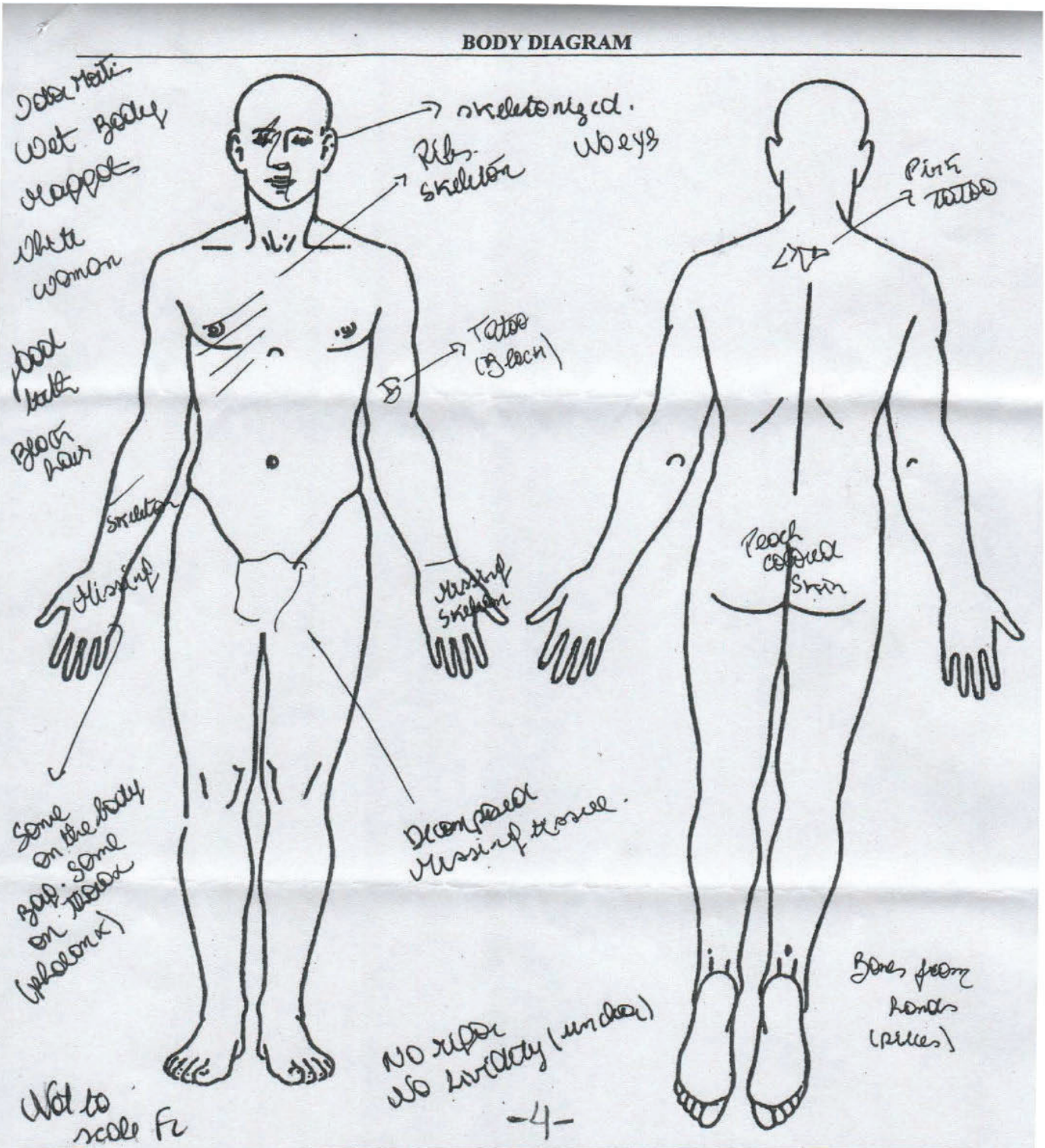
**EVIDENCE:**
Suitcase, personal effects, DNA card x2, patch from inside the suitcase, PERK kit (219M00468), round disk from inside the suitcase, possible string from inside the suitcase, paper from inside the suitcase, fingernails, CD with exam photos to law enforcement. Second CD with exam photos to law enforcement (Norfolk PD).

**SUMMARY:**
V/A.R. was a 21-year-old woman, missing since May 29, who was found inside a suitcase in a wooded area on June 9. At autopsy, her body was partially skeletonized and relatively complete. No acute trauma was noted. Postmortem toxicology was only positive for ethanol. Ethanol may be postmortem, antemortem, or both. If antemortem, the low level would not explain the death. The degree of decomposition precluded a comprehensive assessment of soft tissue injuries or natural disease. Still, there was no indication that natural disease or drugs played a role in the death of this young woman. Suffocation cannot be ruled out at the autopsy. A definitive cause of death was not determined at autopsy.

**CAUSE OF DEATH:** Undetermined

**MANNER OF DEATH:** Undetermined

## BODY DIAGRAM




| DECED | T-246-25 T2025-00840 | MEDICAL EXAMINER: |
|---|---|---|
| Name: | ~~BTB~~ V/A.R. | Name: |
| Height: | 6-10-2025 | Date: |
| Weight: | DR. LAMEIRA | Autopsy #: |

*Form CME - BD1*

COMMONWEALTH OF VIRGINIA
OFFICE OF THE CHIEF MEDICAL EXAMINER

*Rev. 11/21/03*

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

June 10, 2025

TO: G. V. ROBINSON
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

RECEIVED
JUN 11 2025
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

Your Case #: T2025-00840

Victim(s):

Alias: V/A.R.

Suspect(s): ---

Evidence Submitted By: G. V. Robinson

Date Received: 06/10/2025

Item 999 Copy of a fingerprint card bearing the name V/A.R.
Item 1000 Postmortem Tape Lift From OCME Case Number T2025-00840

RESULTS AND INTERPRETATIONS:

**COMPARISON RESULTS OVERVIEW:**

| Name | Identification(s) (Total / Item) | Exclusion(s) (Total / Item) | Inconclusive(s) (Total / Item) |
|---|---|---|---|
| V/A.R. | 1 / Item 1000 | --- | --- |

**PROCESSING AND EXAMINATION:**

Item 1000 was visually examined. One fingerprint was digitally preserved and designated as 1000P1.

**ANALYSIS:**

Fingerprint 1000P1 was analyzed and determined to be of value for comparison.

**EXEMPLARS:**

The following exemplar, bearing the listed name, was visually examined, digitally preserved, and used for comparison:

| Name | Obtained From | DOB | SID / FBI | Exemplar Type |
|---|---|---|---|---|
| V/A.R. | Submitted - Item 999 | --- | 95HPF5D5W | Fingerprint Card |



Rev. 7/05

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Office of the Chief Medical Examiner
FS Lab # T25-3510
Your Case # T2025-00840
June 10, 2025

**COMPARISON RESULTS:**

IDENTIFICATION(S):
Fingerprint 1000P1 was identified to the exemplar bearing the name [redacted] V/A.R.

**TERMINUS STATEMENTS:**

The only fingerprint of value for comparison has been identified.

Date(s) of Testing: 06/10/2025.

Supporting examination documentation is maintained in the case file.

The above listed methods are those approved for use at the time of analysis. Current methods can be found in the Latent Print Procedures Manual, which can be found at www.dfs.virginia.gov/documentation-publications/manuals/.

The evidence is being retained for personal pickup.

Attest:

I certify that I performed the above analysis or examination as an employee of the Department of Forensic Science and that the above is an accurate record of the results and interpretations of that analysis or examination.

[redacted]

Forensic Scientist

**ABBREVIATION/DEFINITION KEY:**
**AFIS:** Automated Fingerprint Identification System; generic term; applies to VA-AFIS and NGI at DFS.
**DOB:** Date of Birth
**CCRE:** Central Criminal Records Exchange
**FBI:** Federal Bureau of Investigation
**Federal Database:** Next Generation Identification (NGI) database
**SID:** State Identification Number
**State Database:** VA-AFIS database
**Identification:** Conclusion reached when an examiner determines there is sufficient observed data in agreement to conclude that the friction ridge prints originated from the same source.
**Exclusion:** Conclusion reached when an examiner determines that there is sufficient observed data in disagreement to conclude that the friction ridge prints did not originate from the same source.
**Inconclusive:** Conclusion reached when an examiner determines there is insufficient observed data in agreement or disagreement to conclude that the friction ridge prints did or did not originate from the same source. The insufficient observed data could be the result of absent or unreliable areas of the friction ridge print, the exemplars or both.

EV

CAC 06-10-2025



Rev. 7/05

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

July 14, 2025

TO: FERNANDA LAMEIRA, M.D.
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

Your Case #: T2025-00840

Victim(s): V/A.R.

Alias: BTB V/A.R.

Suspect(s): - - -

Evidence Submitted By: Leena Sloulin

Date Received: 06/11/2025

| | |
|---|---|
| Item TX1 | One container of liver |
| Item TX2 | One container of muscle |
| Item TX3 | One container of spleen |

RECEIVED
JUL 22 2025
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

RESULTS AND INTERPRETATIONS:

Item TX1 Liver:
Ethanol 0.083 ± 0.004 % by weight by weight
Method: Alcohols by Headspace Gas Chromatography

No other drugs and/or drug classes were detected.

Item TX1 was screened for the following drugs, drug classes, and/or substances:
Ethanol, methanol, acetone, isopropanol, cocaine/benzoylecgonine, opiates, oxycodone/oxymorphone, methamphetamine/methylenedioxymethamphetamine (MDMA), phencyclidine, fentanyl, methadone, benzodiazepines.

Item TX2 Muscle:
Not Analyzed

Item TX3 Spleen:
Not Analyzed

Date(s) of Testing: 06/24/2025 - 07/11/2025

Supporting examination documentation is maintained in the case file. The above-listed methods are those approved for use at the time of analysis. Current methods can be found in the Toxicology Procedures Manual which can be found at www.dfs.virginia.gov/documentation-publications/manuals/. Measurement uncertainty is reported at a 95.45% level of confidence for all toxicological analyses except blood alcohol which is reported at a 99.73% level of confidence.



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# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Office of the Chief Medical Examiner
FS Lab # T25-3510
Your Case # T2025-00840
July 14, 2025

The evidence is being returned to the Office of the Chief Medical Examiner.

Attest:

I certify that I performed the above analysis or examination as an employee of the Department of Forensic Science and that the above is an accurate record of the results and interpretations of that analysis or examination.

[redacted]

Erica Sales
Forensic Scientist

ES
7.16.25



Rev. 7/05

| | | |
|---|---|---|
| **Name: Dr. Fernanda Lameira, Medical Examiner, City of Norfolk**<br>**Command (mil)/City, State (civ): Norfolk, Virginia** | | |
| **Date/time:** | 29 July 2025; 1300 | |
| **Contact Info** | | |
| E-mail | | Ok to disclose to DC? Yes ☐ No ☐ |
| Phone (c) | | Ok to disclose to DC? Yes ☐ No ☐ |
| Phone (alt) | | Ok to disclose to DC? Yes ☐ No ☐ |
| Other | | Ok to disclose to DC? Yes ☐ No ☐ |
| Available? | Next 3 months? Yes ☒ No ☐ Next 6 months? Yes ☒ No ☐ Next year? Yes ☒ No ☐ | |
| *Giglio* Questions | Have you ever been arrested, charged or convicted of a crime involving a false official statement, perjury, larceny or other crime of dishonesty? | Yes ☐ No ☐ Unsure ☐ |
| | For military – have you ever received non-judicial punishment for an act or omission which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ |
| | For military – have you ever received administrative counseling or other non-punitive measure for an act which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ |
| | Are you aware of any matter which might call into question your character for truthfulness? | Yes ☐ No ☐ Unsure ☐ |
| | Are you aware of any matter which might raise a question of bias or favoritism toward any party to the case? | Yes ☐ No ☐ Unsure ☐ |

On 29 July 2025, CAPT Derek Butler, JAGC, USN, CDR Lauren Mayo, JAGC, USN, and LT Christopher Dempsey, JAGC, USN, interviewed Dr. Lameira, in the presence of LN1 Kathleen Vanetti, USN, Mr. Rob Robinson, Norfolk ME, and Dr. Wendy Gunther, Assistant Chief Medical Examiner. The following is a summary of the interaction and is not intended to be verbatim:

Dr. Lameira reported that due to the level of decomposition of, and post-mortem insect activity on, the body of V/A.R., no definitive cause of death could be discerned. Dr. Lameira was able to rule out stomping, stabbing, shooting, and a drug overdose as possible causes of death. She specified that the toxicology test only tested for specific drugs, but the lab was likely able to have additional testing done for specific prescriptions being taken by V/A.R upon request. Additionally, the toxicology report showed a BAC of .083 at the time of death.

Dr. Lameira noted that there was not enough remaining soft tissue on the body to indicate or rule out asphyxia as a cause of death. The only noted broken bones were ribs #2-5, which would not be consistent with attempts at CPR. There was not enough tissue left in the neck area to indicate whether there was any blood pooling in that area. The fallopian tubes and uterus were unremarkable with no indications of a pregnancy. There were no indications of any chronic conditions that would lead to a natural death and Dr. Lameira opined it would be unlikely for someone V/A.R.'s age to suffer a natural death.

It was explained that the alcohol ethenyl level, generally considered the BAC, could have been elevated by insect activity that creates yeast. No results had come back on the buccal and anal swabs that were conducted during the autopsy, and vaginal swabs were not conducted due to the lack of soft tissue resulting from decomposition and insect activity. Dr. Lameira explained that insect activity and decomposition generally begin in body openings (eyes, ears, mouth, nose, etc.) and areas where skin is pressed together (buttocks, below breasts, arms crossed, etc.). She opined that the folded position of the body in the duffel bag created the skin-to-skin pressure points on the chest that became areas of accelerated decomposition, in comparison to the other areas of the torso.

When asked, Dr. Lameira stated that there was not enough soft tissue on the body to determine whether there were any injuries to the body that would have been bleeding before death. Dr. Lameira explained that up to a liter of "purge" can be expelled post-mortem through the nose and mouth and appears red in color. "Purge" was explained as the fluid in the lungs and surrounding tissue that leaks out of the nose and mouth post-mortem, and can become further dislodged from the body if the body is moved.

When asked, Dr. Lameira stated that rigor mortis sets in within about 12 hours after death and opined that the body was likely placed into the duffel bag prior to the onset of rigor mortis. Dr. Lameira concured with Dr. Gunter that it was not unusual for people to mistake dead bodies for living people.

/s/

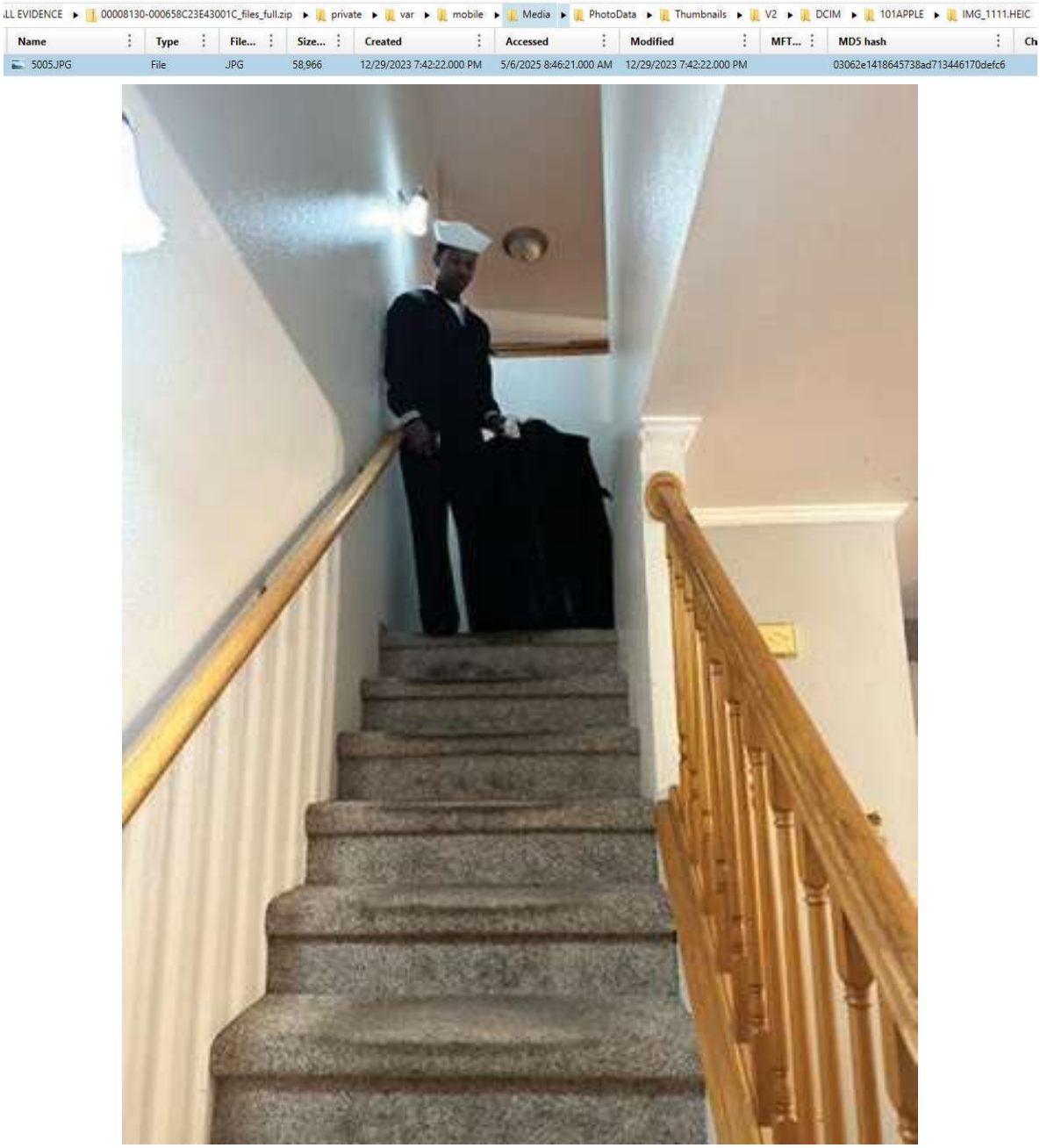
K. E. VANETTI



**LUGGAGE IMAGE FILES**

1. SDFE DAVISON located and extracted three thumbnail images during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The iPhone appears to name all the thumbnail images with the same of name of "5005.jpg." Each thumbnail image is located in the corresponding subdirectories of the \private\var\mobile\Media\PhotoData\Thumbnails\V2\DCIM\101APPLE\ directory. The specific directory in which the thumbnail file named "5005.jpg" resides contains the original file name of the image, movie, or Apple's live files. The three original file names from each thumbnail image resolves back to IMG_1111.HEIC, IMG_1114.HEIC, and IMG_1112.mov. SDFE DAVISON conducted a search for each original file, however, the examination did not recover the original files. SDFE DAVISON inserted the thumbnail files directly into this document.

# IMG_1111.HEIC



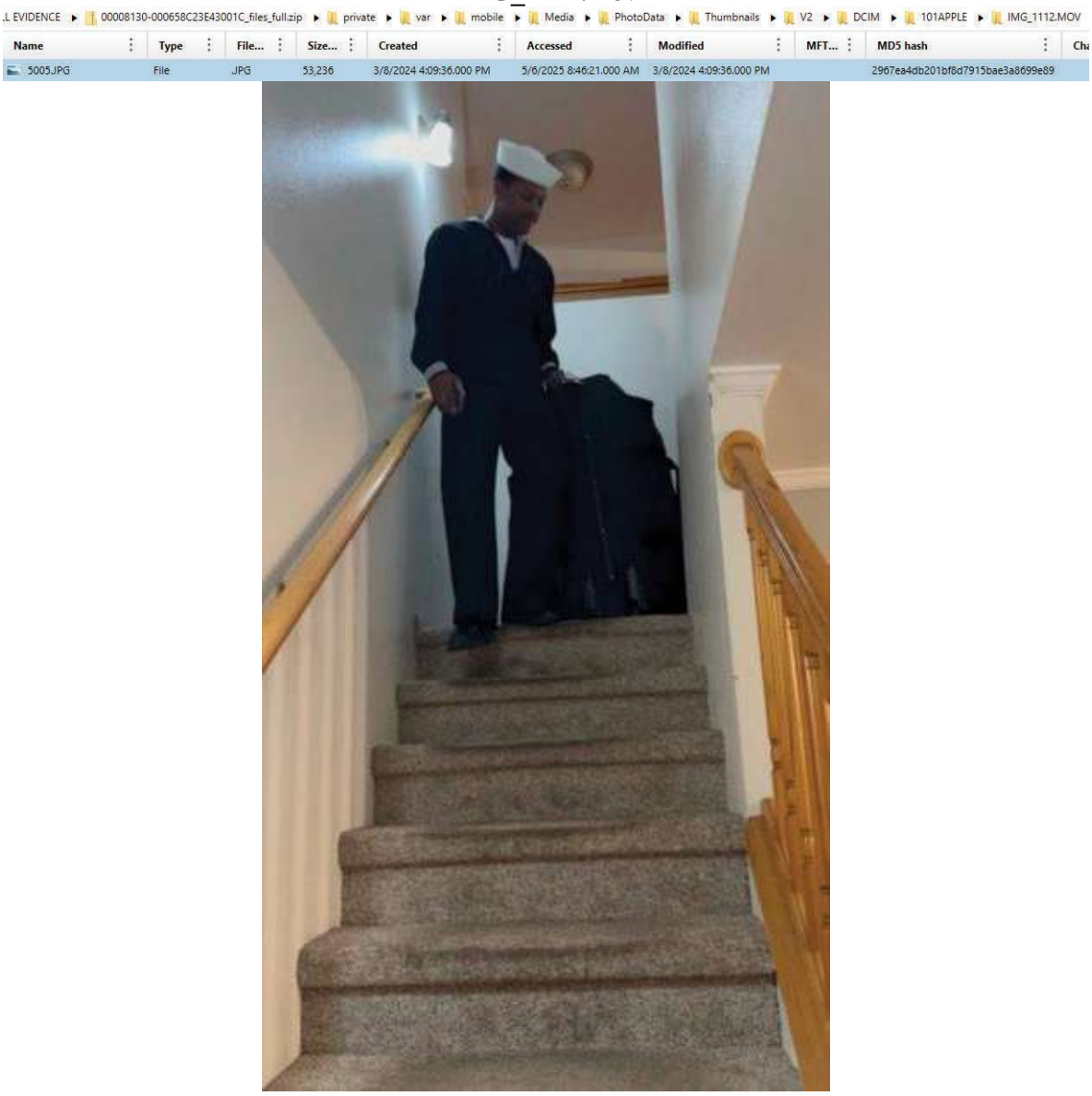
## IMG_1114.HEIC

ALL EVIDENCE ▸ 00008130-000658C23E43001C_files_full.zip ▸ private ▸ var ▸ mobile ▸ Media ▸ PhotoData ▸ Thumbnails ▸ V2 ▸ DCIM ▸ 101APPLE ▸ IMG_1114.HEIC

| Name | Type | File... | Size... | Created | Accessed | Modified | MFT... | MD5 hash | Ch |
|---|---|---|---|---|---|---|---|---|---|
| 5005.JPG | File | JPG | 47,925 | 12/29/2023 7:42:19.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:42:19.000 PM | | f180d199fff81d48559e0deef9f9ec2e | |



**IMG_1112.mov**




2. The thumbnail files for IMG_1111.HEIC and IMG_1114.HEIC were created on 29Dec23. The thumbnail file for IMG_1112.mov was created on 08Jun24. The examination revealed the thumbnail file for IMG_1112.mov appears to be created due to the user of the iPhone 15 Pro Max belonging to S/COPELAND accessing and downloaded the original file in an iCloud account since the image is visually similar to the file IMG_1111.HEIC and the file is consecutively named to IMG_1112. All three thumbnails were last accessed on 05Jun25, at exactly 8:46:21 AM. All of 627 thumbnails in the \private\var\mobile\Media\PhotoData\Thumbnails\V2\DCIM\101APPLE\ directory and its subdirectories were accessed on 05Jun25, between 8:46:21 AM and 8:46:23 AM. The

examination revealed an automated process accessed the files and is most likely contributed to an iCloud backup. SDFE DAVISON took the following screenshot as displayed in Axiom.

| Name | Type | File e... | Size... | Created | Accessed | Modified |
|---|---|---|---|---|---|---|
| 5005.JPG | File | JPG | 130,889 | 12/29/2023 6:24:05.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 6:24:05.000 PM |
| 5005.JPG | File | JPG | 123,281 | 12/29/2023 6:32:15.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 6:32:15.000 PM |
| 5005.JPG | File | JPG | 58,966 | 12/29/2023 7:42:22.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:42:22.000 PM |
| 5005.JPG | File | JPG | 53,236 | 3/8/2024 4:09:36.000 PM | 5/6/2025 8:46:21.000 AM | 3/8/2024 4:09:36.000 PM |
| 5005.JPG | File | JPG | 49,116 | 12/29/2023 7:42:21.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:42:21.000 PM |
| 5005.JPG | File | JPG | 47,925 | 12/29/2023 7:42:19.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:42:19.000 PM |
| 5005.JPG | File | JPG | 55,743 | 12/29/2023 7:50:38.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:50:38.000 PM |
| 5005.JPG | File | JPG | 77,068 | 12/29/2023 7:51:21.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:51:21.000 PM |
| 5005.JPG | File | JPG | 36,327 | 12/29/2023 8:09:54.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:09:54.000 PM |
| 5005.JPG | File | JPG | 31,072 | 12/29/2023 8:10:03.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:10:03.000 PM |
| 5005.JPG | File | JPG | 49,794 | 12/29/2023 8:10:11.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:10:11.000 PM |
| 5005.JPG | File | JPG | 38,135 | 12/29/2023 8:10:35.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:10:35.000 PM |
| 5005.JPG | File | JPG | 32,599 | 12/29/2023 8:10:52.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:10:52.000 PM |
| 5005.JPG | File | JPG | 54,421 | 12/29/2023 8:11:03.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:11:03.000 PM |
| 5005.JPG | File | JPG | 54,065 | 12/29/2023 8:11:16.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:11:16.000 PM |
| 5005.JPG | File | JPG | 47,698 | 12/29/2023 8:11:26.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:11:26.000 PM |
| 5005.JPG | File | JPG | 37,341 | 12/29/2023 8:11:42.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:11:42.000 PM |
| 5005.JPG | File | JPG | 59,704 | 12/29/2023 8:11:52.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 8:11:52.000 PM |

Click to Review the Thumbnail Report

[redacted]


60 of 126
Rochell Cham
Sep 23, 2024
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## 1. BACKGROUND

1.1. On 31May25, NCIS initiated an investigation regarding a missing person report. The missing person was later identified as CSSN V/A.R. ( V/A.R. USN, USS JAMES E. WILLIAMS (DDG-95). According to witnesses, V/A.R. was last seen with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95 at his barracks located at Willis Manor (Building X-2), Room 335, 9712 Virginia Ave, Norfolk, VA on board Naval Station Norfolk. Reporting Forensic Consultant (RFC) responded to Building X-2, Room 335 to identify and document any suspected bloodstains and other items of potential forensic value on scene.

## 2. ARRIVAL, JURISDICTION, AND AUTHORIZATION

2.1. On 03Jun25 at approximately 2004 hours, Reporting Forensic Consultant (RFC), Participating Agents (PAs) Joy NAROWSKI, Alison FOX, Brandon MOORE, Ashley ULLOM, Lauren GODETTE and Supervisory Special Agent (SSA) Danielle ORTIZ arrived at Building X-2, see figure 1. NCIS maintains primary jurisdiction. NCIS conducted a search of S/COPELAND's residence pursuant to a Command Authorization for Search and Seizure (CASS).




*Figure 1: Google Maps aerial image of Willis Manor, Building X-2, on board Naval Station Norfolk, VA (retrieved from Google Maps 20Jul25).*

(area intentionally left blank)



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## 3. SCENE OBSERVATIONS—BUILDING X-2, ROOM 335

3.1. Building X-2 is a Navy unaccompanied housing military barracks with five floors containing multiple residences, see figure 2. Building X-2 has a parking lot located to the south of the building. Building X-2 is positioned in between Virginia Avenue and Maryland Avenue. Room 335 is located in the east wing, on the third floor, along the south side of the building.




*Figure 2: Google image of Willis Manor, Building X-2, on board Naval Station Norfolk, VA (retrieved from Google Images on 20Jul25).*

3.2. Upon entering Room 335, RFC observed a foyer which led into the kitchen. South of the kitchen was a living room. RFC observed a broken coffee table in the living room. The coffee table also contained two red plastic cups and an opened bottle of "Uptown Cocktails" Strawberry Margarita ready-to-drink cocktail. Parallel to the kitchen and living room were two suites containing two single beds running along the east and west end of the residence. S/COPELAND was assigned to Suite B. Suite B contained two single beds, two desks, two closets, two sink vanities, and a single half bathroom which contained a toilet and shower. S/COPELAND's bed and closet were identified with a placard labeled as "BA". S/COPELAND's bed and desk were located along the east wall of the suite. North of S/COPELAND's bedroom, RFC observed a foyer leading into the closet and bathroom. RFC created a digital sketch displaying the layout of Room 335, see figure 3.

*(area intentionally left blank)*



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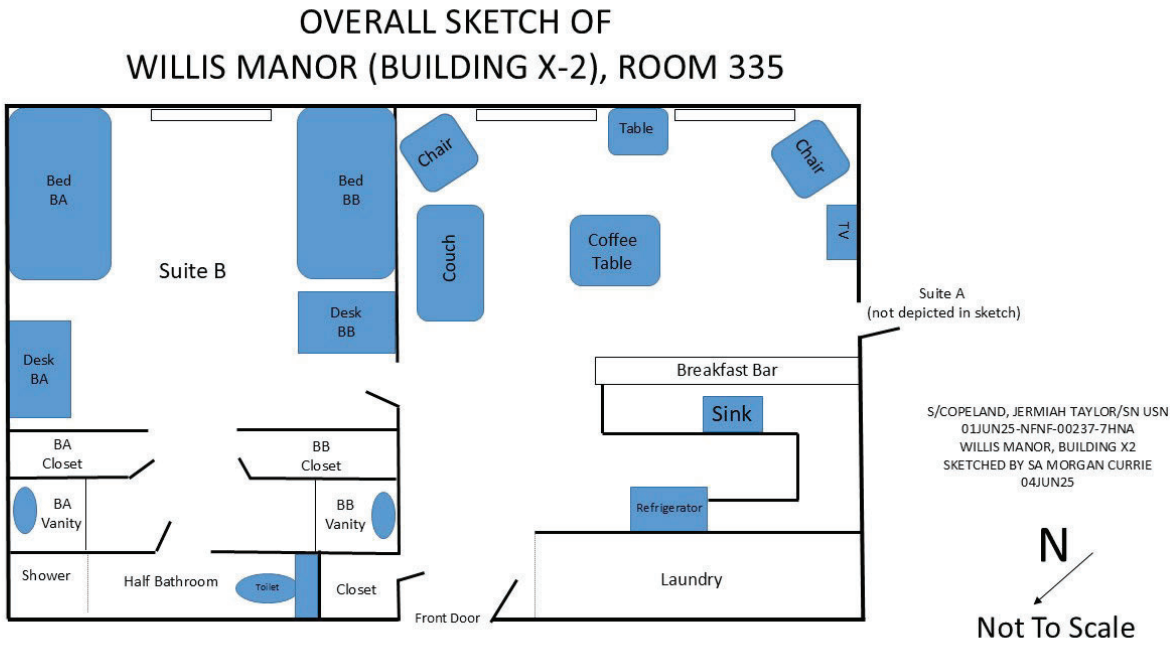



*Figure 3: Digital sketch created by RFC of Room 335.*

3.3. Figures 4-7 are photographs of Room 335 common area which contained a kitchen and living room.




*Figure 4: Photograph of doorway of Room 335 (DSC_0008.jpg—captured during scene documentation on 03Jun25).*



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*Figure 5: Photograph of kitchen inside Room 335 (DSC_0012.jpg—captured during scene documentation on 03Jun25).*



*Figure 6: Photograph of living room, kitchen and Suite A doorway (DSC_0022.jpg—captured during scene documentation on 03Jun25).*

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*Figure 7: Photograph of living room, kitchen and Suite B doorway (DSC_0021.jpg—captured during scene documentation on 03Jun25).*

**4. SCENE OBSERVATIONS—ROOM 335, SUITE B**

4.1. RFC entered Suite B, see figures 8-14, and observed two single beds, two desks, two closets, two sink vanities, and a single half bathroom which contained a toilet and shower shared by the assigned suitemates. According to SSA ORTIZ, YN3 Sean MONAGHAN (YN3 MONAGHAN), USN, Helicopter Mine Countermeasures Squadron (HM 12), is the sole suitemate with S/COPELAND. SSA ORTIZ relayed YN3 MONAGHAN's belongings are assigned to bed, sink and closet labeled "BB" while S/COPELAND's belongings are assigned to bed, sink and closet labeled "BA".

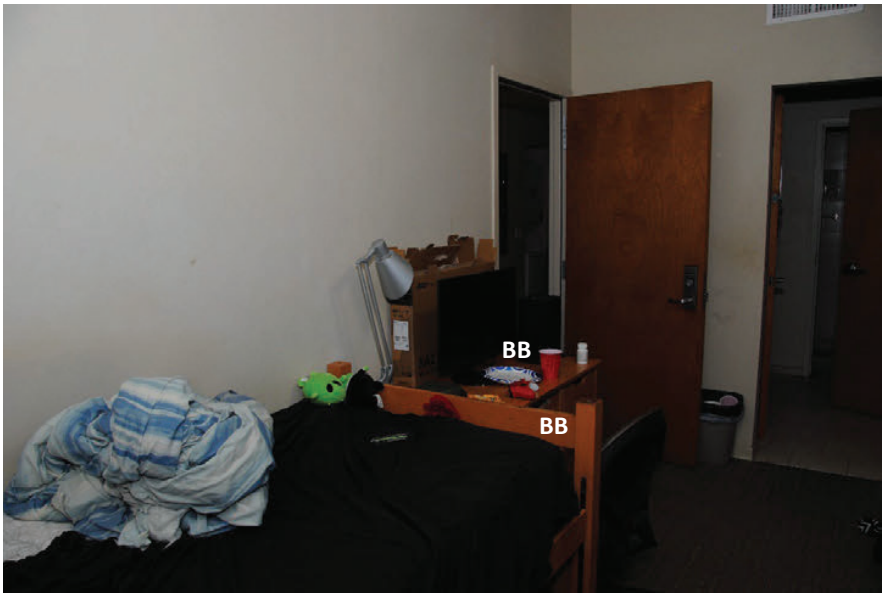



*Figure 8: Photograph of Suite B doorway (interior view), including the bed and desk belonging to YN3 MONAGHAN (DSC_0028.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 9: Photograph of beds and desk inside Suite B (DSC_0027.jpg—captured during scene documentation on 03Jun25; text added).*

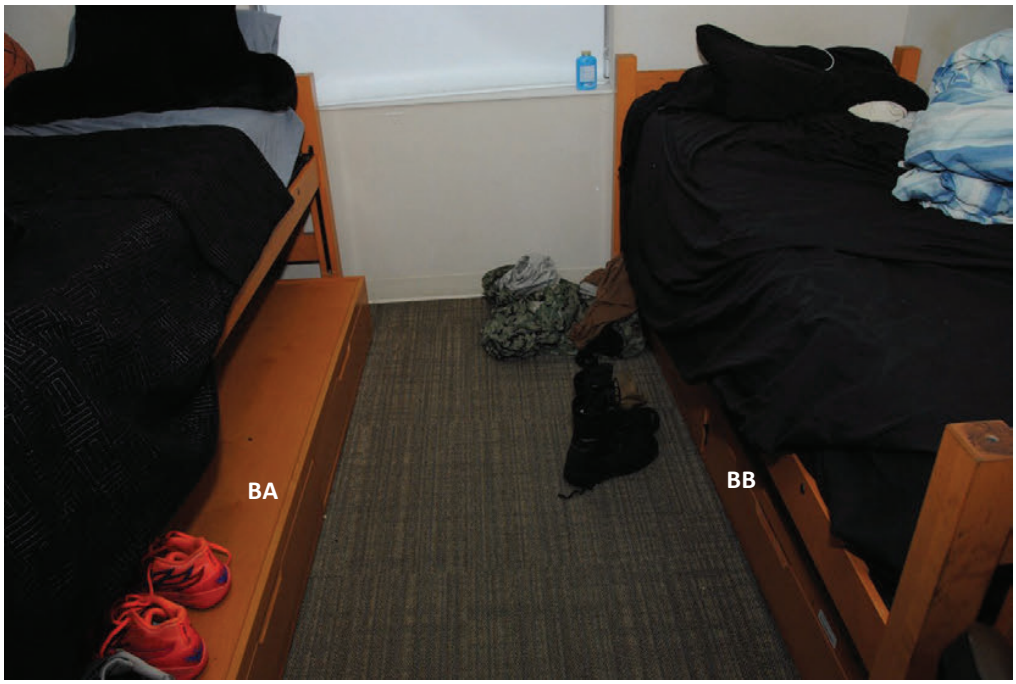



*Figure 10: Photograph of beds inside Suite B (DSC_0033.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 11: Photograph of bed and desk BA inside Suite B (DSC_0024.jpg—cropped, captured during scene documentation on 03Jun25; text added).*




*Figure 12: Photograph of bed and desk BA inside Suite B, and foyer leading into closet and bathroom (DSC_0029.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 13: Photograph of closet doors, half bathroom door and bathroom sink vanity (DSC_0060.jpg—captured during scene documentation on 03Jun25; text added).*




*Figure 14: Photograph of closet doors "BB" and "BA" (Left: DSC_0057.jpg—captured during scene documentation on 03Jun25, Right: DSC_0055.jpg—captured during scene documentation on 03Jun25; text added).*



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**5. SCENE OBSERVATIONS—HALF BATHROOM INSIDE SUITE B**

5.1. RFC entered the half bathroom within Suite B and did not identify any visible bloodstain evidence within this area of the residence.

**6. BLUESTAR APPLICATION—SINK VANITY**

6.1. RFC was notified by PA NAROWSKI that she observed a suspected bloodstain on the northeast wall above the vanity sink belonging to S/COPELAND, see figure 15. PA NAROWSKI and the NCISRA Norfolk, VA Major Case Response Team (MCRT) conducted a preliminary test for the presence of blood on the stain using a Hemastix blood reagent test strip, yielding positive results. PA NAROWSKI and the NCISRA Norfolk, VA MCRT documented the suspected bloodstain and seized a swab from the area. These actions are documented under a separate report.

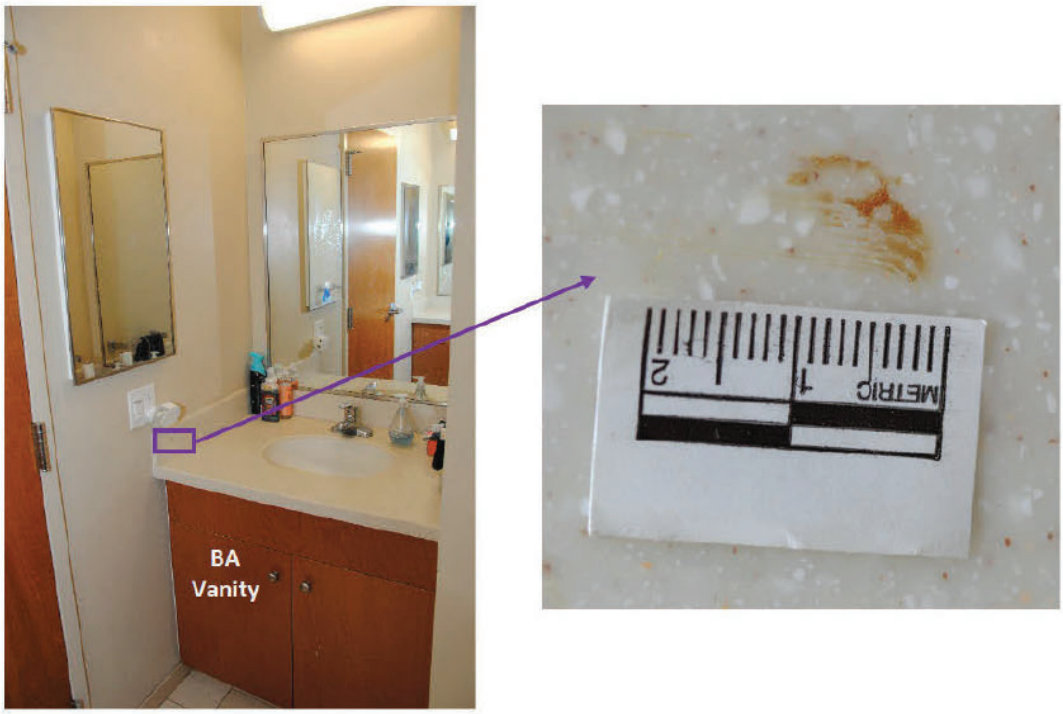



*Figure 15: Photograph of sink vanity "BA" with callout to suspected bloodstain on northeast wall (Left: DSC_0053.jpg—captured during scene documentation on 03Jun25, Right: DSC_0228.jpg—cropped, captured during scene documentation on 03Jun25; text, line, arrow and box added).*

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6.2. Listed on the Bluestar Forensics website, Bluestar is a chemical reagent which reveals the presence of blood in a large or minute/diluted quantity. The reaction occurs when Bluestar interacts with the heme component of blood producing a blue luminescence. False positives can occur when Bluestar comes in contact with household chemicals such as detergents, bleach or copper, per the Bluestar Forensic website, producing a white or faded blue luminescence. Prior to using Bluestar throughout the scene a control sample test was conducted producing a positive reaction.

6.3. RFC then conducted a preliminary test for the presence of blood using a Bluestar forensic kit along the sink vanity and sink bowl belonging to S/COPELAND, yielding positive results. RFC attempted to capture photographs of the Bluestar reaction on the sink bowl prior to the collection of items deemed as forensic value but was unsuccessful. RFC collected a swab from the stain within this area and entered it into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number JQNT4:

Item# NAH9K—One (1) swab taken from inside bathroom sink bowl containing suspected blood after Bluestar application

**7. BLUESTAR APPLICATION—CLOSET BA**

7.1. The NCISRA Norfolk, VA MCRT completed a scene documentation of Room 335 which included photographs, a scene sketch, and notes. Several items of evidence were identified and seized. These actions are documented under a separate report. During the scene documentation, the NCISRA Norfolk, VA MCRT requested assistance from Virginia Department of Emergency Management K9 Kira and Handler Andrew PISKE to identify human remains and/or other items of potential forensic value in the captioned investigation. K9 Kira and Handler PISKE conducted a search of Room 335, Suite B. K9 Kira and Handler PISKE alerted to the closet area labeled “BA”. RFC did not observe biological matter or suspected bloodstains in the closet with the unaided eye and subsequently the NCISRA Norfolk, VA MCRT effected photographic coverage, see figure 16. RFC and the NCISRA Norfolk, VA MCRT conducted a visual search of the belongings inside the closet and did not observe biological matter or suspected bloodstains. The NCISRA Norfolk, VA MCRT removed all belongings from the closet, see figure 17.

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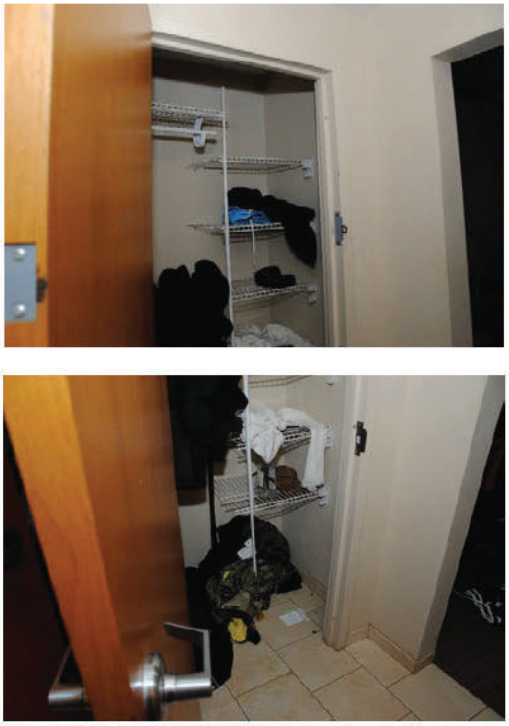


*Figure 16: Photograph of Closet "BA" with S/COPELAND's belongings inside, interior view (Top: DSC_0041.jpg—captured during scene documentation on 03Jun25, Bottom: DSC_0042.jpg—captured during scene documentation on 03Jun25).*



*Figure 17: Photograph of Closet "BA" with belongings removed (DSC_0204.jpg—captured during scene documentation on 04Jun25).*



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7.2. RFC then conducted a preliminary test for the presence of blood using a BLUESTAR forensic kit, yielding positive results. RFC effected photographic coverage, see figure 18, and collected swabs from the stains within this area and entered it into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number JQNT4:

- Item# 0TXF0—Four (4) swabs taken from left rear corner of closet for suspected blood after Bluestar application



*Figure 18: Photograph of Bluestar reaction inside closet "BA" (Top: MLC_0959.nef).*

**8. BLUESTAR APPLICATION—SUITE B BEDROOM**

8.1. RFC conducted a preliminary test for the presence of blood using a BLUESTAR forensic kit along the carpet, adjacent to Closet "BA", into the doorway of Suite B, yielding positive results, see figures 19-21. Subsequently on 10Jun25, the NCISRA Norfolk, VA MCRT collected several items deemed as forensic value to include the carpeted areas which tested positive for the presence of blood using the BLUESTAR forensic kit. These actions are documented under a separate report.

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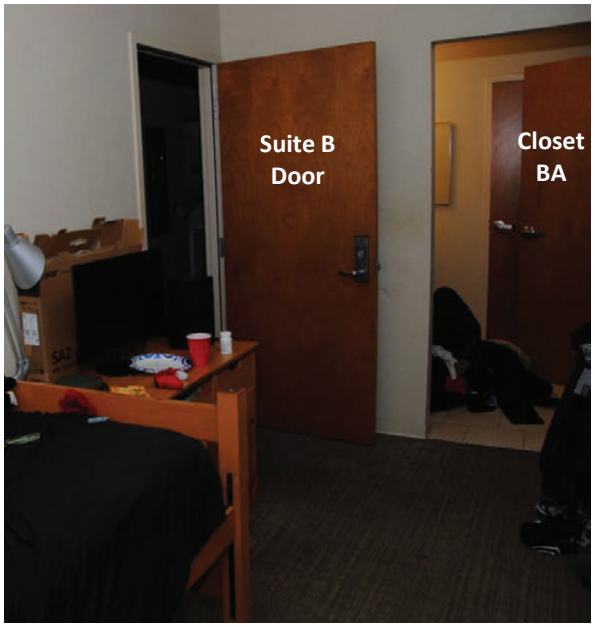



*Figure 19: Photograph of carpeted area between Closet "BA" and doorway of Suite B (DSC_0241.jpg—cropped, captured during scene documentation on 04Jun25; text added).*

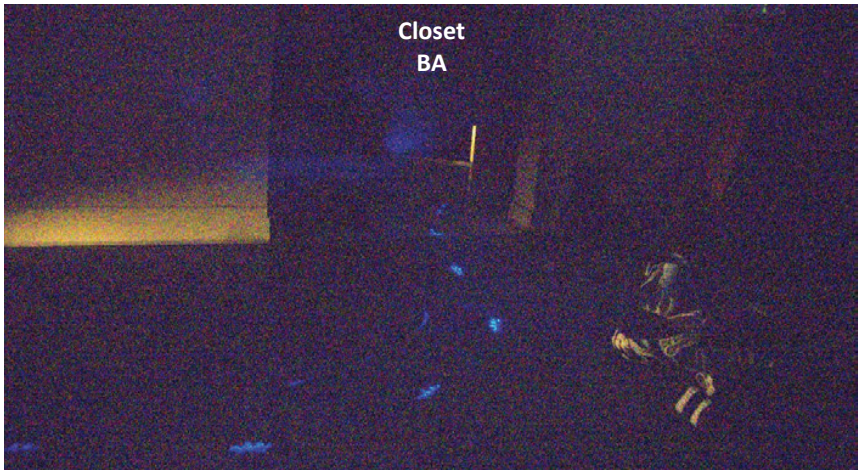



*Figure 20: Photograph of Bluestar reaction from foyer near closet "BA" to Suite B carpeted area (Top: MLC_0962.nef-cropped, brightness increased by 10%).*



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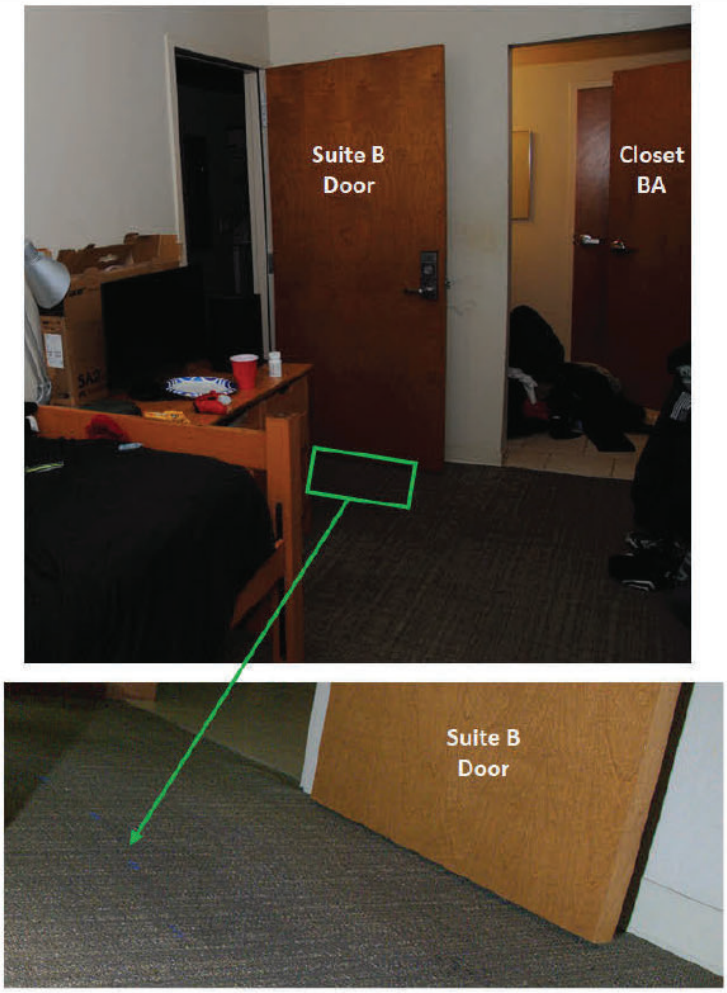



*Figure 21: Photograph of Bluestar reaction on carpeted area inside Suite B (Top: DSC_0241.jpg—cropped, captured during scene documentation on 04Jun25; Bottom: MLC_0965.nef-cropped; text, line, arrow and box added).*

8.2. RFC observed a heavy concentration of Bluestar in the closet, forming a linear trail that gradually faded as it extended between Suite B and the living room. RFC attempted to capture photographs of the BLUESTAR reaction in the living room but was unsuccessful.

**9. PHOTOGRAPHIC DOCUMENTATION**

9.1. On 04Jun25, RFC took a series of photographs utilizing an NCIS issued a Nikon Z 6II camera (SN# 3068881) with a Nikon SB-5000 external flash. A total of eighteen (18) color photographs were exposed and subsequently downloaded onto one (1) Compact Disc-Recordable (CD-R); Enclosure (A) pertains. RFC entered the CD-R into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number 27C4G:

Item# 2UEEH: One (1) CD-R Containing (18) Photographs of Bluestar Reaction



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**10. SCENE RELEASE**

10.1. At approximately 0138 hours on 04Jun25, all NCIS personnel locked and secured the residence and departed the scene.

ENCLOSURE(S)

(A) One (1) CD-R Containing (18) Photographs of Bluestar Reaction/04Jun25

Morgan Currie
Special Agent / Forensic Consultant
Naval Criminal Investigative Service (NCIS)
Technical Services Field Office (TSFO)
Office of Forensic Support – Norfolk

Administratively reviewed by: Jeffrey Kierman
Supervisory Special Agent / Forensic Consultant
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1. BACKGROUND: On 04Jun25, at approximately 1315 hours, Reporting Agent (RA) Alison FOX, NCISRA Yorktown, was notified by Supervisory Special Agent (SSA) Danielle ORTIZ, NCISRA Norfolk, suspected blood was observed in a stairwell of Willis Manor, Building X2, 9712 Virginia Avenue, Norfolk, VA 23511 located on board Naval Station Norfolk. NCIS conducted an area canvass of Building X2 as part of proactive investigative efforts to locate CSSN Angelina RESENDIZ ( V/A.R. USN, USS JAMES E. WILLIAMS (DDG 95). NCIS visually inspected and focused on the hallway and stairwell closest in proximity to Room 335 located on the third floor, which was the known room of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, a person of interest at the time of the investigation. SSA ORTIZ requested RA FOX respond to the area to document the scene and collect the suspected blood.

2. ARRIVAL AND JURISDICTION: On 04Jun25, at 1330 hours, RA FOX, and Participating Agents (PA) Joy NAROWSKI, NCISRA Yorktown, Dara ELK, NCISRA Portsmouth, and Lauren WATKINS, NCISRA Portsmouth conducted an examination of the stairwell. Willis Manor, Building X2 is located on board Naval Station Norfolk and is located within concurrent jurisdiction with Norfolk Police Department (NPD); however, NCIS maintains primary investigative jurisdiction due to V/A.R. and S/COPELAND both being active-duty Navy service members.

3. SCENE SECURITY AND SEARCH AUTHORIZATION: No scene security was present upon RA FOX's arrival. There is no reasonable expectation of privacy within the stairwell. Therefore, no search authorization was required.

4. EXTERIOR OBSERVATIONS: Willis Manor, Building X2, is a military barracks located on board Naval Station Norfolk. Willis Manor, Building X2, is a five-story building with a parking lot located in front and to the side. The building is located between Maryland Ave and Virginia Ave. Figure [1] is a Google Maps image of Willis Manor, Building X2, depicting its relationship and orientation to the surrounding buildings. The black arrow was added to the image to depict the exit location of stairwell examined.

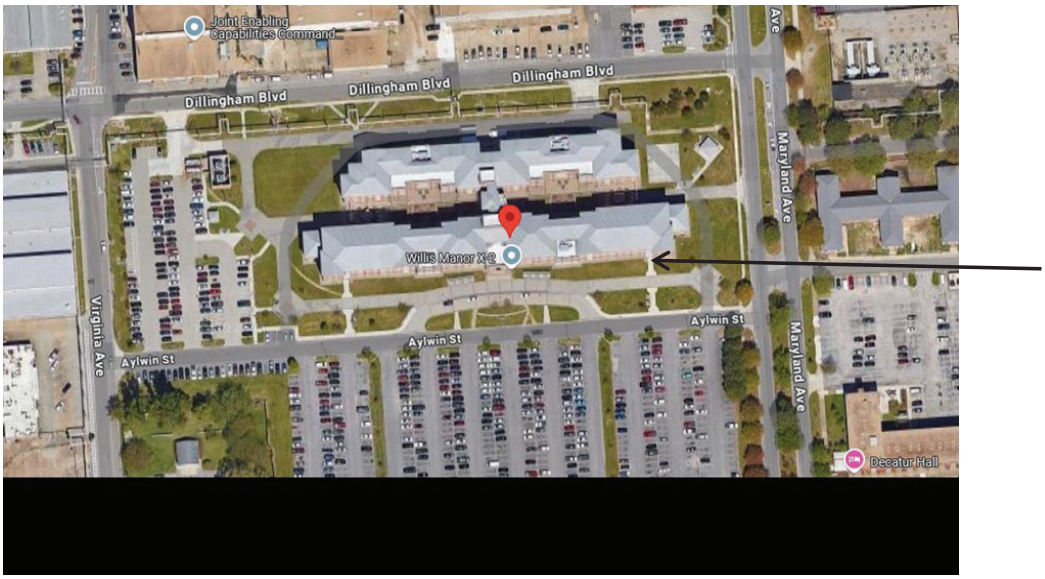



*Figure 1 – Aerial view of Willis Manor, Building X2, on board Naval Station Norfolk (retrieved from Google Maps; 11Jun25).*



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5. INTERIOR OBSERVATIONS: RA FOX responded to Corridor 3006, which is located on the third floor. Barracks Room 335 is located in this corridor, within the same hallway as Stairwell 5. Figures [2], [3], [4], [5], [6], and [7] depict the entry way into Corridor 3006, the door to S/COPELAND's room, and the stairwell entrance point from the third floor, which can be identified by the last exit sign in the corridor. The black arrow was added to Figure [6], which shows the last exit sign in the corridor.




*Figure 2 – Image of Corridor 3006, which houses apartments 330-343 (DSC_6355).*



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*Figure 3 – Image of Corridor 3006, which houses apartments 330-343 (DSC_6356).*

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*Figure 4 – Image of Room 335 inside of Corridor 3006 (DSC_6357).*




*Figure 5 – Image of Room 335 inside of Corridor 3006, with last exit sign visible (DSC_6359*



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*Figure 6 – Image of last exit sign at the entrance to Stairwell 5 (DSC_6361).*

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*Figure 7 – Image of door to Stairwell 5 (DSC_6362).*

6. STAIRWELL OBSERVATIONS: Multiple areas of reddish brown staining were observed in the stairwell between levels 1 and 3. These areas were marked with evidence placards and photographed. Figures [8], [9], and [10] depict overall photographs of the stairwell levels as they were found. Figures [11], [12], [13], [14], [15], and [16] depict midrange photographs of reddish brown stains observed in the stairwell. Figures [17], [18], [19], [20], [21], [22], [23], [24], [25], [26], [27], and [28] depict close up photographs of the aforementioned reddish brown stains.

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*Figure 8 – Image from door to Stairwell 5 at level 3 (DSC_6363).*

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*Figure 9 – Image of Stairwell 5 in between levels 2 and 3, which depicts the door to the third level (DSC_6365).*

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*Figure 10 – Image of Stairwell 5 in between levels 2 and 3, which depicts the door to the second level (DSC_6367).*

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*Figure 11 – Midrange photograph of stain on cement wall, which is located below the railing, marked with placard A (DSC_6369).*

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*Figure 12 – Midrange photograph of stains on stairs located between levels 2 and 3, marked with placards B, C, and D (DSC_6370).*

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*Figure 13 – Midrange photograph of stains on cement wall below railing and stairs located between levels 2 and 3, marked with placards E, F, and G (DSC_6400).*

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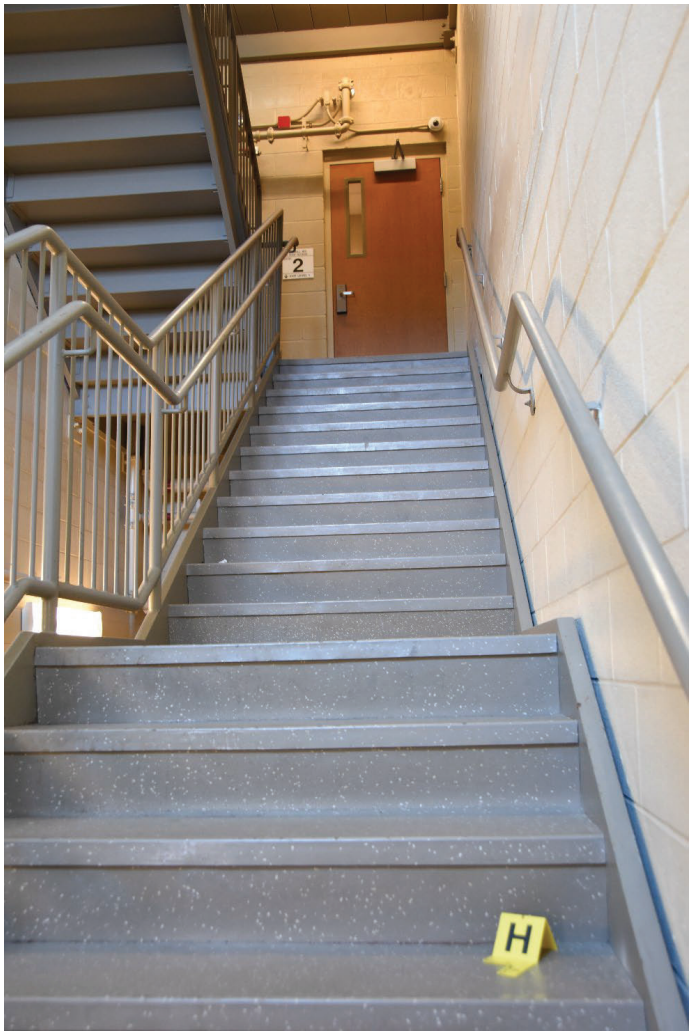



*Figure 14 – Midrange photograph of stain on step between levels 1 and 2, marked with placard H (DSC_6418).*

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*Figure 15 – Midrange photograph of stains on floor and doorframe located on level 2, marked with placards I, J, and K (DSC_6408).*



*Figure 16 – Midrange photograph of stain on the underside of staircase, level 1, marked by the letter L (DSC_6422).*



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*Figure 17 – Close up photograph of reddish brown stain collected from Stairwell 5, level 3 (DSC_6382).*

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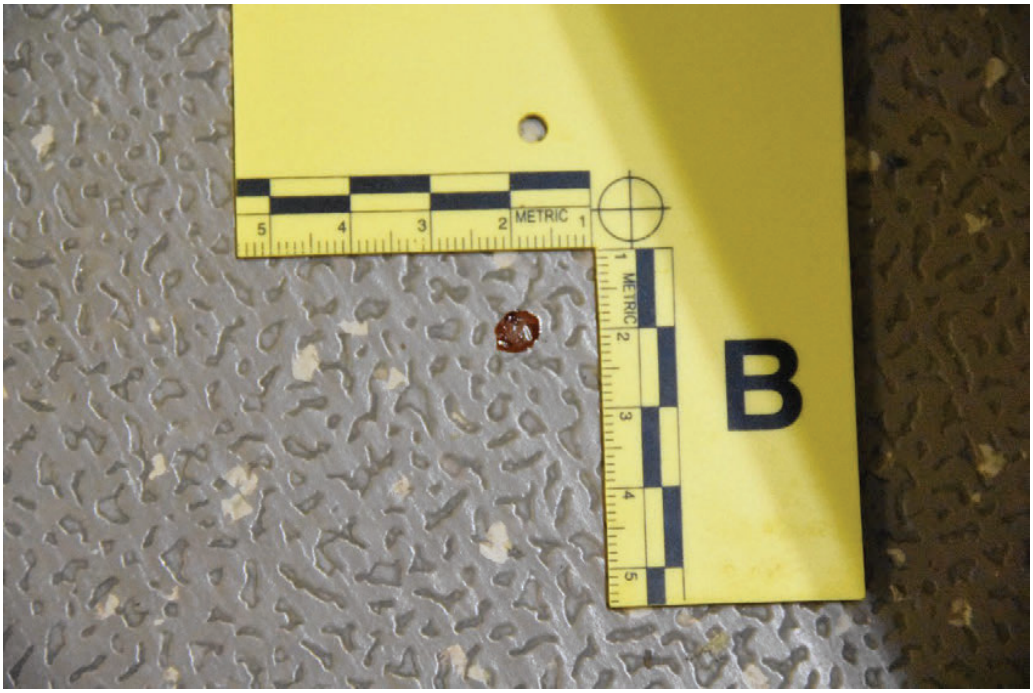



*Figure 18 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6387).*

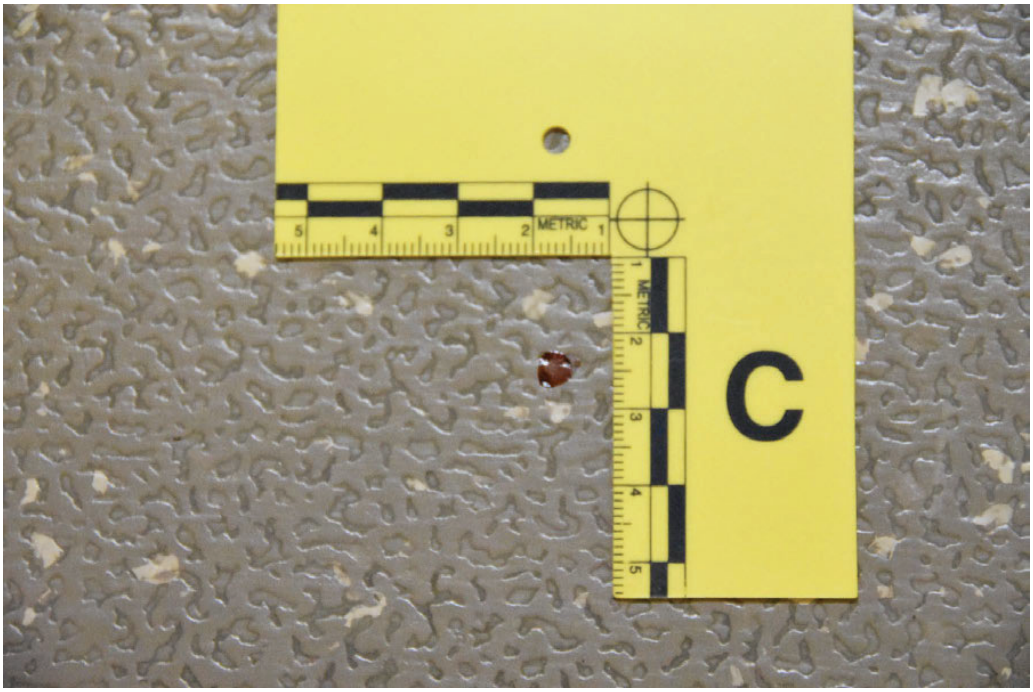



*Figure 19 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6391).*



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*Figure 20 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6396).*

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*Figure 21 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6399).*

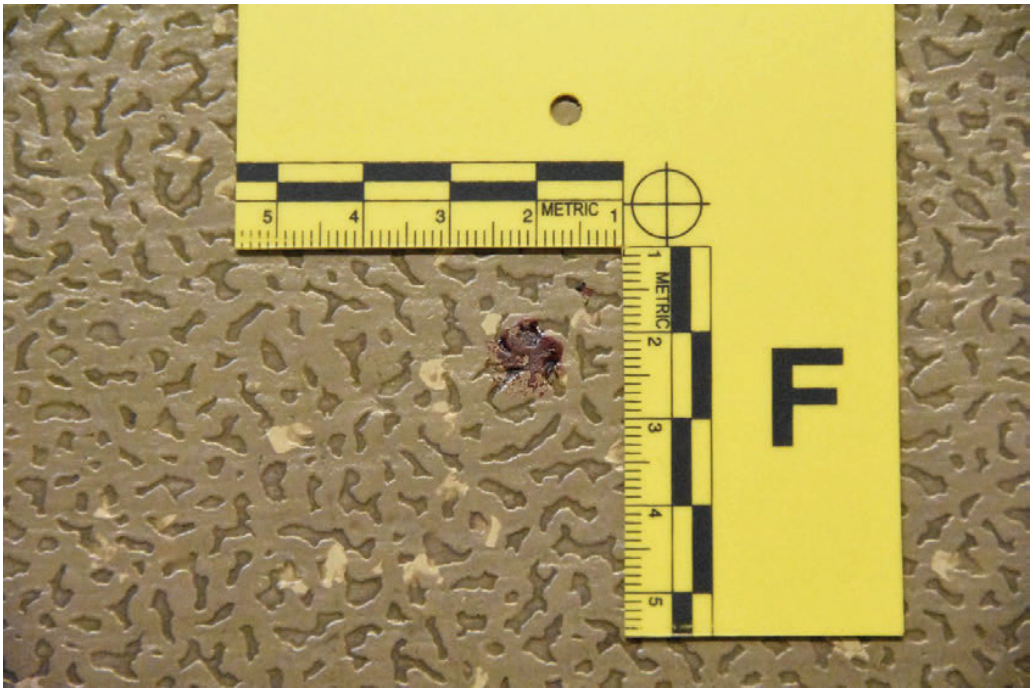



*Figure 22 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6404).*



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*Figure 23 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6406).*




*Figure 24 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 1 and 2 (DSC_6421).*



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*Figure 25 – Close up photograph of reddish brown stain collected from Stairwell 5 near door, level 2 (DSC_6410).*

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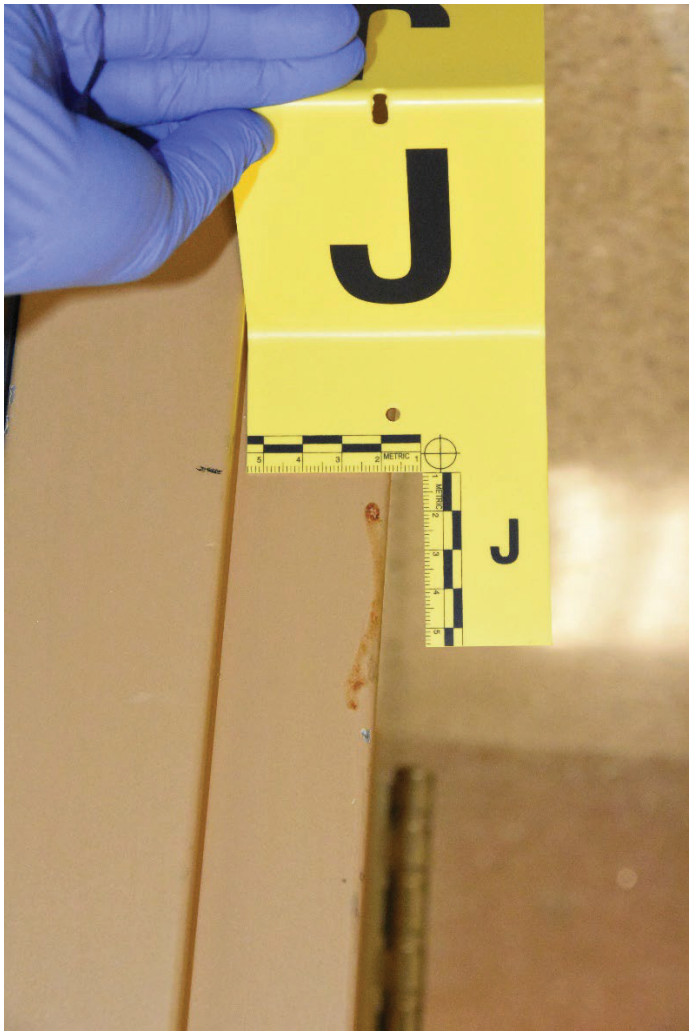



*Figure 26 – Close up photograph of reddish brown stain collected from Stairwell 5 door frame, level 2 (DSC_6413).*

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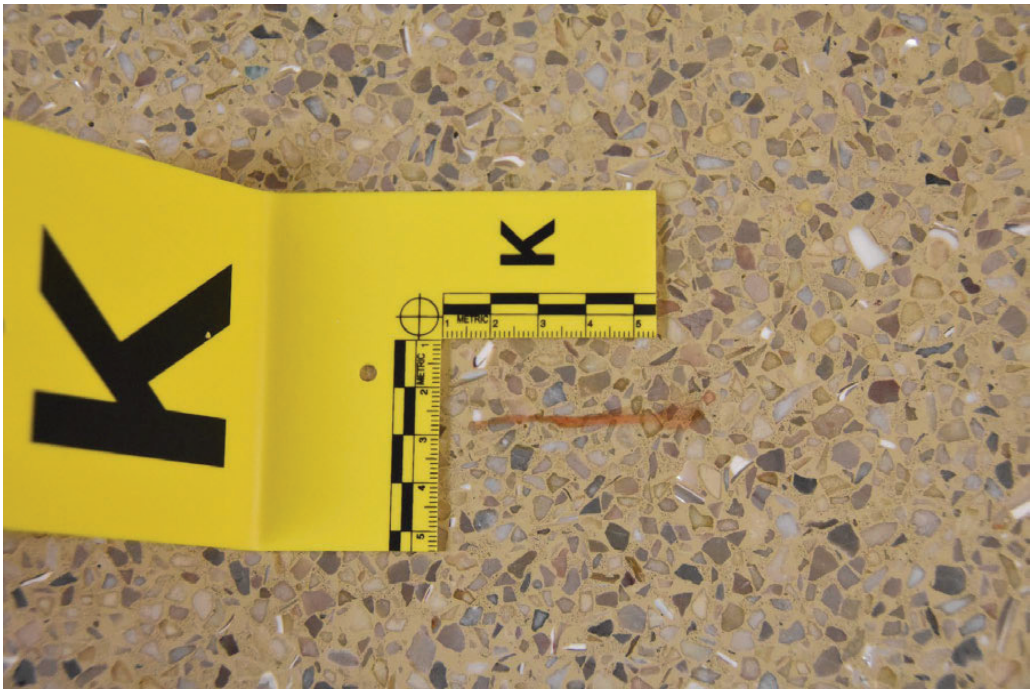



*Figure 27 – Close up photograph of reddish brown stain collected from Stairwell 5 area near door, level 2 (DSC_6416).*

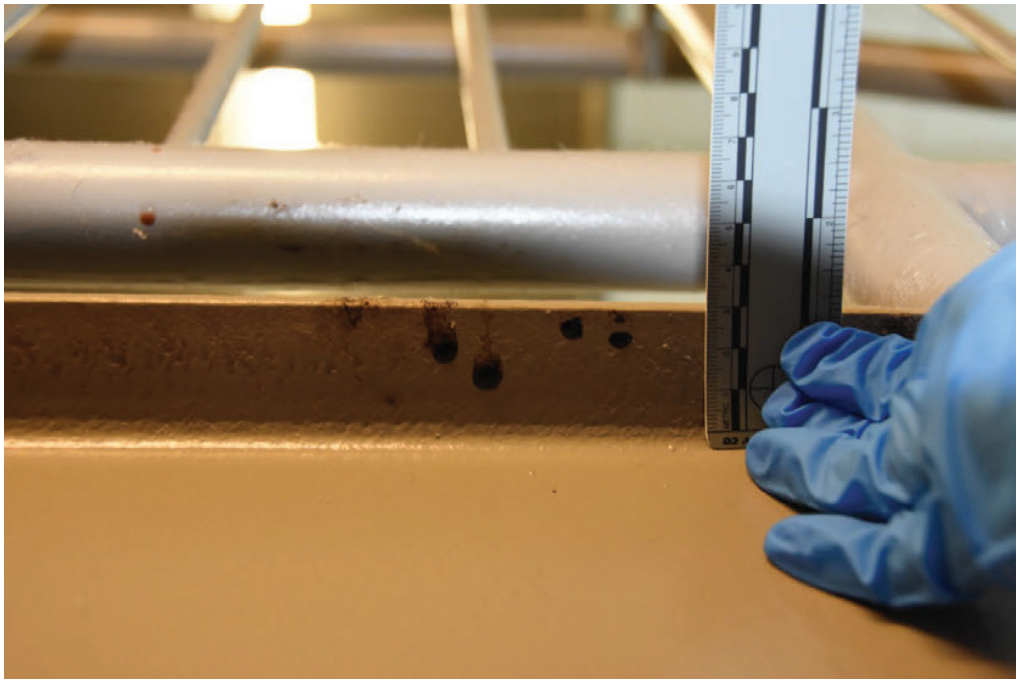


*Figure 28 – Close up photograph of reddish brown stain collected from Stairwell 5, level 1 (DSC_6426).*



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7. SCENE PROCESSING: PA WATKINS completed photographic coverage of the area using a Nikon D7200 camera. A total of (73) digital images were captured, all of which were burned to a DVD-R and entered into the NCISRA Norfolk Consolidated Evidence Facility under Log EDAC7, Item RRDQ6. A copy of the DVD-R is appended as Enclosure (A). Forensic Consultant (FC) Morgan CURRIE completed 3D laser scans of the stairwell at a later date, the results of which will be reported under separate cover. RA FOX collected samples of the reddish brown stains. No presumptive testing was conducted during collection.

8. EVIDENCE SEIZURE: The following items were seized as evidence and entered into the NCISRA Norfolk Consolidated Evidence Facility under Log Number TKNM8:

Item GTRC2 - One swab of reddish/brown stain collected from Stairwell 5, level 3, placard (A)

Item 3F1W2 - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (B)

Item 1L7PW - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (C)

Item JHXR7 - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (D)

Item D6QNN - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (E)

Item MXQ1N - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (F)

Item 5CA0T - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (G)

Item 1K3RH - One swab of reddish/brown stain collected from Stairwell 5, between levels 1 and 2, placard (H)

Item 2KXCX - One swab of reddish/brown stain collected from Stairwell 5, near door, level 2, placard (I)

Item 134B8 - One swab of reddish/brown stain collected from Stairwell 5 near door, level 2, placard (J)

Item 27UCQ - One swab of reddish/brown stain collected from Stairwell 5 near door, level 2, placard (K)

Item MEFC2 - One swabs of reddish/brown stain collected from Stairwell 5, level 1, placard (L)

Item DRD3B - Two swabs of reddish/brown stain from Stairwell 5, level 3, placard (A)

Item GCL7Y - Two swabs of reddish/brown stain from Stairwell 5, between levels 2 and 3, placard (D)

Item 9K1GU - Two swabs of reddish/brown stain from Stairwell 5, between levels 2 and 3, placard (E)

Item HNRF1 - Two swabs of reddish/brown stain from Stairwell 5, between levels 1 and 2, placard (H)

Item NPRY1 - Two swabs of reddish/brown stain from Stairwell 5, level 1, placard (L)

9. SCENE RELEASE: The scene examination concluded at approximately 1525 hours.

PARTICIPANT(S)
Dara ELK, Special Agent, NCISRA Portsmouth, VA
Joy NAROWSKI, Special Agent, NCISRA Yorktown, VA
Lauren WATKINS, Special Agent, NCISRA Portsmouth, VA

ENCLOSURE(S)
(A) DVD-R: 73 PHOTOGRAPHS/04JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 10JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[PII]

REVIEW OF USACIL DNA REPORT

1. On 10Jun25, the US Army Criminal Investigation Laboratory (USACIL) completed a Deoxyribonucleic Acid (DNA) Report pertaining to items of evidence submitted for examination; Enclosure (A) pertains.

2. The results of examination revealed blood was identified on Exhibit 6 (closet swabs/SCENE-COPELAND BARRACKS) and Exhibit 9 (swabs placard D/SCENE-stairwell). Additionally, a female DNA profile was obtained from Exhibit 17.1 (swab of water bottle/SCENE-[V/A.R.]RESIDENCE), which is believed to be from CSSN [V/A.R.]([V/A.R.], USN, USS JAMES E. WILLIAMS (DDG 95).

3. Regarding Exhibit 6 (closet swabs), the report revealed a DNA mixture interpreted as originating from two individuals was detected. The female DNA profile obtained from Exhibit 17.1 (swab of water bottle), believed to be from V/RESENDIZ, and the DNA profile obtained from CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, are included as contributors to the mixture.

4. Regarding Exhibit 9 (swabs placard D), the report showed the DNA profile obtained matches the DNA profile from Exhibit 17.1 (swab of water bottle), which is believed to be from [V/A.R.]

ENCLOSURE(S)
(A) USACIL DNA REPORT/10JUN25

REPORTED BY: CAROLINE E ROBINSON, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 25JUL25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]
PII

INTERVIEW OF PS1 CLARISSA IMPELIDODAYOAN, USN

1. On 25JUN25, Reporting Agent (RA) and Participating Agent (PA) Corrie FYLE conducted an interview of PS1 Clarissa IMPELIDODAYOAN, USN, HELICOPTER MINE COUTERMEASURES SQUADRON (HM-12) regarding her presence in YN3 MONAGHAN's room on 02JUN25.

2. As background, YN3 Sean MONAGHAN, USN, HM-12 is the suitemate of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILIAMS (DDG-95). On 02JUN25, YN3 MONAGHAN, PS1 IMPELIDODAYOAN, and NCC Lorenzo CARTER, USN, HM-12 went to YN3 MONAGHAN's barracks room to clean due to an upcoming room inspection with HM-12's Commanding Officer.

3. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

4. PS1 IMPELIDODAYOAN explained the Commanding Officer of HM-12 was going to be conducting room inspections for the sailors who live in the barracks due to a Navy wide initiative to check the standards of the living conditions of sailors. PS1 IMPELIDODAYOAN said due to YN3 MONAGHAN's previously history with hygiene and cleaning issues, PS1 IMPELIDODAYOAN and NCC CARTER accompanied YN3 MONAGHAN to his barracks room and proceeded to clean to make sure it was inspection ready. PS1 IMPELIDODAYOAN stated they went to the room between 0830-0900 on 02JUN25 and cleaned for approximately 1.5-2 hours. During which, no other roommates or S/COPELAND where present.

5. PS1 IMPELIDODAYOAN explained upon entering the barracks room she could smell what she described as "vomit and alcohol." PS1 IMPELIDODAYOAN believed the room was the party room because it had that type of smell.

6. PS1 IMPELIDODAYOAN stated they cleaned the tile in the kitchen with a red mop and resembled a Swiffer but was not and had a pad on the bottom of it.

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CUI Categories: INV
POC: JESSICA R GOKEY, Special Agent



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**EXHIBIT 219**

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **25JUL25**

PS1 IMPELIDODAYOAN stated they used multi-purpose cleaner due to no other cleaning supplies being available. PS1 IMPELIDODAYOAN did notice the counters with sticky and the floor in the kitchen was also. PS1 IMPELIDODAYOAN said they all then proceeded to clean the common area of the barracks with a vacuum. PS1 IMPELIDODAYOAN said she and NCC CARTER are the ones who vacuumed and YN3 MONAGHAN swept the carpet. PS1 IMPELIDODAYOAN stated she did not notice any unusual staining on the carpet.

7. Upon entering YN3 MONAGHAN and S/COPELAND's shared bedroom, PS1 IMPELIDODAYOAN stated she could visually see YN3 MONAGHAN's side was dirty. PS1 IMPELIDODAYOAN stated she did not notice any other smells upon entering the bedroom. PS1 IMPELIDODAYOAN explained the tile floor was dirty but did not notice any sticking. PS1 IMPELIDODAYOAN said YN3 MONAGHAN told her he uses S/COPELAND's sink because his was broken.

8. RA asked PS1 IMPELIDODAYOAN if anyone had used the Bissell carpet cleaner, which she replied no.

9. RA asked PS1 IMPELIDODAYOAN is she could recall any details about S/COPELAND's side of the room, which PS1 IMPELIDODAYOAN replied she remembered the bed covers being "put together", there were shoes on the ground to include a red pair of Jordan's and Lego's on S/COPELAND's desk, however, she could not give further details.

10. RA asked PS1 IMPELIDODAYOAN if she would be willing to give a sample of her DNA due to her being in the room, cleaning, and touching items that were taken as evidence in this investigation, PS1 IMPELIDODAYOAN signed a Permissive Authorization for Search and Seizure (PASS) to collect her DNA via buccal swabs; Enclosure (A) pertains. The two (2) buccal swabs were placed into evidence under item #L23R4.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/25JUN25
(B) PERMISSIVE AUTHORIZATIN FOR SEARCH AND SEIZURE/25JUN25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 25JUL25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

INTERVIEW OF NCC LORENZO CARTER, USN

1. On 25JUN25, Reporting Agent (RA) and Participating Agent (PA) Corrie FYLE conducted an interview of NCC Lorenzo CARTER, USN, HELICOPTER MINE COUTERMEASURES SQUADRON (HM-12) regarding his presence in YN3 MONAGHAN's room on 02JUN25.

2. As background, YN3 Sean MONAGHAN, USN, HM-12 is the suitemate of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILIAMS (DDG-95). On 02JUN25, YN3 MONAGHAN, PS1 IMPELIDODAYOAN, USN, HM-12, and NCC CARTER went to YN3 MONAGHAN's barracks room to clean due to an upcoming room inspection with HM-12's Commanding Officer.

3. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

4. NCC CARTER stated he went to YN3 MONAGHAN's room at approximately 0900, however, NCC CARTER could not recall the date he went to YN3 MONAGHAN's room. NCC CARTER stated the room smelled "like YN3 normally does" and did not notice any strange smells. NCC CARTER stated he touched multiple cabinets in the kitchen and in YN3 MONAGHAN's room to include CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) sink cabinet. NCC CARTER said he also touched the vacuum in the barracks.

5. NCC CARTER described seeing a stain right off the linoleum in the kitchen leading into the common room but just assumed it was items that were spilled. NCC CARTER did not recall seeing any other stains in or around the barracks.

6. RA asked NCC CARTER is he could recall what S/COPELAND's side of the room looked like and NCC CARTER stated he remembered shoes being in a straight line and the bed made however, he could not recall any other details.

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POC: JESSICA R GOKEY, Special Agent



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EXHIBIT 220

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **25JUL25**

7. RA asked NCC CARTER if he would be willing to give a sample of his DNA due to him being in the room, cleaning, and touching items that were taken as evidence in this investigation, NCC CARTER signed a Permissive Authorization for Search and Seizure (PASS) to collect his DNA via buccal swabs; Enclosure (B) pertains. The two (2) buccal swabs were placed into evidence under item #N51G1.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/25JUN25
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE/25JUN25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN JERMIAH COPELAND, USN

1. On 03JUN25, Reporting Agent (RA) and Participating Agent (PA) Bernadette DUFFY conducted an interview of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) in regard to the Unauthorized Absence of CSSN Angelina RESENDIZ [redacted], USN, DDG-95 and himself.

2. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

3. Prior to being interviewed, S/COPELAND was advised of his Article 31(b) Rights by use of Military Suspect's Acknowledgement and Waiver of Rights form for an alleged violation of Article 86 (Absence without Leave) and Article 107 (False Official Statements). S/COPELAND, with full understanding of his rights, elected to waive his right to remain silent; Enclosure (B) pertains.

4. S/COPELAND was asked to recall the events on the night of 28JUN25 and what transpired the following days. S/COPELAND stated he and [redacted] were talking about food and making tacos. S/COPELAND continued saying, [redacted] was going to come over to his barracks, located at Building X-2, Willis Manor, Room 335, to make salsa and eat dinner. S/COPELAND explained he went to the Food Lion and bought the ingredients to make tacos and then he went back to X-2. S/COPELAND stated he then went and picked [redacted] up from her barracks, Miller Hall, and brought her back to his room. COPELAND explained later he utilized his roommates vehicle, later identified as a belonging to AR John CALISSE, USN, VAW-124 and being a white Jeep Compass, to pick up [redacted] S/COPELAND stated [redacted] was wearing a black shirt, black pants, slip on Uggs, a bracelet, and a hair clip. S/COPELAND stated [redacted] was also carrying her purple backpack. S/COPELAND stated he could not recall what time he picked V/RESENDIZ up but after returning to the room they began to make tacos.

5. S/COPELAND stated after eating, him and [redacted] started listening to music and started talking. S/COPELAND explained [redacted] began talking about HT3 Michael GILLESPIE, USN, DDG-95, and how she saw him with another girl on his motorcycle and how it had really upset [redacted] S/COPELAND stated [redacted] then text HT3 GILLESPIE "Fuck you" and then called an ex-boyfriend (NFI) from Texas. S/COPELAND explained he was sitting on the



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couch, and she was sitting on floor talking to the ex-boyfriend. S/COPELAND continued explaining how when V/A.R. ended the phone call with the ex-boyfriend, she started to call other people (NFI) and talk about how "GILLESPIE's not shit."

6. S/COPELAND explained he did not know much about the relationship between HT3 GILLESPIE and V/A.R., but S/COPELAND did recall V/A.R. was mad about the amount of money she would spend on HT3 GILLESPIE. S/COPELAND provided the example of HT3 GILLESPIE needed a lawyer and V/A.R. gave him $500.00 to hire one even though HT3 GILLESPIE could have received a public defender. S/COPELAND did not believe HT3 GILLESPIE and V/A.R. were in any physical altercations or abusive relationship. S/COPELAND stated V/A.R. went on a "rampage" and was becoming "agitated." S/COPELAND stated after completing the phone calls V/A.R. was becoming "emotional" and "crying."

7. S/COPELAND stated one of the roommates, "the Mexican" later identified as PSSN Irbin GORDILLOCRUZ, USN, Airborne Command and Control Squadron 124 (VAW-124), walked into the common area of the room and asked if V/A.R. was okay. S/COPELAND stated he told PSSN GORDILLOCRUZ, V/A.R. was fine and PSSN GORDILLOCRUZ proceeded to his room. S/COPELAND stated the night ended and they both went to sleep together in S/COPELAND's bed. S/COPELAND stated they did not have sexual intercourse. After going to sleep, S/COPELAND was awoken by FCC Brad PARKER, USN, DDG-95, knocking on the door of his bedroom. S/COPELAND said he could not remember what time it was but knew the sun was up. S/COPELAND stated FCC PARKER asked if the person in his bed was V/A.R. which S/COPELAND replied it was V/A.R. S/COPELAND explained FCC PARKER told him to get to work and asked if he had a ride, which S/COPELAND stated he told FCC PARKER one of his roommates could give him a ride to work. S/COPELAND admitted though he did not go to work due to "one of his roommates" not coming home. S/COPELAND further explained, him being UA was a big misunderstanding because he had the weekend off and he did not realize if you are marked UA for one day, you are marked UA for the days you remain away from work.

8. S/COPELAND stated he was marked UA Thursday, 29JUN25 until Sunday, 01MAY25 when base security located him within his barracks room. When asked his whereabouts for Friday and Saturday, S/COPELAND responded, he stayed in the barracks both days but would move from lounge to lounge. S/COPELAND stated he mostly hung out in the 5th floor lounge and Ms. Mary (NFI) could vouch for his whereabouts during the time frame.

9. RA asked S/COPELAND about the morning of 29JUN25 and what had transpired after FCC PARKER left the room. S/COPELAND recalled him and V/RESENDIZ woke up and cleaned the kitchen and V/A.R. left in an Uber, later clarified to be a Z-Trip.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

10. RA asked S/COPELAND if he would sign a Permissive Authorization for Search and Seizure (PASS) for his cellphone, S/COPELAND agreed to signing a PASS and provided his passcode, 980377. Prior to signing the PASS, S/COPELAND requested to call his mother, and would not sign the PASS; Enclosure (C) pertains. PA asked S/COPELAND if he would be fine with answering further questions and call his mother later, S/COPELAND agreed.

11. RA had previously informed S/COPELAND NCIS was conducting a Command Authorized Search and Seizure (CASS) in his barracks room and the common area and began to ask questions about S/COPELAND's barracks room and his electronics. S/COPELAND stated he had an iPhone15 in his room and a PlayStation 5 in the common room.

12. RA inquired about V/A.R. s electronics to include her iPhone. S/COPELAND stated the only electronic V/A.R. had with her was her iPhone15. S/COPELAND confirmed the Apple iWatch was also his, which was located in his barracks room.

13. RA asked S/COPELAND if the statement he gave was true and accurate to the best of his knowledge, which S/COPELAND stated this statement was the correct statement. RA then confronted S/COPELAND on the discretions between his previous statement, given on 01JUN25 and the statement he gave during this interview.

14. RA asked S/COPELAND about him and V/A.R. being naked on the floor by the couch, S/COPELAND denied being on the floor naked with V/RESENDIZ. S/COPELAND stated he and V/A.R. fell asleep in his bed, clothed.

15. RA asked S/COPELAND about him changing his story about dropping V/A.R. off at her barracks, to V/A.R. leaving on her own after cleaning, to which S/COPELAND stated he did not remember saying he had previously dropped V/A.R. off at her barracks. RA asked S/COPELAND about how he knew V/A.R. was taking a Z-Trip from his barracks versus walking from his barracks, and S/COPELAND stated he just assumed V/A.R. ad taken a Z-Trip back to her barracks.

16. RA inquired about S/COPELAND telling FCC PARKER he would wait for his roommate to get home to take S/COPELAND to work. RA asked about S/COPELAND's roommate's work schedule and why he would tell FCC PARKER the roommate would take him to work knowing his roommate does not get home until approximately 1600-1700. S/COPELAND stated he would not ask anyone else to take him to work. S/COPELAND stated he did not know when his roommate would be home due to a squadron's working hours being different from the ships work schedule.

17. PA conducted another PASS for a backpack, barracks room, and



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

electronics, S/COPELAND signed the PASS; Enclosure (D) pertains.

18. Shortly after singing the PASS, RA, PA, and S/COPELAND left NCIS and t avelled to S/COPELAND's barracks room to execute the PASS in his presence.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/03JUN25
(B) MILITARY RIGHTS/03JUN25
(C) PERMISSIVE AUTHORIZATION UNSIGNED/03JUN25
(D) PERMISSIVE AUTHROIZATION SIGNED/03MAY25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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Verbatim
US v. [redacted] Copeland
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Interview of
CSSN Copeland
3 Jun 25

**UNOFFICIAL TRANSCRIPT EXCERPTS**

**CSSN JERMIAH COPELAND, USN INTERVIEW DATED 3 JUNE 2025**

**01:07:55: Special Agent**: Where did V/A.R. go?

**01:08:00: CSSN Copeland**: She went back home.

**01:08:00: Special Agent**: Where does she live at?

**01:08:01: CSSN Copeland**: On base.

**01:08:03: Special Agent**: Same place or somewhere different?

**01:08:05: CSSN Copeland**: No, somewhere different. I think it's like from this building it's down the street.

**01:08:08: Special Agent**: Okay.

**01:08:11: CSSN Copeland**: I believe so.

**01:08:12: Special Agent**: Did she walk? Did somebody come pick her up? Did she mention anything about how she was gonna get back?

**01:08:15: CSSN Copeland**: Getting an Uber.

**01:08:16: Special Agent**: An Uber. On base?

**01:08:17: CSSN Copeland**: Yeah they got Z-Trip.

**01:08:24: Special Agent**: Oh yeah. Not that they can't get on base, it's just kind of like, she didn't want to walk?

**01:08:25: CSSN Copeland**: No, like Z-Trip it's on base teleportation [ph.]. It's a Uber.

**01:08:32: Special Agent**: I see. Okay, got it. Do you know around what time that was that you saw her last?

**01:08:38: CSSN Copeland:** After Chief left and after she got ready and everything and she helped me clean up my room.

…..

**01:14:31: CSSN Copeland**: It was just like "I'll see you later," "all right cool if you need something just call or text me." "All right I got you."

**01:14:42: Special Agent**: Okay. Was she still crying when she left? Or did she seem like she was fine?

**01:14:44: CSSN Copeland**: Nah, she was cool.

**01:14:45: Special Agent**: Okay.

**01:14:46: CSSN Copeland**: Obviously, like, if you go to sleep after having a bad night, usually if you go to sleep and you wake up, you're fine.

**01:14:47: Special Agent**: Okay.

**01:14:52: CSSN Copeland**: Well, that's just how I see it. I'm not gonna speak for her, like --

**01:14:55: Special Agent**: Yeah.

**01:14:56: CSSN Copeland**: If you're holding your emotions, you can hold your emotions, cool. But from the talk that I had and when I – when she woke up and shit before she left she said – I was just like have a good day if you need something just call or text me. She was like "all right."

**01:15:10 Special Agent**: Okay. And then did you hear from her again after she left?

**01:15:15 CSSN Copeland**: Nah, until I got back and then my Chief was basically saying we're both marked UA. And then from there that's when I texted her and I was like yo, like are you good, I was like they just marked me and you UA. And then I was just like, I asked her to call or text me if she get a text or whatever. She never responded.

…..

**02:14:10: Special Agent**: When [CS3 A.R.] was on the phone with whoever -- when she was, I'll use your words, on like a rampage. Did she, when she was on the phone, did she ever ask anyone come to pick her up or anything like that?

**02:14:20: CSSN Copeland**: I don't think so. I mean like I said I was on the couch. I know she did call Rich and she was on the phone with her ex, but from what I recall I don't think so.

**02:14:39: Special Agent**: Okay. So you don't recall hearing her tell somebody like yo, come get me, come pick me up, I want to leave, or anything like that?

**02:14:46: CSSN Copeland**: No, ma'am.

**02:14:47: Special Agent**: Okay.

…..

**02:19:35 Special Agent**: And then, can you give me an about what time she may have left?

**02:19:39: CSSN Copeland**: I don't know, because I don't even know what time Chief had came into the room, so.

**02:19:35 Special Agent**: Okay, okay. So, the reason again I'm asking is because on Sunday you told me that you, your roommate, and her got in the car and y'all dropped her off at Miller Hall.

**02:19:58: CSSN Copeland**: I didn't say that Sunday.

**02:20:02: Special Agent:** You sure?

**02:20:03: CSSN Copeland**: I said it was me my roommate, the -- my two roommates –

**02:20:09: Special Agent** Oh I'm sorry, not Sunday – I do apologize. When you guys took her home Thursday morning, I'm sorry, you, you're right, you did say that Sunday. So, Thursday, you told me that you, the roommate, and her got in the car and then y'all dropped her off at Miller Hall.

**02:20:31: CSSN Copeland**: Miller Hall is my barracks.

**02:20:34: Special Agent**: You're at X-2.

**02:20:35: CSSN Copeland**: Which is Miller Hall, isn't it?

**02:20:39: Special Agent**: That's Willis Hall. Miller Hall is the one right down the road. Her barracks.

**02:20:44: CSSN Copeland**: Now I'm confused. Miller Hall is my barracks.

**02:20:48: Special Agent**: Okay, let's just say it this way then. Sunday, you told me – on Sunday, when we talked, right?

**02:20:54: CSSN Copeland**: Right.

**02:20:54: Special Agent**: That you, roommate, her, got in the car, and y'all together dropped her off at her barracks.

**02:21:02: CSSN Copeland**: I don't remember saying that.

**02:21:04**: **Special Agent**: Okay. So, what – so, she got in an Uber then, now?

**02:21:10: CSSN Copeland**: Yes.

**02:21:11: Special Agent**: Okay, do you know if it was an Uber or Z-Trip?

**02:21:15: CSSN Copeland**: Probably a Z-Trip. I mean obviously most Ubers you have to be like on base or base access.

**02:21:21: Special Agent**: Right. I was just asking if you knew either way.

**02:21:23: CSSN Copeland**: Yeah.

**02:21:24: Special Agent**: Because again, she's still UA right?

**02:21:25: CSSN Copeland**: Well, when I say Uber it's like Z-Trip.

**02:21:26: Special Agent**: You're talking interchangeably?

**02:21:27: CSSN Copeland**: Yes.

**02:21:31: Special Agent**: Okay, that's fine, I just wanted to clarify, okay? Did she tell you she was taking a Z-Trip?

**02:21:35: CSSN Copeland**: No, that's what I suspected I was like, she was finna go –

**02:21:38: Special Agent**: Okay.

**02:21:39: CSSN Copeland**: Back to her room.

**02:21:38: Special Agent**: Okay. But she didn't tell you she was taking it?

**02:21:44: CSSN Copeland**: No, I assumed it was a Z-Trip.

**02:21:49: Special Agent**: Okay. Okay. Why did you assume it was a Z-Trip and her not just her walking home like she normally walks?

**02:21:54: CSSN Copeland**: I don't know, I mean.

**02:21:56: Special Agent**: I'm just asking.

**02:22:00: CSSN Copeland**: I never said she likes walking, so why would I assume she walks?

**02:22:07: Special Agent:** Okay. So, she left the room some time that morning, you guys, you never got in a car with her and took her anywhere?

**02:22:19: CSSN Copeland**: No, ma'am.

**02:22:20: Special Agent**: Okay.

….

**02:25:55: Special Agent 2**: You know that we're just trying to find [CS3 A.R.], right. So, do you know where she is?

**02:25:59 CSSN Copeland**: No, ma'am.

**02:26:00 Special Agent 2**: Did you have anything to do with her disappearance?

**02:26:02 CSSN Copeland**: No, ma'am.

…..

| | |
|---|---|
| **U N I T E D  S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/ E-3**<br>**USN** | **R.C.M. 701(a) DISCLOSURE** |

On 5 September 2025, CDR Lauren Mayo and LT Christopher Dempsey, JAGC, USN, interviewed CS2 Rezan Taylor, USN, in the presence of Ms. Marie Reddish at Building A-50. The following is a summary of the interaction and is not intended to be verbatim:

CS2 Taylor described a call he received from CSSN S.R. on 11 April 2025 at 0604. He stated the call was approximately 10 minutes long. During the call he overheard CSSN S.R. arguing with CSSN Copeland. CS2 Taylor heard CSSN S.R. state that CSSN Copeland had placed his hands on her and CSSN Copeland was stating that CSSN Richardson had a knife. CS2 Taylor advised CSSN Richardson to leave and at 0654 she texted him that she had left. CS2 Taylor provided phone screenshots of these events.

CS3 Taylor learned later that CSSN S.R. had left and returned to CSSN Copeland's barracks, but he was not sure if the time she called him was the first or second time she was at CSSN Copeland's barracks room.

CS2 Taylor stated that he interacted with CSSN S.R. on a daily basis and based on his interactions found her to be a truthful person. He could not opine on her reputation for truthfulness among the crew.

CS2 Taylor advised that FCC Brad Parker, USN, was an interim Chief in the supply division. CS2 Taylor stated that FCC Parker was a dirt bag who failed to take initiative and did not do much.

CS2 Taylor advised he had spoken previously with CSSN Copeland about a speeding allegation.

CS2 Taylor also advised that on 9 June 25, while CSSN Copeland was on restriction, CS2 Taylor asked CSSN Copeland what happened between him and CS3 A.R. CS2 Taylor stated that CSSN Copeland advised CS3 A.R. was at his barracks room, they had been drinking alcohol, and the two began making out. CSSN Copeland then stated that CS3 A.R. wanted it to go further, but he stopped it. CS2 Taylor provided that he doubted CSSN Copeland was mature enough to have stopped the encounter at that point, but did not press him further. CS2 Taylor stated that he got the impression from CSSN Copeland that this all occurred in CSSN Copeland's bed. CS2 Taylor also provided that CSSN Copeland told him that CS3 A.R. left on her own the next morning. CS2 Taylor thought that was odd, because others had told him that CSSN Copeland had told them that he dropped her off at her barracks.

CS2 Taylor provided that CS3 A.R. was a great person who was very special. She was a great worker with a bubbly, strong personality. CS2 Taylor thought it was odd that she was with CSSN Copeland that night as there was no indication of a preexisiting relationship – other than professional.

A separate investigative action of this conversation will not be documented by NCIS.

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **AFFIDAVIT OF SPECIAL AGENT JESSICA GOKEY**<br><br>**3 September 2025** |

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. On May 30, 2025, NCIS was notified of a missing person's report for CSSN [redacted], USN, DDG-95. NCIS was also notified that the last person to be seen with her, CSSN Jermiah COPELAND, USN, was in an unauthorized absence status and was also missing.

4. On June 1, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

5. During an interview on June 3, 2025, COPELAND advised that an Apple Watch and iPhone that were located during a search of his barracks room at the X-2 barracks onboard Naval Station Norfolk were his. COPELAND explained neither device worked. NCIS did not seize either device and left them in his custody.

6. On June 3, 2025, COPELAND gave a separate iPhone 15 to investigators after signing a PASS.

7. On June 6, 2025, COPELAND was placed in a restricted status aboard the barge for DDG-95. COPELAND was advised to bring his toiletries and belongings to the ship. COPELAND remained on restriction until a later arrest and pre-trial confinement beginning on June 9, 2025.

8. On June 10, 2025, NCIS executed a CASS for COPELAND's berthing onboard the barge associated with DDG-95 that he lived in while on restriction. NCIS was able to locate and seize the Apple Watch. However, the second iPhone found on the June 3, 2025 search of COPELAND's barracks was not present.

9. The second iPhone was not located after additional searches of COPELAND's barracks room. It remains lost.

I declare under penalty of perjury that the foregoing is true and correct.

3 September 2025

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.03 11:18:18 -04'00'

Jessica Gokey

Special Agent



# FORENSIC EXAMINATION REPORT

## CASE NUMBER 01JUN25-NFNF-00237-7MNA

| | |
|---|---|
| Case generated | Monday, September 8, 2025 |
| Report generated | Wednesday, September 10, 2025 |

# CASE OVERVIEW

## CASE PROCESSING DETAILS

### SCAN 1

| | |
|---|---|
| Scanned by | DFE Rhett NORMAN |
| Scan date | Monday, September 8, 2025 2:01:57 PM |
| Scan description | X/COPELAND APPLE WARRANT RETURN |

# EVIDENCE OVERVIEW

| | |
|---|---|
| Evidence items | 1 |
| Combined results | 281,629 |

APPLE RETURN (281,629)

| | |
|---|---|
| Evidence processing software | AXIOM Process v9.5.0.45393 |
| Evidence number | APPLE RETURN |
| Location | Evidence.zip |
| Platform | Mobile |

Record 1

| | |
|---|---|
| Tags | Evidence |
| Image |  |
| File Name | IMG_9258.JPG |
| File Extension | .JPG |
| Last Modified Date/Time - UTC+00:00 (M/d/yyyy) | 6/8/2025 8:21:12.000 PM |
| Size (Bytes) | 449183 |
| Skin Tone Percentage | 55.5 |
| Original Width | 1242 |
| Original Height | 2208 |
| Exif Extraction Status | Complete |
| Latitude | 36.85297222222222 |
| GPS Latitude | 36°51'10.7" |
| GPS Latitude Reference | North |
| Longitude | -76.31273611111111 |
| GPS Longitude | 76°18'45.85" |
| GPS Longitude Reference | West |

| | |
|---|---|
| Exif Data | Extraction Result: Complete<br>ImageWidth: 1242<br>ImageHeight: 2208<br>GPSLongitude: -76.312736<br>GPSLatitude: 36.852972 |
| MD5 Hash | 5ab9a03f7adbef57734a6fff52810fad |
| SHA1 Hash | 27c172ceaa362a26758894cc68b91dea0f98329c |
| _rawData | [Binary data] |
| Source | • Evidence.zip\17163425203\1693381\jermiahcopeland7@icloud.com-1693381\cloudphotolibrary\PersonalLibrary\IMG_9258.JPG |
| Location | • n/a |
| Evidence number | • APPLE RETURN |
| Recovery method | • Parsing |
| Item ID | 18609 |

8 Sep 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: REQUEST FOR EVIDENCE ICO THE ARTICLE 32 PRELIMINARY HEARING OF CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 404A
(b) UCMJ, Article 32
(c) R.C.M. 405
(d) Article 46, UCMJ
(e) Brady v. Maryland, 373 U.S. 83 (1963)
(f) Art. 32 Appointing Order of 3 Sep 25

Encl: (1) Discovery request of 30 Jul 25

1. Pursuant to reference (a), the Defense requests the following evidence be provided by the Government in connection with the Article 32 preliminary hearing in this case.

a. Statements within the control of the military authorities of any witnesses, including those that counsel for the Government intends to call at the preliminary hearing.

b. Copies of all evidence counsel for the Government intends to present at the preliminary hearing.

c. Any matters provided to the convening authority when directing the preliminary hearing. This specifically includes, but is not limited to, any communications between Government counsel and the Convening Authority's Staff Judge Advocate, and records of communications between government agents, including NCIS or other law enforcement and Government Counsel, should such records exist.

2. Pursuant to references (c) through (f), Defense requests the following evidence be provided by the Government in connection with the Article 32 preliminary hearing in this case. This evidence is relevant, not cumulative, and necessary to the determination of the issues required by subsection (a) of reference (c).

a. The name, telephone number, and address of any witness the Government intends to call.

b. The name, telephone number, and email address of all NCIS agents/investigators/military police and/or any other government agents or investigators who participated in the investigation of CSSN Copeland.

c. Copies of any witness statements of which the Government is aware relating to any offense charged.

d. Disclosure of all evidence seized from the person or property of the accused, or believed to be owned or possessed by the accused, and its present location.

e. Any known evidence tending to diminish the credibility of any witnesses including, but not limited to, prior convictions and evidence of other character, conduct, bias, or specific instances of untruthful conduct bearing on witness credibility.

f. The entire NCIS ROIs to include all enclosures.

g. Contact information for any person interviewed by NCIS in the course of this investigation.

h. The discovery previously requested by the defense on 30 July 2025. Enclosure (1).

4. The defense reserves the right to make a more detailed discovery request when and if the defense receives discovery in this case.

5. The defense reserves the right to waive this hearing at any time.

[redacted]
A. M. SERFESS

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. <u>Evidence</u>

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]
C. E. MORGAN III

11 Sep 25

From: LT Christopher Dempsey, JAGC, USN, Trial Counsel
CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
LCDR Clifton Morgan, JAGC, USN, Detailed Defense Counsel

Subj: GOVERNMENT RESPONSE TO DEFENSE ARTICLE 32 PRELIMINARY HEARING DISCOVERY REQUEST ICO US V. CSSN JERMIAH T. COPELAND, USN

Ref: (a) LCDR Amanda Serfess, JAGC, USN ltr of 8 Sep 25
(b) Article 32, UCMJ
(c) Rule for Court-Martial 405(i)(3)

1. In accordance with references (b) and (c), the following responses are provided to reference (a), paragraph 1.

a. Statements within the control of the military authorities of any witnesses, including those that counsel for the Government intends to call at the preliminary hearing.

**RESPONSE: Denied. This request is overbroad. Additionally, to the extent that this material exists, this material is irrelevant, cumulative, and/or unnecessary to determination of the issues under R.C.M. 405(a).**

b. Copies of all evidence counsel for the Government intends to present at the preliminary hearing.

**RESPONSE: Granted. All responsive material has been provided. Should the Government identify additional material, it will be discovered in due course.**

c. Any matters provided to the convening authority when directing the preliminary hearing. This specifically includes, but is not limited to, any communications between Government counsel and the Convening Authority's Staff Judge Advocate, and records of communications between government agents, including NCIS or other law enforcement and Government Counsel, should such records exist.

**RESPONSE: Denied. No substantive material that is relevant, noncumulative, and/or necessary to any determination of the issues under R.C.M. 405(a) exists.**

2. In accordance with references (b) and (c), the following responses are provided to reference (a), paragraph 2.

a. The name, telephone number, and address of any witness the Government intends to call.

**RESPONSE: Denied. The Government does not intend to call any witnesses.**

b. The name, telephone number, and email address of all NCIS agents/investigators/military police and/or any other government agents or investigators who participated in the investigation of CSSN Copeland.

**RESPONSE: Denied. This request is overbroad. Additionally, to the extent that this material exists, this material is irrelevant, cumulative, and/or unnecessary to determination of the issues under R.C.M. 405(a).**

c. Copies of any witness statements of which the Government is aware relating to any offense charged.

**RESPONSE: Denied. This request is overbroad. Additionally, to the extent that this material exists, this material is irrelevant, cumulative, and/or unnecessary to determination of the issues under R.C.M. 405(a).**

d. Disclosure of all evidence seized from the person or property of the accused, or believed to be owned or possessed by the accused, and its present location.

**RESPONSE: Denied. This request is overbroad. Additionally, to the extent that this material exists, this material is irrelevant, cumulative, and/or unnecessary to any determination of the issues under R.C.M. 405(a).**

e. Any known evidence tending to diminish the credibility of any witnesses including, but not limited to, prior convictions and evidence of other character, conduct, bias, or specific instances of untruthful conduct bearing on witness credibility.

**RESPONSE: Granted. The Government understands their continuing obligations under *Brady*, *Giglio*, etc. If the Government becomes aware of responsive material, it will be provided to the extent it affects a matter for determination under R.C.M. 405(a).**

f. The entire NCIS ROIs to include all enclosures.

**RESPONSE: Granted.**

g. Contact information for any person interviewed by NCIS in the course of this investigation.

**RESPONSE: Denied. This request is overbroad. Additionally, to the extent that this material exists, this material is irrelevant, cumulative, and/or unnecessary to determination of the issues under R.C.M. 405(a).**

h. The discovery previously requested by the defense on 30 July 2025. Enclosure (1).

**RESPONSE: Granted in part. All items requested in paragraph 1 are denied unless granted above. These requests are generally overbroad, not relevant, cumulative, and/or**

**unnecessary to determination of the issues under R.C.M. 405(a). As it relates to the Specific Items Requested in paragraph 2:**

**2.a.1. Granted.**

**2.a.2. Granted in part. The Government will provide all relevant surveillance footage in it's possession.**

**2.a.3. Granted.**

**2.a.4. Denied. Defense has equal opportunity to obtain this information and discovery is not required pursuant to R.C.M. 701(a)(3) at this time.**

**2.a.5. Granted in part. Muster reports as collected by NCIS and contained in their ROIs will be produced. The remaining logs requested are not relevant, are cumulative, and/or are unnecessary to any determination of the issues under R.C.M. 405(a)**

**2.a.6. Denied.**

**2.a.7. Granted in part. Responsive phone logs obtained will be provided.**

**2.a.8. Granted in part. Responsive bank records obtained will be provided.**

**2.a.9. Granted in part. An extraction of CSSN Copeland's cellular phone will be provided. No extraction of CS3 A.R.'s cellular phone is in the Government's possession.**

**2.a.10. Denied. The requested items are not relevant, are cumulative, and/or are unnecessary to any determination of the issues under R.C.M. 405(a)**

**2.a.11. Denied. This request is overbroad.**

3. Please contact LT Christopher Dempsey at 757-341-4545 or christopher.b.dempsey2.mil@us.navy.mil for any inquiries based on this response.

[redacted]

C. B. DEMPSEY

19 Sep 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
LT Christopher Dempsey, JAGC, USN, Trial Counsel
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer

Subj: GOVERNMENT ARTICLE 32 COMMENTS ICO CSSN JERMIAH T. COPELAND

Ref: (a) Article 32, UCMJ
(b) R.C.M 405(l) (2024 ed.)

1. The Government asserts that each specification alleges an offense, that there is probable cause to believe that CSSN Jermiah T. Copeland committed each charge and specification, the convening authority has jurisdiction over CSSN Copeland and the offenses charged and respectfully requests a recommendation that all charges and specifications be referred to a general courts-martial.

2. The Accused is currently on active duty with an enlistment date of 13 July 2023 and an end of enlistment date of 12 July 2027. Each charge and specification occurred while the Accused was on active duty. **[PHE 3]**

3. Below please find each charge and specification with corresponding elements, maximum punishment and corresponding hearing exhibits.

**CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 120**

**Specification 1 (*Aggravated Sexual Contact*):** In that Culinary Specialist Seaman Jermiah T. Copeland, US Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland by using unlawful force.

**Elements:**

(1) That the accused committed sexual contact upon ABHAN C.R. by touching through the clothing, the vulva, breast, and buttocks of ABHAN C.R. and

(2) That the accused did so by using unlawful force against ABHAN C.R.

**Maximum Punishment: DD, TF, 20 years confinement, E-1. (Category 3)**

**Evidence**:

ABHAN C.R. described CSSN Copeland grabbing her arms and placing them behind her back and groping here and then placing his hand around her neck and squeezing while he continued to grope her. ABHAN C.R. described the pressure used as sufficient to obstruct her breathing during this period. While he was squeezing her neck, CSSN Copeland started touching her "areas" which ABHAN Rogers described as her buttocks, breasts, and vulva. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicating something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." CSSN Cuestabravo told law enforcement he observed bruises on one side of ABHAN C.R.'s neck related to her assault. **[PHE 07]**

**Specification 2** ***(Abusive Sexual Contact)***: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R, U.S Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland without the consent of ABHAN C.R.

**Elements:**

(1) That the accused committed sexual contact upon ABHAN C.R. by touching through the clothing, the vulva, breast, and buttocks of ABHAN C.R. and

(2) That the accused did so without the consent of ABHAN C.R..

**Maximum Punishment:** DD, TF, 7 years, E-1. (Category 2)

**Evidence**:

This specification is charged as a contingency of proof.

ABHAN C.R. described CSSN Copeland started touching her "areas" which ABHAN Rogers described as her buttocks, breasts, and vulva. She described this touching as being done while actively trying to repel CSSN Copeland – evidence of her non-consent. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicated something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." **[PHE 07]**

**Specification 3 (*Sexual Assault – Incapable of Consenting*)**: In that Culinary Specialist Seaman T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, commit a sexual act upon CSSN S.S, U.S. Navy, by penetrating CSSN S.S.'s vulva with his penis, when CSSN S.S. was incapable of consenting to the sexual act because she impaired by an intoxicant, to wit: alcohol, and the accused knew or reasonably should have known of that condition.

**Elements:**

(1) The accused committed a sexual act upon CSSN S.S. by penetrating her vulva with his penis

(2) That the accused did so when CSSN S.S. was incapable of consenting to the sexual act due to impairment by a drug, intoxicant, or other similar substance

(3) That the accused knew or reasonably should have known CSSN S.S. was incapable of consenting to the sexual act due to impairment by drug, intoxicant, or other similar substance.

**Maximum Punishment: DD, TF, 30 years, E-1. A dishonorable discharge or a dismissal is a mandatory minimum sentence for this offense. (Category 3)**

**Evidence**:

CSSN Copeland admitted to penetrating CSSN S.S.'s vulva with his penis. **[PHE 20]**

CSSN S.S. consumed alcohol on the evening of 4 November 2024 and has no memory of sexual intercourse with CSSN Copeland. **[PHE 09 & 11]**.

CSSA Jacqueline Bita accompanied CSSN S.S. in Oslo during the TRUMAN port call on 4 November 2024. She recalled arriving at unknown club and witnessing CSSN S.S. drink alcohol with other sailors. CSSA Bita noted that CSSN Copeland arrived to the club later and was not a member of her original group. CSSA Bita recalls at some point observing CSSN S.S. intoxicated and CSSN Copeland assisting CSSN S.S. to the bathroom. CSSA Bita did not observe any flirtation between CSSN Copeland and CSSN Simpson at any point in the evening. At some point later that evening, CSSN Copeland approached CSSA Bita and SR Jada Knight. CSSN Copeland showed them a video on his cellular phone of CSSN Copeland penetrating CSSN S.S. with his penis. CSSA Bita identified CSSN Simpson not by her face, but by her hair and gray sweatshirt. She could see CSSN Simpson's bare buttocks, but could not clearly tell if CSSN S.S. was conscious. **[PHE 13]**

CSSN Shamel Eaddy recalls observing CSSN S.S. at Fleet Landing prior to embarking on the liberty boat at the end of the evening. CSSN Eaddy stated CSSN S.S. was extremely intoxicated and requested help. She required clearance from the medical text before she was transported back to the ship. **[PHE 15]**

CSSN Alexis Rodgers described CSSN S.S. as drunk at the bar. She did not recall seeing CSSN S.S. and CSSN Copeland interact that evening. CSSN Rodgers stated that when it was time to leave the bar to return to Fleet Landing, CSSN Simpson needed assistance due to her level of intoxication. CSSN Rodgers opined that CSSN Simpson was disoriented at the end of the evening - in that she did not seem to recall where she was. **[PHE 16]**

CSSA Jakobie Gant described CSSN Copeland showing him a video of CSSN Copeland penetrating CSSN S.S. with his penis. CSSA Gant stated that he was very uncomfortable after watching the video because CSSN S.S. did not appear conscious or in a comfortable position. He stated that her face was down against the toilet. **[PHE 17]**

CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**

CSSN Kaylee Parks stated that CSSN S.S. appeared very intoxicated at the bar. CSSN Parks observed CSSN S.S.'s slurred speech and noted that CSSN S.S. had trouble keeping her balance at the bar. While CSSN Parks did describe kissing and hand holding between CSSN S.S. – she also described CSSN S.S. as very intoxicated and 20 to 30 minutes later and she witnessed CSSN S.S. leaning her head against CSSN Copeland who was trying to keep CSSN S.S. head in an upright position. CSSN Parks stated that she heard CSSN S.S. ask CSSN Copeland for help using the bathroom. CSSN Parks indicated that when it was time to leave the bar, CSSN S.S. required two sailors to help get her back to the ship. **[PHE 19]**

**Specification 4 (*Sexual Assault – Without Consent*):** In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 25 May 2025, commit a sexual act upon Ms. Y.J., by penetrating Ms. Y.J.'s vulva with his penis without the consent of Ms. Y.J.

**Elements:**

(1) That the accused committed a sexual act upon Ms. Y.J. by penetrating her vulva with his penis; and

(2) That the accused did so without the consent of Ms. YJ.

**Maximum Punishment: DD, TF, 30 years, E-1. A dishonorable discharge or a dismissal is a mandatory minimum sentence for this offense. (Category 3)**

**Evidence:**

Ms. Y.J described an incident in CSSN Copeland's barracks room in which he grabbed her by the arm and pulled her into his room. Ms. Y.J. stated that CSSN Copeland wanted her to perform oral sex, but she told him no and that she was tired. CSSN Copeland penetrated her vulva and she told him to stop. Her pleas for him to stop were heard by another sailors in the common area of CSSN Copeland's barracks room who entered the bedroom and was able to free her from the situation. While the summary of interview submitted does not explicitly state what Ms. Y.J. was penetrated with – circumstantial evidence exists that it was with CSSN Copeland's penis – given that he was already attempting to use his penis for oral sex. **[PHE 23]**

Prior to the altercation with CSSN Copeland, Ms. Y.J. was in the CSSN Copeland's barracks room with two other sailors. When CSSN Copeland arrived and pulled Ms. Y.J. into his bedroom, AN Bradford was in the common area. He describes hearing Ms. Y.J. through CSSN Copeland's door. She was telling CSSN Copeland that she was tired. He describes hearing Ms. Y.J. tell CSSN Copeland multiple times that she was tired and hears her say "no, no, no." Her pleas concerned AN Bradford and the other sailor present in the common room to go to CSSN Copeland's door to help. When the door was opened, Ms. Y.J. was on the floor without her shirt. AN Bradford was so disturbed by the incident that he insisted on taking Ms. Y.J. home and that he was not going to leave her with someone that just sexually assaulted her. **[PHE 24b]**

**CHARGE II, VIOLATION OF UCMJ, ART 128**

Sole Specification (Aggravated Assault – Strangulation): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, commit an assault upon ABHAN C.R., U.S. Navy, by unlawfully strangling her with his hand.

**Elements:**

(1) That he accused assaulted ABHAN C.R.

(2) That the accused did so by strangulation and

(3) That the strangulation was done with unlawful force or violence.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

This specification is charged as a contingency of proof for Charge I, Specification 1.

ABHAN C.R. described CSSN Copeland placing his hand around her neck and squeezing. ABHAN C.R. described the pressure used as sufficient to obstruct her breathing during this period. While he was squeezing her neck, CSSN Copeland started touching her "areas" which ABHAN Rogers described as her buttocks, breasts, and vulva. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicated something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." CSSN Cuestabravo he observed bruises on one side of ABHAN C.R.'s neck related to her assault. **[PHE 07]**

**CHARGE III: VIOLATION Of UCMJ, ARTICLE 117a**

**Sole Specification (*Wrongful Broadcast*):** In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 4 November 2024, knowingly and wrongfully broadcast an intimate visual image of the buttocks of CSSN S.S., U.S. Navy, a person who was at least 18 years of age when the image was created, is identifiable from the image itself, and did not explicitly consent to the broadcast of the image, when the accused reasonably should have known the image was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding nay broadcast of the image, and where the accused reasonably should have known that the broadcast of the image was likely to cause emotional distress, to wit: embarrassment and that, under the circumstances, such conduct had a reasonably direct and palpable connection to the military environment.

**Elements:**

(1) That the accused knowingly and wrongfully broadcasted a visual image;

(2) That the visual image is an intimate visual image of another person to wit: CSSN S.S.

(3) That the person depicted in the intimate visual image

(a) was at least 18 years of age at the time the intimate visual image was created, and

(b) is identifiable from the intimate visual image itself or from information displayed in connection with the intimate visual image, and

(c) did not explicitly consent to the broadcast of the intimate visual image;

(4) That the accused knew or reasonably should have known that the intimate visual image was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding any broadcast of the intimate visual image;

(5) That the accused knew or reasonably should have known that the broadcast of the intimate visual image was likely to cause emotional distress for CSSN S.S., and

(6) That the conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

**Maximum Punishment: DD, TF, 2 years, E-1. (Category 2)**

**Relevant Definitions:**

The term "**visual image**" means the following:

(A) Any developed or undeveloped photograph, picture, film, or video;

(B) Any digital or computer image, picture, film, or video made by any means, including those transmitted by any means, including streaming media, even if not stored in a permanent format;

(C) Any digital or electronic data capable of conversion into a visual image.

The term "**private area**" means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

The term **"reasonable expectation of privacy**" means circumstances in which a reasonable person would believe that a private area of the person, or sexually explicit conduct involving the person, would not be visible to the public. Whether a reasonable expectation of privacy exists is determined based on the totality of the circumstances.

The term "**broadcast**" means to electronically transmit a visual image with the intent that it be viewed by a person or persons. See also, *United States v. Lajoie*, 79 M.J. 723, 727 (N.M.C.C.A 2019). (... Article 120c's prohibition on the broadcast of an indecent visual recording is violated when an individual uses an electronic device to display the recording for another to view, even if the electronic device is the same one that was used to record the image.

Transmission of the visual recording from one electronic device to another electronic device with the intent that the image be viewed by another person could also constitute a broadcast, but we do not find that the involvement of more than one electronic device is necessary for a broadcast to occur.")

**Evidence**:

CSSN Copeland admitted to law enforcement that he recorded himself penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

Several witnesses viewed the video and described seeing the bare buttocks of CSSN S.S. in the video.

> CSSA Bita identified CSSN Simpson not by her face, but by her hair and gray sweatshirt. She could see CSSN Simpson's bare buttocks, but could not clearly tell if CSSN S.S. was conscious. **[PHE 13]**
>
> CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**
>
> CSSN Copeland showed CSSA Jackobie Gant a video of himself penetrating CSSN S.S. after he told CSSA Gant that he had sexual intercourse with V/Simpson. CSSA Gant stated that CSSN S.S.'s buttocks were visible in the video. **[PHE 17]**

CSSN Copeland acknowledged that he did not receive explicit consent to broadcast the image because he stated that he did not know if CSSN S.S. was even aware that he was filming her. **[PHE 20]**

CSSN Copeland knew or reasonably should have known that the intimate visual image was made under circumstances that CSSN S.S. retained a reasonable expectation of privacy and one that would cause CSSN S.S. emotional distress if broadcast to others. The video depicted graphic sexual activity and was filmed in a bathroom stall.

CSSN Copeland showed an image depicting nude portions of her body engaged in a sex act to multiple members of USS HARRY S. TRUMAN (CVN 75) - and more specifically other CSs - that she worked with.

**CHARGE IV: VIOLATION Of UCMJ, ARTICLE 120c**

**Specification 1** *(Indecent Recording)*: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly make a recording of the private area of CSSN S.S., U.S. Navy, without her consent and under circumstances in which she had a reasonable expectation of privacy.

**Elements**:

(1) That the accused, without legal justification or lawful authorization, knowingly made a recording of the private area of CSSN S.S.;

(2) That the accused did so without the consent of CSSN S.S.; and

(3) That said recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence**:

CSSN Copeland admitted to law enforcement that he recorded himself penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

Several witnesses viewed the video and described seeing the bare buttocks of CSSN S.S. in the video.

CSSA Bita identified CSSN Simpson not by her face, but by her hair and gray sweatshirt. She could see CSSN Simpson's bare buttocks. **[PHE 13]**

CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**

CSSA Gant stated that CSSN S.S.'s buttocks were visible in the video depicting sexual intercourse. **[PHE 17]**

CSSN Copeland acknowledged that he did not receive explicit consent to recording the image because he stated that he did not know if CSSN S.S. was even aware that he was filming her. **[PHE 20]**

CSSN Copeland knew or reasonably should have known that the intimate visual image was made under circumstances that CSSN S.S. retained a reasonable expectation of privacy and one that would cause CSSN S.S. emotional distress if broadcast to others. The video depicted graphic sexual activity, her bare buttocks and was filmed in a bathroom stall.

**Specification 2** *(Indecent Broadcasting*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S., U.S. Navy, when the same accused knew or reasonably should have known that the said recording was made without the consent of CSSN S.S. and under circumstances in which she had a reasonable expectation of privacy.

**Elements:**

(1) That the accused, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S.

(2) That the recording was made without the consent of CSSN S.S.;

(3) That the accused knew or reasonably should have known that the recording was made without the consent of CSSN S.S.;

(4) That the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy; and

(5) That the accused knew or reasonably should have known that the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

**Maximum Punishment: DD, TF, 7 years, E-1. (Category 2)**

**Evidence**:

This is charged as a contingency of proof for Charge III, Sole Specification.

**CHARGE V: VIOLATION OF UCMJ, ARTICLE 131b**

**Specification 1** (*Obstruction of Justice*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 5 November 2024, wrongfully do a certain act, to wit: hide his cellular phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there were or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is, hide his cellular phone;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

CSSN Copeland admitted to law enforcement that he recorded himself with his cellular phone penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

CSSN Copeland stated that he gave his cellular telephone to CSSN Cousins and did not know what CSSN Cousins did with it **[PHE 20]**

CSSN Kaulise Cousins stated that while on liberty in Oslo with CSSN Copeland the day after CSSN S.S.'s assault, CSSN Copeland received a call while the two of them were at a bar. After CSSN Copeland took the call, he appeared very upset and told CSSN Cousins that CSSN S.S. "put a charge on" him and that his life was ruined. CSSN Copeland told CSSN Cousins that he was going to kill himself and made several attempts to run in front of trains. Furthermore, he refused to return to the ship. Shore patrol intervened and returned CSSN Copeland to the ship. **[PHE 14]**

CSSN Cousins stated that he never took possession of CSSN Copeland's cellular phone. **[PHE 14]**

**Specification 2 (***Obstruction of Justice***)**: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 2 June 2025, wrongfully do a certain act, to wit: concealed the dead body of CS3 A.R., U.S. Navy, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there was or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is, conceal the dead body of CS3 A.R.;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

On the evening of 1 June 2025, CSSN Copeland was interviewed by NCIS regarding his knowledge of the whereabouts of CS3 Resendiz**. [PHE 38]**

Health Data from CSSN Copeland's cellular phone shows CSSN Copeland's device traversing stairs at 0355 on 2 June 2025. **[PHE 44b, pg 1]**

CSSN Copeland's barracks room is on the third floor of X-2. Multiple areas of reddish brown staining were observed in the stairwell adjacent to CSSN Copeland's barracks room between levels 1 and 3. **[PHE 48b]**

Forensic analysis confirmed the presence of blood in the stairwell. The DNA profile of the confirmed blood sample matched the DNA profile of CS3 Resendiz. **[PHE 48c]**

After travelling several stairs, cell phone data collected from CSSN Copeland's cellular phone shows CSSN Copeland leaving Naval Station Norfolk on 2 June 2025 around 0400. His cell phone is tracked travelling down Hampton Blvd, into downtown Norfolk before reaching a residential area near the Broad Creek Apartments at 0456. **[PHE 44a, pgs 1 – 5, 6]**

Along the route, a white Jeep with License Plate G21274 is captured on camera using the Vigilant data Vase System. **[PHE 44a, pg. 6]**

AR Calisse stated to law enforcement that CSSN Copeland asked to borrow his white Jeep Compass on the evening of 1 June 2025, but did not return it to AR Calisse until around 0630 on 2 June 2025. AR Calisse observed CSSN Copeland drive the Jeep back into the parking lot of X-2 at 0630 on 2 June 2025 . **[PHE 36, pg. 2]**

At approximately 0447, CSSN Copeland's cellular device is unlocked using either facial biometrics or the pin. The user opens Apple Maps and begins browsing map locations. At 0447, the user marks a location on Apple Maps. **[PHE 44e, pg. 4 &7]**

At approximately 0500 on 2 June 2025, CSSN Copeland's device stops behind 2852 Cary Avenue, Norfolk, Virginia. The heath data from this device records steps and distance at approximately 0502. The route taken on foot appears to leave the paved area and travel into a wooded area behind the residential homes. **[PHE 44a pgs. 8-16]**

Around 0516, the device returns to the vehicle and travels first to McDonalds and then back to Naval Station Norfolk arriving around 0558. **[PHE 44a pgs. 17- 19]**

Analysis of CSSN Copeland's cellular phone revealed a screenshot on the device of a saved location near Cary Avenue in Norfolk, VA. NCIS conducted a foot search of the area near the marked location and discovered a black duffel bag containing human remains, later identified through DNA as CS3 Resendiz. **[PHE 47a]**

Four photos were discovered (3 on the cellular phone of CSSN Copeland) and one on social media of a black duffel bag matching the description of the black duffel bag found in the wooded area near Cary Ave containing CS3 Resendiz's remains. **[PHE 47g]**

During a search of CSSN Copeland's barracks room, blood was identified in his closet. Forensic testing confirmed the presence of blood. The DNA profile of the confirmed blood sample matched the DNA profile of CS3 Resendiz. **[PHE 48a pg. 12, and 48c]**

Bluestar, a chemiluminescent reagent, was used to detect the presence of blood. The reagent reacted both in CSSN Copeland's closet and on the carpet leading out of his closet into the common area. The reagent illuminated a trail that looks similar to wheel tracks from a large, wheeled duffel bag. **[PHE 48a, pg 13].**

**Specification 3** (*Obstruction of Justice*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 4 June 2025, wrongfully do a certain act, to wit: hide his cellular

phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN against whom the accused had reason to believe that there were or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is hide his cellular phone;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

It is not an element of the offense that the Government describe the contents of the missing phone. Requiring the government to do so and penalizing the government for a failure to articulate the contents of the phone, rewards the Accused for his successful obstruction of justice. All that is required, is that the accused took a certain act, while he knew he was under investigation and did so to influence, impede or otherwise obstruct the due administration of justice. Here the accused lied about the functionality of his cell phone, was aware that the law enforcement was conducting multiple searches of his barracks room and barge space looking for items of evidentiary value. He successful kept this phone hidden but within his control, as evidenced the 8 June 2025 photo he took of himself while on the barge.

**Evidence:**

CSSN Copeland was interviewed by law enforcement again on 3 June regarding this knowledge of the whereabouts of CS3 Resendiz. **[PHE 51]**

During an interview on June 3, 2025, COPELAND advised that an Apple Watch and iPhone that were located during a search of his barracks room at the X-2 barracks onboard Naval Station Norfolk were his. CSSN Copeland explained neither device worked. NCIS did not seize either device and left them in his custody. On June 6, 2025, COPELAND was placed in a restricted status aboard the barge for DDG-95. COPELAND was advised to bring his toiletries and belongings to the ship. COPELAND remained on restriction until a later arrest and pre-trial confinement beginning on June 9, 2025. On June 10, 2025, NCIS executed a command authorized search and seizure for CSSN Copeland' berthing onboard the barge associated with DDG-95 that he lived in while on restriction. NCIS was able to locate and seize the Apple Watch. However, the second iPhone found on the June 3, 2025 search of CSSN Copeland's barracks was not present. This second iPhone was not located after additional searches of CSSN Copeland's barracks room. It remains missing. **[PHE 54]**

A photo of the missing iPhone is contained in **PHE 55, pg 1.**

A search warrant was obtained and executed on CSSN Copeland's Apple iCloud account. The search discovered a photo taken on 8 June 2025. The photo is a selfie of CSSN Copeland in his

uniform with a white iPhone. CSSN Copeland appears to be on the barge when the photo was taken. [**PHE 55**]

**CHARGE VI: VIOLATION OF UCMJ, ARTICLE 128b**

**Specification 1** (*Domestic Violence – Strangulation*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 11 April 2025, commit an assault upon CSSN S.R., U.S. Navy, the intimate partner of the accused, by unlawfully strangling her with his hands.

**Elements:**

(1) That, the accused assaulted CSSN S.R. the intimate partner of the accused;

(2) That the accused did so by strangling CSSN S.R.; and

(3) That the strangulation was done with unlawful force or violence.

**Maximum Punishment: E-1, TF, 8 years, DD**

**Relevant Definitions:**

The term "**intimate partner**" means either (a) one's former spouse, a person with whom one shares a child in common, or a person with whom one cohabits or with whom one has cohabited as a spouse; or (b) a person with whom one has been in a social relationship of a romantic or intimate nature, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term "**dating partner**," in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of- (A) the length of the relationship; (B) the type of the relationship; (C) the frequency of interaction between the persons involved in the relationship; and (D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.") The relative weight given to each of the named criteria in making the "dating partner" determination may vary depending on the facts and circumstances presented.

**Evidence**:

CSSN S.R. described to law enforcement that on 11 April 2025, she and CSSN Copeland had been dating since March of 2025. **[PHE 22a and 22b, pg. 2].** While the length of the relationship between CSSN S.R. and CSSN Copeland spanned only several weeks – it was romantic in nature and one that CSSN S.R. believed to be exclusive as that was the basis for their fight which preceded the strangulation. [**PHE 22a]** The government believes that the relationship could be characterized as either a dating partner or intimate partner and welcome the preliminary hearing officer's comments on the form of these two specifications.

The relationship was sexual in nature. **[PHE 22a]**

CSSN S.R. became upset when she believed that some other women might be SN Copeland's girlfriend. **[PHE 22a and 22b]**

CSSN S.R. described to law enforcement that on 11 April 2025, CSSN Copeland strangled her with both hands. She indicated that while he had his hands around her neck she could not breathe**. [PHE 22a and 22b, pg. 3 – 4]**

**Specification 2**: (*Domestic Violence – Violent Offense*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 11 April 2025, commit a violence offense against CSSN S.R., U.S. Navy, the intimate partner of the accused, to wit: by unlawfully pushing her with his hands.

**Elements:**

(1) That the accused committed a violent offense, to wit: unlawfully pushing her with his hands; and

(2) That the violent offense was committed against CSSN S.R., who was an intimate partner of the accused

**Maximum Punishment: E-1, TF, 3 years and 6 months, DD**

**Evidence:**

CSSN S.R. described to law enforcement that on 11 April 2025, she and CSSN Copeland were intimate partners. **[PHE 22a and 22b, pg. 2]**

CSSN S.R. described to law enforcement that on 11 April 2025, CSSN Copeland pushed her his hands onto the couch as she was trying to get up from the couch and leave the room. **[PHE 22a and 22b, pg. 3]**

**CHARGE VII: VIOLATION OF UCMJ, ARTICLE 107**

Specification 1 (*False Official Statement*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 1 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

**Elements:**

(1) That the accused made to Special Agent Jessica Gokey, NCIS. a certain official statement, that is: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect

(2) That such statement was totally false;

(3) That the accused knew it to be false at the time he made it; and

(4) That the false statement was made with the intent to deceive.

**Maximum Punishment:** DD, TF, 5 years, E-1. (Category 2)

**Evidence:**

CSSN Copeland told Special Agent Jessica Gokey on 1 June 2025 that he borrowed his roommate's vehicle and drove CS3 Resendiz back to barracks at approximately 1000. [**PHE 38]**

Geolocation data for the iPhone Pro Max belonging to CSSN Copeland did not contain any geolocation data other than locations near Willis Manor X-2 between 29 – 31 May. **[PHE 41]**

Specification 2 (*False Official Statement*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 3 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he did not know where CS3 A.R., U.S. Navy, went after she left his barracks room on the morning of 29 May 2025 or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

**Elements:**

(1) That the accused made to Special Agent Jessica Gokey, NCIS. a certain official statement, that is: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect

(2) That such statement was totally false;

(3) That the accused knew it to be false at the time he made it; and

(4) That the false statement was made with the intent to deceive.

**Maximum Punishment:** DD, TF, 5 years, E-1. (Category 2)

**Evidence**:

CSSN Copeland told Special Agent Jessica Gokey on 3 June 2025 that he did not know where CS3 A.R. went after she left his barracks room on the morning of 29 May 2025. [**PHE 38]**

[See exhibits for Specification 2 of Charge V]

**CHARGE VIII: VIOLATION OF UCMJ, Article 118**

Specification (*Premeditated Murder*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 29 May 2025, with premeditation, murder CS3 A.R., U.S. Navy, by means of an act of the Accused.

**Elements**:

(1) That CS3 A.R. is dead;

(2) That her death resulted from the act of the accused

(3) That the killing of CS3 A.R. by the accused was unlawful; and

(4) That, at the time of the killing, the accused had a premeditated design to kill.

**Maximum Punishment: DD, TF, Life without the possibility of parole (mandatory minimum of confinement for life with eligibility for parole), E-1 (Category 6)**

"A murder is not "premeditated" unless the thought of taking life was consciously conceived and the act or omission by which it was taken was intended. Premeditated murder is murder committed after the formation of a specific intent to kill someone and consideration of the act intended. It is not necessary that the intention to kill have been entertained for any particular or considerable length of time. When a fixed purpose to kill has been deliberately formed, it is immaterial how soon afterwards it is put into execution. The existence of premeditation may be inferred from the circumstances." Dep't of Army, Pam. 27-9, Legal Services: Military Judges' Benchbook, para 3a-56-1 (10 Sep 2025)

Premeditation may be proven by a variety of factors to include precautions to avoid detection. *United States v. Glover*, 2002 CCA LEXIS 365 at *5 (factors to consider include, (1) vulnerability of the victim at the time of the attack, number and location of the wounds on the victim, confrontation between suspect and victim, threats made before the attack and precautions made to avoid detection). *United States v. Matthews*, 13 M.J. 501, 517 (A.C.M.R. 1982), *rev'd as to sentence*, 16 M.J. 354 (C.M.A. 1983)(hiding items containing fingerprints, concealed a blood-stained sweater, disposed the victim's watch, keys and shoes); .

**Evidence:**

PHE 47d – CS3 Angelina Resendiz is dead.

Her death was the result of CSSN Copeland's actions. He was the person with her when she was last verified to be alive (when she called ET3 Rich, not when seen by FCC Parker as his visual and audio report of her being alive is simply not consistent with the other evidence). Her body was in a duffel bag in his closet. He concealed her body as explained in Specification 2 of Charge V, and her body was found in his duffel bag.

The question to examine is whether this killing was premeditated or instead, an unpremeditated murder under Article 118(1) or (2), respectively of the UCMJ.

The circumstantial evidence demonstrates CSSN Copeland's motive and thus the fact that his actions were premeditated: to prevent CS3 Resendiz from making an accusation of sexual assault against him when he already had two sexual assault investigations pending (and thereby to obstruct justice). The evidence shows that his intent after that call was to kill CS3 Resendiz.

> In Oslo, Norway – CSSN Copeland reaction to a women accusing him of sexual misconduct resulted in proclaiming his life was over, attempts to kill himself, and refusal to return to the ship. **[PHE 14]** That was his reaction to what he knew was a second sexual assault allegation.
>
> Moving to what would have been his third sexual assault allegation in the early morning hours of 29 May, CS3 Resendiz made a panicked phone call to ET3 Rich pleading with him to pick her up. **[PHE 30]** CSSN Copeland's heartrate was elevated starting at 0152 and remained elevated until 0230. That data, the state of undress CS3 Resendiz was later seen in on the floor, the panicked phone call she made, and the admission by CS3 Copeland in **PHE 53** that he had engaged in some sexual activity with CS Resendiz (albeit couched in an otherwise false statement about him rejecting further sexual activity) all demonstrate that CS3 Resendiz rejected CSSN Copeland's sexual advances and called a friend in a state of panic **[PHE 53]**
>
> From that call, CSSN Copeland learned that he had 10 minutes to stop CS3 Resendiz from making what would be a third report of sexual assault against him. The heart rate data from the period immediately after the call demonstrates his actions to carry out the plan he formed during that phone call. He had an elevated heart rate in the 15 minutes that immediately followed, which demonstrates a prolonged period of intentional, violent actions to murder CS3 Resendiz.
>
> Furthermore, CSSN Copeland lied to investigators when they asked if CS3 Resendiz called anyone to come pick her up.
>
> > **02:14:20: CSSN Copeland**: I don't think so. I mean like I said I was on the couch. I know she did call Rich and she was on the phone with her ex, but from what I recall I don't think so.
> >
> > **02:14:39: Special Agent**: Okay. So you don't recall hearing her tell somebody like yo, come get me, come pick me up, I want to leave, or anything like that?
> >
> > **02:14:46: CSSN Copeland**: No, ma'am. **[PHE 52b]**
>
> CS3 Resendiz was never heard from again after that phone call despite repeated attempts from others to contact her.

CS3 Resendiz's phone died around 0456 and was never turned back on. **[PHE 33].** If she was in fact alive when FCC Parker came at 0852, she would have plugged her phone in at that time after FCC Parker's check woke her up. It is simply not plausible that he woke her up then and that she did not immediately check her phone, see that it was dead and had been for hours, and then plug it in.

For the time period of 0755 until 1131, CSSN Copeland was viewing adult pornography on is his iPhone 15 Pro Max. **[PHE 39b, pg. 15]** This evidence makes it unlikely that he killed her after FCC Parker came the next morning.

CSSN Copeland replied to Snapchat user name "luv.layna22" at 7:53:55 AM. This reply was the last communication sent by the iPhone 15 Pro Max belonging to CSSN Copeland until 12:44:35 PM when the user called the phone number (360) 521-1599. CSSN Copeland received several incoming calls and texts that he did not respond to. **[PHE 39b 6, 15, 18 -19]**

CSSN Copeland did not go into work when scheduled to do so on the morning of 29 May. **[PHE 37, pg. 6].** That fact shows a consciousness of guilt and a desire on his part to avoid answering questions from fellow crewmembers about where she was.

CS3 Resendiz's bank account shows no activity after 28 May 2025. **[PHE 40]**

FCC Parker arrives at CSSN Copeland's barracks room around 0852 and tells LSC Rob Janson – "I'm about to go into his room now." **[PHE 37, pg 6].**

At 0854, he says CS3 Resendiz is with CSSN Copeland. **[PHE 37, pg 6].**

CSSN Copeland lies to FCC Parker between 0854 and 0900 and tells him that CS3 Resendiz left her phone in her room. [**PHE 37, pg 6].**

CSSN Copeland further lies to FCC Parker and tells him CS3 Resendiz was "going through some shit and needed someone to talk to." He told FCC Parker that she called several people and he was the first to get her. She came over to his place, but forgot her phone. He also lied and said his phone died overnight and that is why his alarm did not go off. **[PHE 37, pg 8]**

CSSN Copeland lied to FCC Parker and told him that he had dropped CS3 Resendiz back at her barracks room at 1247. **[PHE 37, pg 2]**

CSSN Copeland did not go into work when ordered to do so by FCC Brad Parker**. [PHE 37, pg. 9]**

CSSN Copeland's roommate arrived back to his barracks room around 1300 on 29 May – neither CSSN Copeland nor CS3 Resendiz was there. **[PHE 35]**

Geolocation data places CSSN Copeland in the vicinity of X-2 for the entire period of 29 May through the evening of 1 June. **[PHE 41]**

Circumstantial evidence exists that CSSN Copeland went to great lengths to conceal his crime.

In an attempt to avoid detection and knowing that CSSN Resendiz's dead body was in his closet, CSSN Copeland sent her phone a text message on the evening 1 June 2025, asking her if she was ok and informing her that she had marked UA. **[PHE 25d, pg. 6]**

CSSN Copeland hid CS3 Resendiz's body in his barracks room's closet inside a large black duffel bag for 4 days. **[PHE 48a pg. 12 & 13, and 48c].**

CSSN Copeland hid CS3 Resendiz's body - still inside his black duffle bag - in a wooded area near Broad Creek. **[PHE 44a pgs. 8-16], [PHE 47a], [PHE 47g]**

When questioned by investigators about her whereabouts, CSSN Copeland lied multiple times. **[PHE 36, 38]**

Additionally, all of the evidence listed above for Specification 2 of Charge V demonstrates the extensive efforts he invested in attempting to conceal the body of CS3 Resendiz. They are all consistent with a consciousness of guilt that would accompany a premeditated, intentional murder.

4. For these reasons, the Government asks that you recommend all charges and specifications be referred to General Court-Martial and welcomes any additional recommendations as to form of the charges.

[redacted]

Copy to: Detailed Defense Counsel

23 Sep 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: CDR John Butler, JAGC, USN Preliminary Hearing Officer

Subj: DEFENSE RESPONSE TO THE GOVERNMENT'S ARTICLE 32 COMMENTS ICO CSSN JERMIAH T. COPELAND, USN

1. The defense provides these comments to address the elements of a violation of Article 118 as charged in this case. A probable cause determination can only be made by evaluating the totality of the circumstances. It is a fact-based determination. Here, the government charged CSSN Copeland with premeditated murder. For there to be premeditated murder, CS3 A.R.'s death must have resulted from an act of the accused and, at the time of the killing, the accused must have had a premeditated design to kill. The principal difference between premeditated murder and unpremeditated murder is that for premeditated murder the accused must have had the premeditated design to kill, that is, *the accused must have considered the act prior to the application of force and must have had the specific intent to kill*, whereas unpremeditated murder requires the specific intent to kill or inflict great bodily harm without premeditation. *United States v. Gray*, 51 M.J. 1 (C.A.A.F. 1999) (citing *United States v. Loving*, 41 MJ 213, 279-280 (1994), aff'd on other grounds, 517 U.S. 748 (1996))) (emphasis added).

2. Here, there is no probable cause of premeditated murder, as there is no evidence of prior consideration or a specific intent to kill CS3 A.R. To begin, there is no direct evidence that CS3 A.R. was murdered or that she was killed by CSSN Copeland. There are no witnesses, no weapon, no known cause or manner of death. While CS3 A.R. was in CSSN Copeland's barracks room, she was there because the two had plans to hang out and make tacos. She was not there against her will or under duress. ET3 Rich received a phone call from CS3 A.R. in the early morning hours of 29 May 2025. However, there is no evidence to suggest that CSSN Copeland threatened CS3 A.R. or that she was scared for her life. During the phone call, she did not say anything about CSSN Copeland, she did not say anything about a sexual assault or an attempted sexual assault, she did not say anything about being frightened or threatened. According to two witnesses, ET3 Rich and HT3 Gillespie, it was normal for CS3 A.R. to have "an episode" where she would cry and panic.[1] It is also clear from the evidence that at some point, CS3 A.R. calmed down and went back to CSSN Copeland's room. This is clear because CSSN Copeland's suitemates saw CS3 A.R. alive and breathing in his room sometime during the morning of 29 May 2025 (between 0530 and 0645).[2] Additionally, at around 0852, FCC Parker observed CS3 A.R. alive, CS3 A.R. looked up, dismissively waved, rolled over and went back to sleep.[3] She was alive.

3. Evidence of CSSN Copeland's alleged reaction to a possible allegation of sexual assault in November 2024 is not evidence of premeditation in May 2025. Without considering the passage of time, the stated intent is not the same. It is one thing to say "I am going to kill myself" because you are upset about the possible implication of being accused of a crime. However, it is

[1] PHE 27 and PHE 31.
[2] PHE 34 and PHE 36.
[3] PHE 37.

an entirely different state of mind to have the premeditated intent to kill another human. That is a speculative jump that does not and cannot establish probable cause. Additionally, and more importantly, there is absolutely no evidence that CS3 A.R. was going to make an allegation of sexual assault. She was alive at 0852 on 29 May 2025. She saw a chief petty officer, she waved and went back to sleep. There is simply no reason to believe that she was about to make an allegation of any sort.

4. For these reasons, the defense requests that you find that there is no probable cause to establish premeditated murder.

5. The defense further requests that you make a determination as to the reasonable likelihood of success at trial if the offenses related to CS3 A.R.'s death were severed from the others and tried separately.

[redacted]
A. M. SERFESS

Copy to:

OSTC




ART 32 RECORDING - CSSN COPELAND



# PRE-TRIAL ALLIED PAPERS

**DEPARTMENT OF THE NAVY**
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK, VA 23511-2737

8 Jan 25

GENERAL COURT-MARTIAL CONVENING ORDER 1-25

Pursuant to the authority contained in paragraph 0120(a) of JAGINST 5800.7G CH-2, dated 1 December 2023, a general court-martial is convened with the following members:

Captain Gregory Capra, U.S. Navy;
Commander Jason Monts, U.S. Navy;
Lieutenant Commander Joshua Hightower, U.S. Navy;
Lieutenant Commander Kathryn Litwinchuk, U.S. Navy;
Lieutenant Verna Macapagal, U.S. Navy;
Lieutenant Jeffrey Stern, U.S. Navy;
Lieutenant Paulina Shelley, U.S. Navy; and
Lieutenant Junior Grade Nika Martinez, U.S. Navy.

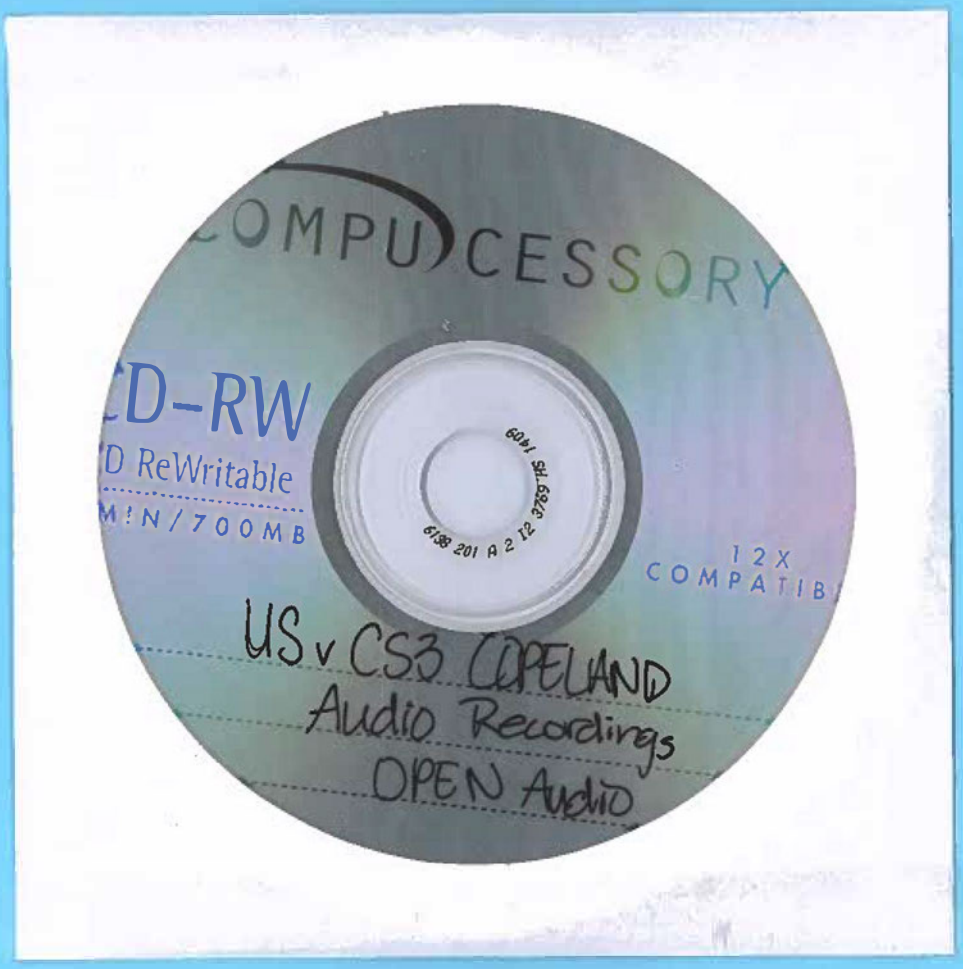
The military judge is authorized to impanel an unspecified number of alternate members only if, after the exercise of all challenges, excess members remain.

[redacted]

C. A. LAHTI
Rear Admiral, U. S. Navy
Commander, Navy Region Mid-Atlantic



# RECORD OF PROCEEDINGS


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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERALCOURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**11 December 25** |

---

The Government requests the Court seal the audio session of a closed hearing conducted on 10 December 2025, as well as Appellate Exhibits (AE) XXXIV, XXXV, XLII, and XLIII, which contains Military Rule of Evidence (M.R.E.) 412 material.

**ORDER**

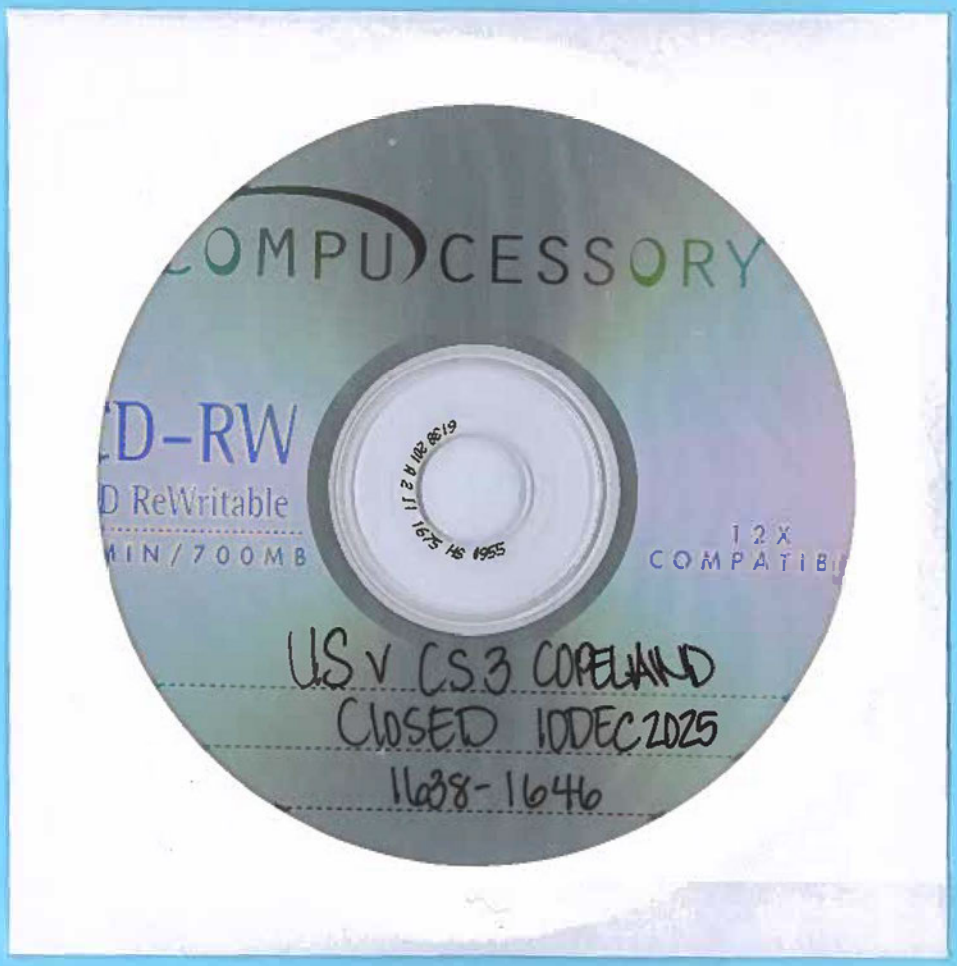
1. **Items Sealed.** Audio session and transcript of the closed hearing conducted on10 December 2025, and AEs XXXIV, XXXV, XLII, and XLIII.

2. **Order.** The documents identified in paragraph 1 are hereby ordered **SEALED.** The envelope(s) containing these item(s) shall be sealed and placed only in the original record of trial, and no person shall open this envelope or examine its contents except as authorized by competent authority in accordance with Rule for Courts-Martial 1113. A copy of this order shall be placed on the envelope, over the envelope flap, in the original record of trial, and a copy of this order shall appear in lieu of the item(s) in all copies of the record of trial.

3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 11th day of December 2025.

[redacted]
F. D. HUTCHISON
Military Judge


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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERALCOURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**11 March 26** |

---

The Government requests the Court seal the audio session of a closed hearing conducted on 5 March 2026, as well as Appellate Exhibits (AE) LXXIII, LXXIX, LXXX and LXXXVI, which contains Military Rule of Evidence (Mil. R. Evid.) 412 material.

**ORDER**

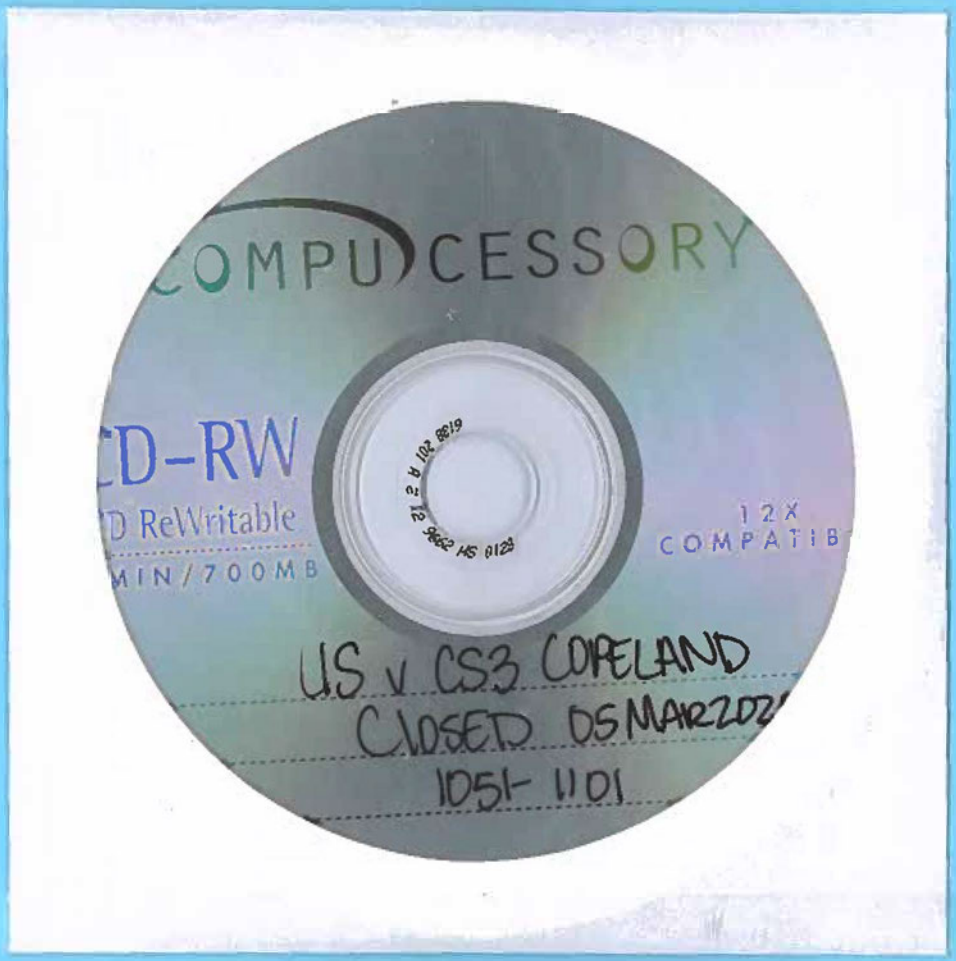
1. **Items Sealed.** Audio session and transcript of the closed hearing conducted on 5 March 2026, and AEs LXXIII, LXXIX, LXXX and LXXXVI.

2. **Order.** The documents identified in paragraph 1 are hereby ordered **SEALED.** The envelopes containing these items shall be sealed and placed only in the original record of trial, and no person shall open this envelope or examine its contents except as authorized by competent authority in accordance with Rule for Courts-Martial 1113. A copy of this order shall be placed on the envelope, over the envelope flap, in the original record of trial, and a copy of this order shall appear in lieu of the items in all copies of the record of trial.

3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 11th day of March 2026.

[redacted]
F. D. HUTCHISON
Military Judge


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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERALCOURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**5 May 26** |

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The Government requests the Court seal the audio session of a closed hearing conducted on 30 April 2026, as well as Appellate Exhibits (AE) XCVIII, XCIX, XCIX(a), CIV, CV, and CV(a), which contains Military Rule of Evidence (Mil. R. Evid.) 513 material.

**ORDER**

1. **Items Sealed.** Audio session and transcript of the closed hearing conducted on 30 April 2026, and AEs XCVIII, XCIX, XCIX(a), CIV, CV, and CV(a).

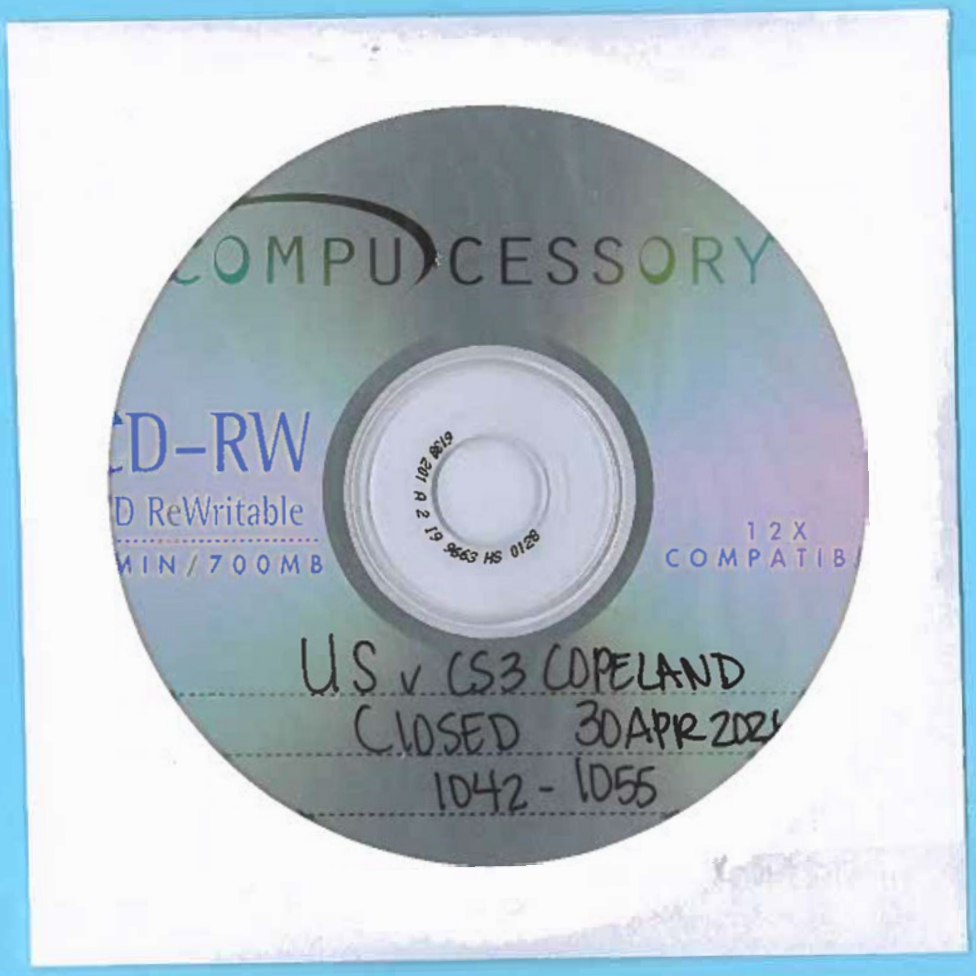
2. **Order.** The documents identified in paragraph 1 are hereby ordered **SEALED.** The envelope(s) containing these item(s) shall be sealed and placed only in the original record of trial, and no person shall open this envelope or examine its contents except as authorized by competent authority in accordance with Rule for Courts-Martial 1113. A copy of this order shall be placed on the envelope, over the envelope flap, in the original record of trial, and a copy of this order shall appear in lieu of the item(s) in all copies of the record of trial.

3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 5th day of May 2026.

[redacted]

F. D. HUTCHISON
Military Judge


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US v CS3 COPELAND
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1042 - 1055

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 4 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 4 of 25, and Record of Proceedings (through Transcript Page 334).



# RECORD OF PROCEEDINGS

**PROCEEDINGS OF A GENERAL COURT-MARTIAL**

The military judge called the Article 39(a) session to order at Region Legal Service Office Mid-Atlantic, Norfolk, Virginia, at 1305, 9 October 2025, pursuant to the following order:

[General Court-Martial Convening Order No. 1-25, Commander, Navy Region Mid-Atlantic, dated 8 January 2025]

**[END OF PAGE]**

MJ: This court-martial's called to order in the case of *United States v. Copeland*.

Trial counsel, you may proceed.

ATC: Thank you, Your Honor.

This court-martial's convened by Court-Martial Convening Order No. 1-25, Commander, Navy Region Mid-Atlantic, dated 8 January 2025; copies of which have been furnished to the military judge, counsel, and the accused and which will be inserted at this point into the record.

There were 62 Article 30a, UCMJ, proceedings related to this matter. The summary of these proceedings have been provided to the court and marked as Appellate Exhibit III.

The charges have been properly referred to this court for trial and were served on the accused on 3 October 2025. The five-day statutory waiting period has expired.

The prosecution is ready to proceed with the arraignment in the case of *United States versus Culinary Specialist Seaman Jermiah T. Copeland, United States Navy*.

The accused and the following persons detailed to this court are present:

**CAPTAIN FRANK HUTCHISON, JAG CORPS, UNITED STATES NAVY, MILITARY JUDGE;**

**COMMANDER LAUREN MAYO, JAG CORPS, UNITED STATES NAVY, TRIAL COUNSEL;**

**LIEUTENANT CHRISTOPHER DEMPSEY, JAG CORPS, UNITED STATES NAVY, ASSISTANT TRIAL COUNSEL;**

**LIEUTENANT COMMANDER AMANDA SERFESS, JAG CORPS, UNITED STATES NAVY, DETAILED DEFENSE COUNSEL;**

**LIEUTENANT COMMANDER CLIFTON MORGAN, JAG CORPS, UNITED STATES NAVY, ASSITANT DEFENSE COUNSEL;**

**LIEUTENANT COMMANDER JASON KIM, JAG CORPS, UNITED STATES NAVY, VICTIM'S LEGAL COUNSEL.**

Ms. Jacqueline Cheek has been detailed as the court reporter and has been previously sworn.

Both Commander Mayo and I have been detailed to this court-martial by Commander Lauren Mayo, Chief Special Trial Counsel, Office of Special Trial Counsel, Detachment Norfolk, under a grant of authority from the Lead Special Trial Counsel, Office of Special Trial Counsel.

We are qualified and certified under Article 27(b) and sworn under Article 42(a) of the Uniform Code of Military Justice.

Commander Mayo is also qualified and certified under Article 24a.

We have not acted in any disqualifying manner.

MJ: Thank you.

And the court has received Appellate Exhibit III and that is appended to the record.

ATC: Thank you, Your Honor.

MJ: Good afternoon, Seaman Copeland.

And I do appreciate the military courtesy, but you can remain seated unless I tell you to stand otherwise.

ACC: Yes, sir. Thank you.

MJ: Seaman Copeland, I'm gonna discuss with you your rights to counsel.

You have the right to be represented by your detailed defense counsel, Lieutenant Commander Morgan and Lieutenant Commander Serfess. Your detailed military counsel are lawyers certified by the Judge Advocate General as qualified to act as your defense counsel and are members of the Navy's Defense Service Office. Your detailed military counsel's services are provided at no cost to you.

You also have the right to be represented by a military counsel of your own selection, provided that the counsel you request is reasonably available. If you are represented by military counsel of your own selection, then your detailed defense counsel would normally be excused; however, you could also request that your detailed counsel continue to represent you, but your request would not have to be granted--your request would not have to be granted.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: In addition to your military defense counsel, you have the right to be represented by a civilian counsel at no expense to the government. Civilian counsel may represent you along with your military counsel, or you could excuse your military counsel and be represented by your civilian counsel.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about your rights to counsel?

ACC: No, sir, Your Honor.

MJ: By whom do you wish to be represented?

ACC: Lieutenant Commander Morgan and Lieutenant Commander Serfess.

MJ: And by those counsel alone?

ACC: Yes, sir, Your Honor.

MJ: Very well.

Defense counsel, please announce your detailing and qualifications.

DC: Yes, sir.

All detailed members of the defense have been detailed to this court-martial by Commander Bryan Barletto, Executive Officer,

Defense Service Office Southeast, with the authority delegated to him by the Commanding Officer of the same command.

All detailed members of the defense are qualified and certified under Article 27(b) and sworn under Article 42(a) of the Uniform Code of Military Justice, and no member of the defense has acted in any manner that might tend to disqualify us in this court-martial.

MJ: Very well. Thank you, Commander Serfess.

I have been properly certified and sworn, and I detailed myself to this court-martial. I'm not aware of any matter that might be ground for challenge against me.

Does either side wish to question or challenge the military judge?

ATC: No, Your Honor.

DC: The defense does not, Your Honor.

MJ: Very well. Thank you.

Counsel for both sides appear to have been--counsel for both sides appear to have the required qualifications, and all personnel required to have been sworn have been sworn.

Trial counsel will now announce the general nature of the charges.

ATC: The general nature of the charges in this case are:

One specification of aggravated sexual contact, one specification of abusive sexual contact, and two specifications of sexual assault in violation of Article 120 of the Uniform Code of Military Justice.

One specification of aggravated assault, strangulation, in violation of Article 128 of the Uniform Code of Military Justice.

One specification of indecent recording, and one specification of indecent broadcasting; both in violation of Article 120c of Uniform Code of Military Justice.

Three specifications of obstruction of justice in violation of Article 131b of the Uniform Code of Military Justice.

Two specifications of domestic violence in violation of Article 128b of the Uniform Code of Military Justice.

Two specifications of false official statement in violation of Article 107 of the Uniform Code of Military Justice.

One specification of premeditated murder in violation of Article 118 of the Uniform Code of Military Justice.

And the charges were preferred by Lieutenant Patricia Cannaday, JAG Corps, United States Navy.

An Article 32 preliminary hearing was conducted by Commander John Butler, JAG Corps, United States Reserves, on 18 September 2025.

MJ: Thank you.

Seaman Copeland, I'm now gonna explain to you your forum options; in other words, what type of court-martial you may be tried by.

You--you have the right to be tried by a court consisting of eight members. After empanelment of those members, as a result of excusals, the court could be reduced to no fewer than six members. No court member would be junior in rank to you.

You may request that the court members be comprised entirely of officers--that is, commissioned and/or warrant officers--or of at least one-third enlisted members.

Do you understand what I've said so far?

ACC: Yes, sir.

MJ: If you're tried by court members, the members vote by secret written ballot and three-fourths of the members must agree before you could be found guilty of any offense.

If you are found guilty of any offense, you shall be sentenced by the military judge, me, using the sentencing rules that became effective on December 28, 2023.

Alternatively, you may request to be tried by military judge alone. If your request is approved, there will be no court members. The military judge will decide whether you're guilty or not

guilty; and if found guilty, the military judge will determine your sentence.

If you do not select any of these forum options, then you will be tried by a court composed of members in accordance with the law and the convening order.

Do you understand the difference between trial before members and trial by military judge alone?

ACC: Yes, sir, Your Honor.

MJ: Do you understand the choices that you have?

ACC: Yes, sir, Your Honor.

MJ: By what type of court do you wish to be tried?

DC: The defense requests to reserve forum selection in accordance with the trial management order.

MJ: Very well. That request is granted.

Seaman Copeland, what just happened is your defense counsel has indicated that you want to reserve your selection of forum until such time as directed in the trial management order, which is an order that I signed as the military judge directing trial dates and trial milestones. And so, you'll have to select your forum in accordance with the dates selected on that trial management order.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Okay. The accused will now be arraigned.

ATC: All parties to the trial have been furnished with a copy of the charges.

Does the accused want them read?

DC: Seaman Copeland waives the reading of the charges.

MJ: Reading can be omitted.

**[THE CHARGE SHEET FOLLOWS AND IS NOT A NUMBERED PAGE]**

**[END OF PAGE]**

# CHARGE SHEET

## I. PERSONAL DATA

| 1. NAME OF ACCUSED (Last, First, Middle Initial) | 2. EDIPI | 3. GRADE OR RANK | 4. PAY GRADE |
|---|---|---|---|
| COPELAND, Jermiah T. | [redacted] | ~~E-3~~ CSSN 3 | ~~E-3~~ E-4 |

| 5. UNIT OR ORGANIZATION | 6. EAS | 6b. CURRENT SERVICE | |
|---|---|---|---|
| | | a. INITIAL DATE | b. TERM |
| USS JAMES E. WILLIAMS (DDG 95) | 12 Jul 27 | 13 Jul 23 | 4 years |

| 7. PAY PER MONTH | | | 8. NATURE OF RESTRAINT OF ACCUSED | 9. DATE(S) IMPOSED |
|---|---|---|---|---|
| a. BASIC | b. SEA/FOREIGN DUTY | c. TOTAL | | |
| ~~$2,733.00~~ 3142.20 | $0.00 | ~~$2,733.00~~ 3142.20 | Pretrial Confinement | 9 June 2025 - Present |

## II. CHARGES AND SPECIFICATIONS

10.

**Charge I: Violation of UCMJ, Article 120**

**Specification 1 (Aggravated Sexual Contact):** In that Culinary Specialist ~~Seaman~~ Petty officer third class Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland by using unlawful force.

**Specification 2 (Abusive Sexual Contact):** In that Culinary Specialist ~~Seaman~~ Petty Officer third class Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland without the consent of ABHAN C.R.

(See Supplemental Page)

## III. PREFERRAL

| 11a. NAME OF ACCUSER (Last, First, Middle Initial) | b. GRADE | c. ORGANIZATION OF ACCUSER |
|---|---|---|
| Cannaday, Patricia, T. | O-3 | Office of Special Trial Counsel |

[redacted] c. DATE (YYYYMMDD) 2025/08/22

I, [redacted] in cases of this character, personally appeared the above named accuser this 22nd day of August, 2025 and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.

| Christopher B. Dempsey | Region Legal Service Office MIDLANT |
|---|---|
| Typed Name of Officer | Organization of Officer |
| LT/O-3 | Judge Advocate |
| Grade | Official Capacity to Administer Oath (See R.C.M. 307 (b)_ must be commissioned officer) |

[redacted]
Signature

DD FORM 458, MAY 2000 PREVIOUS EDITION IS OBSOLETE

2.

On 22 August 2025 , the accused was informed of the charges against him and of the names of the accusers known to me *(See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)*

Christopher Dempsey — Region Legal Service Office MIDLANT
*Typed Name of Accuser* — *Organization of Accuser*

LT/O-3
*Grade*

[redacted]
*Signature*

**IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY**

3.

The sworn charges were received at 1623 hours. 25 AUGUST 2025 at USS JAMES E. WILLIAMS
*Designation of Command or Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403.)*

FOR THE 1 Commanding Officer

CDR TIMOTHY WINTERS
*Typed Name of Officer*

O5
*Grade*

WINTERS.TIMOTHY.MARK.[redacted] Digitally signed by WINTERS.TIMOTHY.MARK.[redacted] Date: 2025.08.25 16:23:41
*Signature*

**V. REFERRAL; SERVICE OF CHARGES**

| 4a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY | b. PLACE | c. DATE (YYYYMMDD) |
|---|---|---|
| Commander, Navy Region Mid-Atlantic | Norfolk, VA | 20251001 |

Referred for trial to the General court-martial convened by General Court-Martial Convening Order 1-25.

Dated 8 January 2025 , subject to the following instructions: ?None

By _____ of _____
*Command or Order*

Ryan Stormer
*Typed Name of Officer*

Deputy Lead Special Trial Counsel
*Official Capacity of Officer Signing*

CAPT/O6
*Grade*

[redacted]
*Signature*

5.

On 3 October 2025 , I caused to be served a copy hereof on the above named accused.

CDR Lauren Mayle, JAGC, USN — O-5
*Grade or Rank of Trial Counsel*

[redacted]

*FOOTNOTES. 1 - When an appropriate commander signs personally, inapplicable words are stricken.*
*2 - See R.C.M. 601 (e) concerning instructions. If none, so state.*

DD FORM 458 (BACK), MAY 2000

Specification 3 (Sexual Assault - Incapable of Consenting): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 4 November 2024, commit a sexual act upon CSSN S.S., U.S. Navy, by penetrating CSSN S.S.'s vulva with his penis, when CSSN S.S. was incapable of consenting to the sexual act because she was impaired by an intoxicant, to wit: alcohol, and the accused reasonably should have known of that condition.

Specification 4 (Sexual Assault - Without Consent): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 25 May 2025, commit a sexual act upon Ms. Y.J., by penetrating Ms. Y.J.'s vulva with his penis without the consent of Ms. Y.J.

Charge II: Violation of UCMJ, Article 128

Specification (Aggravated Assault - Strangulation): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, commit an assault upon ABHAN C.R., U.S. Navy, by unlawfully strangling her with his hand.

Charge III: Violation of UCMJ, Article 117a

Specification (Wrongful Broadcast): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, knowingly and wrongfully broadcast an intimate visual image of the buttocks of CSSN S.S., U.S. Navy, a person who was at least 18 years of age when the image was created, identifiable from the image itself, and did not explicitly consent to the broadcast of the image, when the accused reasonably should have known the image was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding any broadcast of the image, and where the accused reasonably should have known that the broadcast of the image was likely to cause emotional distress, to wit: embarrassment and that, under the circumstances, such conduct had a reasonably direct and palpable connection to the military environment.

Charge IV: Violation of UCMJ, Article 120c

Specification 1 (Indecent Recording): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly make a recording of the private area of CSSN S.S., U.S. Navy, without her consent and under circumstances in which she had a reasonable expectation of privacy.

Specification 2 (Indecent Broadcasting): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S., U.S. Navy, when the said accused knew or reasonably should have known that the said recording was made without the consent of CSSN S.S. and under circumstances in which she had a reasonable expectation of privacy.

Charge IV: Violation of UCMJ, Article 131b

Specification 1 (Obstruction of Justice): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 5 November 2024, wrongfully do a certain act, to wit: hide his cellular phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there were or would be criminal proceedings pending.

Specification 2 (Obstruction of Justice): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 2 June 2025, wrongfully do a certain act, to wit: conceal the dead body of CS3 A.R., U.S. Navy, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there were or would be criminal proceedings pending.

Specification 3 (Obstruction of Justice): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 4 June 2025, wrongfully do a certain act, to wit: hide his cellular phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there were or would be criminal proceedings pending.

Charge V: Violation of UCMJ, Article 128b

Specification 1 (Domestic Violence - Strangulation): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 11 April 2025, commit an assault upon CSSN S.R., U.S. Navy, the intimate partner of the accused, by unlawfully strangling her with his hands.

Specification 2 (Domestic Violence - Violent Offense): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 11 April 2025, commit a violent offense against CSSN S.R., U.S. Navy, the intimate partner of the accused, to wit: by unlawfully pushing her with his hands.

Charge VI: Violation of UCMJ, Article 107

Specification 1 (False Official Statement): In that Culinary Specialist ~~Seaman~~ Petty Officer Third Class Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 1 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

~~Specification 2 (False Official Statement): In that Culinary Specialist Seaman~~ Petty Officer Third Class Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 3 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he ~~did not know where CS3 A.R., U.S. Navy, went after she left his barracks room on the morning of 29 May 2025~~ had nothing to do with the disappearance of A.R. or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

Charge VII: Violation of UCMJ, Article 118

Specification ~~(Premeditated~~ Unpremeditated Murder): In that Culinary Specialist ~~Seaman~~ Petty Officer Third Class Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 29 May 2025, ~~with premeditation,~~ murder CS3 A.R., U.S. Navy, by means of an act of the Accused.

AND NO OTHERS

TC: Thank you, Your Honor.

The charges are signed by Lieutenant Patricia Cannaday, JAG Corps, United States Navy, a person subject to the code as accuser, are properly sworn to before a commissioned officer of the armed forces authorized to administer oaths and are properly referred to this court for trial.

MJ: Thank you.

Seaman Copeland, in a few moments I'm gonna ask your defense counsel to enter your plea, but I advise you that certain motions must be made before your plea is entered or else you waive the right to make them. Therefore, motions to dismiss or to grant other appropriate relief should be made at this time.

Defense, do you have any motions to file prior to entry of pleas?

DC: We request to reserve motions in accordance with the trial management order.

MJ: Very well. That request is granted.

And, again, Seaman Copeland, your defense counsel's requested to defer filing any motions until such time as directed in the trial management order, and the trial management order sets several deadlines between now and the trial dates in which you are to file motions. So, your defense counsel has deferred entry of motion until that time.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Very well.

Accused and defense counsel, please rise.

[The accused and his counsel did as directed.]

MJ: Seaman Copeland, your defense counsel will speak for you.

How do you plead?

DC: The defense requests to reserve pleas in accordance with the trial management order.

MJ: Your request is granted. You may be seated.

[The accused and his counsel did as directed.]

MJ: And, again, Seaman Copeland, your defense counsel has requested to defer the entry of pleas until such time as directed in the trial managements order.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Very well.

So, I've alluded to, in several occasions just now, a trial management order in this case. I have signed the trial management order in this case, and it's been marked as Appellate Exhibit I and it is appended to the record.

So, barring any unforeseen circumstances, we'll next be in court on 10 December 2025 for an Article 39(a) hearing. And we have

subsequent Article 39(a) hearings on 5 March 2026, 23 April 2026, and 2 June 2026. And I have set 3 June 2026 as the trial date in this case.

Are both parties tracking that timeline?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Very well.

In addition, yesterday, on 8 October 2025, government counsel submitted an application pursuant to Article 6b, Subparagraph (c), under the UCMJ and Rule for Court-Martial 801(a)(6), seeking to designate Ms. Esmerelda Castle, the mother of named victim CS3 A.R., who is deceased, as a person to assume the victim's rights under the UCMJ.

I have marked that application as Appellate Exhibit II, and it is appended to the record. The court granted that request, and I signed an order designating Ms. Castle to assume the rights of CS3 A.R. in this case as articulated under Article 6b, Subsection (c) and any other Navy rule, regulation, or instruction. And that order has been marked as Appellate Exhibit II(a), and it is appended to the record.

And finally, the court has received a notices of appearance from Lieutenant Commander Kim on behalf of victim Seaman S.S. That notice of appearance has been marked as Appellate Exhibit IV.

And the court also received a notice of appearance from Mr. Marshall Griffin, who has filed his notice of appearance on behalf of victim CS3 A.R. and her representative. That's been marked as Appellate Exhibit V. Both of those appellate exhibits have been appended to the record.

Are there any other matters to take up before the court recesses?

TC: No, Your Honor.

DC: Not from the defense, Your Honor.

MJ: Very well.

Court's in recess until 10 December 2026--I'm sorry--10 December 2025.

Court's in recess.

[The Article 39(a) session recessed at 1314, 9 October 2025.]

**[END OF PAGE]**

[The Article 39(a) session was called to order at 0933, 10 December 2025.]

MJ: This court-martial's called to order. All parties present when the court last recessed are once again present with one notable exception, I'll--I'll talk about in a second.

Prior to coming on the record in--and since our last session of court, we've had a couple of out-of-court sessions pursuant to R.C.M. 802. Specifically, on 12 November, I met with counsel in chambers just as a pretrial status conference. We discussed the status of motions, the status of progressing to this hearing. Neither party brought up anything of significance.

And then we just had an e-mail exchange over the last couple days discussing the logistics of this hearing, what time we'd start, what--what order we would take up the motions, and what--I think that's it.

Do the parties agree with my summation of the two R.C.M. 802 conferences prior to today's hearing?

TC: Your Honor, the government agrees and nothing to add.

MJ: Thank you.

DC: The defense concurs and has nothing to add, Your Honor.

MJ: Very well.

And as I noted, one addition to the personnel: It appears as if Lieutenant Commander Mihill, United States Coast Guard, has been added to the defense team.

So, good morning, Seaman Copeland.

ACC: Good morning, Your Honor.

MJ: At your arraignment, I discussed with you your rights to counsel, and you indicated that you wished to be represented by Lieutenant Commander Serfess and Lieutenant Commander Morgan.

Do you need me to go over those rights to counsel again, or do you still understand those rights?

ACC: I still understand, Your Honor.

MJ: And since that arraignment, it--it looks as if Lieutenant Commander Mihill has been detailed to your defense team.

Is that correct?

ACC: Yes, Your Honor.

MJ: And do you--do you want to be--in addition to Commander Serfess and Commander Morgan, do you want to be represented by Lieutenant Commander Mihill as well?

ACC: Yes, Your Honor.

MJ: Very well.

Commander Mihill, if you would please announce your detailing and qualifications for the court.

ADC (LCDR MIHILL): Yes, Your Honor, good morning.

Lieutenant Commander Todd Mihill, United States Coast Guard. I've been detailed to this court-martial by Lieutenant Commander Amanda Serfess, OIC, Defense Service Office Southeast, Detachment Pensacola, by the authority granted to her by the Commanding Officer of the same.

I am qualified and certified under Article 27(b) and sworn under Article 42(a), Uniform Code of Military Justice. I have not acted in any manner which would tend to disqualify me.

MJ: Very well. Thank you very much.

So today we've got--I think I counted 18 motions. I think they're all defense motions.

Parties agree with my counting; 18 motions?

TC: Yes, Your Honor.

MJ: Okay. So, the plan is, as I noted in an e-mail earlier is I think we're just gonna take those up in appellate exhibit order with a few deviations which we kind of grouped things together.

So, at that, I think we--we--unless there's any objection, we start with the first one and that's Appellate Exhibit VI, which is a defense motion for appropriate relief for illegal pretrial punishment.

Defense, I believe you're the moving party. Do you have any evidence you want to present on this motion?

ADC (LCDR MIHILL): Yes, Your Honor. We're gonna be calling Commander Flanagan, the OIC of NAVCOM Brig Chesapeake.

MJ: Very well.

ADC (LCDR MIHILL): May I approach the well, Your Honor?

MJ: You may.

ADC (LCDR MIHILL): Prior to calling Commander Flanagan, Your Honor, I would like to lodge one objection. Recognizing that the court has wide latitude to receive evidence in whichever way it sees fit for an Article 39(a), the defense would point out that R.C.M. 803 allows for compulsory process of attendance at an Article 39(a) for a witness.

The defense believes that this witness is not providing just facts to the court; that we are going to be talking about his insights and his own personal impressions and his own personal actions, and that the--the court should have the benefit of being able to see the witness's face and talk to him in person here in the courtroom. So, we would object to telephonic testimony.

MJ: Okay.

Government, do you want to be heard on the objection?

TC: Your Honor, only that the objection is untimely. We e-mailed Your Honor--I believe it was earlier last week--indicating that Commander Flanagan was only gonna be available by telephone, if that was permissible, and you approved that request.

We can speak with Commander Flanagan on short notice if he may be available via VTC, but I haven't had that conversation with him, Your Honor.

MJ: Objection's overruled. I understand--I understand your argument. This is a motions hearing and the court's comfortable taking the telephonic testimony.

ADC (LCDR MIHILL): Understood, Your Honor.

MJ: You may proceed.

ADC (LCDR MIHILL): Your Honor, I'm gonna call him from the podium here.

MJ: Very well.

And just while you're doing that, for the record, the--the motion we're taking up is Appellate Exhibit VI. You submitted enclosures to that, which are Appellate Exhibit VII, and the government responded at Appellate Exhibit XLVIII with some enclosures in Appellate Exhibit XLIX. And those are all appended to the record at this point.

[A telephonic connection with the witness was established.]

WIT: OIC.

TC: Hey, good morning, Commander Flanagan. This is Lieutenant Commander Dempsey.

Are you prepared to testify?

WIT: Yep.

TC: Okay. Just so you know, you're on the telephone. It's broadcast through the courtroom. If you could, can you please stand and raise your right hand and I'll swear you in.

WIT: Okay.

**COMMANDER BRIAN FLANAGAN, U.S. NAVY, was called as a witness by the defense, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Okay. You can be seated.

A. Thank you.

Q. And then could you please state your name and spell your name for the record, sir?

A. Yes. It's Commander Brian Flanagan. That's F-L-A-N-A-G-A-N.

Q. And what is your rank and service, sir?

A. I'm a commander, O-5, in the United States Navy.

Q. And where are you stationed?

A. I'm at--I'm the officer in charge of the Consolidated Naval Brig down in Chesapeake, Virginia.

Q. Copy, sir. Thank you. I'm gonna turn you over to the defense counsel for some questioning.

A. Okay.

MJ: You may proceed.

**Questions by the assistant defense counsel (LCDR MIHILL):**

Q. Good morning, Commander Flanagan. This is Lieutenant Commander Mihill.

A. Good morning.

Q. Can you start off by telling the court a little bit about what your background and experience in the military is in?

A. I'm an 1110 Surface Warfare Officer. I've been a Surface Warfare Officer, or SWO, my entire almost 18 years of service after graduating from OCS.

Q. Okay. Do you have any previous corrections experience?

A. I do not.

Q. What kind of training did you receive to--to assume your role as the OIC down at the brig?

A. Just like my predecessors, I went to Millington to meet our--my boss's boss, the PERS OOD staff, and then I spent about a week there going over all the--all of their staff, their roles, and how that impacts the Charleston Brig, which is our parent command, and the Chesapeake Brig, which we're--we're a detachment of Charleston.

Then after that, I went to Charleston for another week and I observed their ACA accreditation. And then I followed the--you know, I met with all the key players down there--the CO, XO, CMC,

TD--all the--the staff that I'd be working with in supporting us up here and basically shadowed the XO, who's the brig officer there.

And here, as the officer in charge, I'm the brig officer as well as kind of overseeing the entire operation; whereas there, they have a CO who oversees everything and then the XO is the brig officer.

Q. Okay. So, for all of that, the actual training piece of it was--from what I'm understanding, was just a couple of weeks.

A. Yes.

Q. There was a lot of familiarization with the--the facilities and the process but not necessarily training specific as to--as to corrections.

Is that correct?

A. Yes. Prior to the--the meeting in Millington, I--they were--they gave me a handful of references to read through so that I could be informed for the discussions. So that was just on my own time at my previous command.

And then the only other thing I bring training wise is just as a SWO, we're--we're a manager of people. And that's one of the largest parts of my job here is managing the facility and all the people that work here, so that's fairly standard across the Navy.

Q. Understood. Yeah. And I'm focusing specifically on the corrections piece of it. So just that couple of weeks; that--that answers that question.

And you--you mentioned your predecessors. Would that be Commander Ian Manealy[ph].

A. Yes.

Q. Did--did he have any--

A. And everybody before him. I don't--I'm not aware of any changes to the pipeline of coming here to take this role.

Q. I'm sorry, Commander. I don't--I don't quite understand what you said. Changes to the pipeline? Can you--

A. Yeah. Like, you're asking about the training I received prior to reporting. I don't--I don't--I'm not aware of any changes to that training pipeline that my predecessor or the people before him would have gone through that's different from what I did.

Q. Oh. That--that's right, sir. We're--we're only here to talk about what you've--what you've done in your role as the brig OIC.

But Commander Ian Manealy was your--was your predecessor, correct?

A. Yes.

Q. When did you take over for him?

A. I took over here in May.

Q. Okay. What kind of a pass down did you get from him? What kind of a turnover did you have?

A. A lot of phone conversations and e-mails back and forth. I was on deployment on my previous--at my previous command. And then we did miss each other by a few weeks, and he gave me a extremely large turnover binder, and I've been able to discuss any questions I had with him after reviewing that. I still have contact with him.

Q. Okay. Did you guys--

A. As far as--

Q. Did you--was--I'm sorry.

A. Go ahead.

Q. Nope. Go ahead, sir. What were you saying?

A. The only--the only other--the only other part of a turnover that I received was we have a command senior chief here who has been here for about almost three years, so he really brought me up to speed on everything.

Q. Would that be Senior Chief Sandy[ph]?

A. No. It was Command Senior Chief Jostice[ph].

Q. Okay. Okay. And in your pass down from Commander Manealy, was there any--did you have any specific discussions about maximum custody or anything like that that was--that had changed at the brig recently?

A. No. No. The guidance that I followed for that is straight out of the SECNAV instruction.

Q. When you say "SECNAV instruction," you're talking about the 1640?

A. I'm talking--I've got it pulled up right here. Yes.

Q. Okay. Now I want to talk to you a little bit about--about Seaman Copeland.

You're tracking who he is?

A. Yes.

Q. You recently had a conversation with him about his maximum custody status?

A. Yes, he asked me about it.

Q. And you--you told him in that conversation that there is basically nothing he can do--ever do to get off of maximum custody status.

Is that not correct?

A. I don't believe I used those words; but, essentially, based on the nature--essentially, based on the guidance the SECNAV gives me and the authority it gives me in making that determination, I told him based on the allegations against him and the potential length of the sentence that he would receive if he is to be found guilty, that I don't foresee him not being a max custody prisoner.

Q. Okay. Yeah. And, in fact, we--we received a disclosure where you--you discussed that in your experience serious charges and long confinement can--can create security risks.

Is that correct?

A. It--it can, but the--the guidance in the SECNAV spells it out so that those are factors to consider when determining if we wanted to override the objective based review.

Q. Right. And we're--and we're gonna get to that in just a second, Commander. But specifically, it was in your experience, and I'm just--your experience begins in about May of this year.

Is that correct?

A. Yes.

Q. Now, when Seaman Copeland came to the brig, you mentioned that you had--that you had safety concerns for him. Can you tell me a little bit about that?

A. It's really primarily based on the intake process. They ask him questions about how he's doing and get an assessment of his mental status. And initially, he was on POI, which was prevention of injury. As you can imagine, most of the prisoners that arrive here are fairly distressed. Being confined is not something that everybody wants to do.

He was taken off of that status, but this--the nature of his allegations make--make me consider him to be more of a security risk than somebody for a minor infraction.

Q. Based just on the nature of the charges. Were you given any--any of the--any discovery surrounding those--those allegations?

A. Can you clarify that?

Q. Sure. That was a bad question. I'm sorry. I'm using my words.

Did--did anybody give you evidence about what he was alleged to have done that brought him to the brig?

A. No. I--I just knew of the overall--the overall case I guess, the news reports, and--and the manner in which he arrived.

Q. Tell--tell me more about that, Commander; the nature of the news reports.

A. So, obviously, you know, I watch the local news. There was news about the case--the Resendiz missing case. And then, normally, we receive a little bit of a heads-up before prisoners are brought here for confinement, but he was brought here in the middle--late at night--I'm not sure exactly what time. I wasn't here at the facility--by NCIS.

And right off the bat we kind of just put two and two together; hey, this could be related to that. And--and then from there, we found out later that it was related.

Q. Okay. And I understand when prisoners come to the brig they're originally classified as max and then--for a week or so and then they get downgraded, but that hasn't happened in this case. He's never been downgraded from maximum custody.

Is that correct?

A. He has not.

Q. Okay.

A. You don't necessarily come in as a max, but you will be in special quarters initially until your cleared medically and clinically and you attend indoc, where they explain kind of the rules and regulations and how everything works here. Then once you're cleared and have completed indoc, you--you may be downgraded and moved into general population.

Q. Okay. So, just to be clear, your--your decision to--to--to look at the allegation on the charge sheet--because at the time it was only for--for 118, alleged murder--you--you coupled that with news reports that you had seen and things that you had learned outside of your job to make the decision to keep him in max?

A. No, that--that was just, hey, we got this prisoner. We didn't get any heads-up. NCIS brought him in, and it was the same time. So, we--we kind of connected the dots. That didn't go into the decision. The decision was based on the charge.

Q. Okay. So--so your contention is that it was solely on the charge. The fact that you had seen and you were aware of--of a--of this individual from news reports, you're just saying that didn't play any factor in your calculus?

A. No. But I have responsibilities to report to my boss if we have any prisoner that may generate media interest. And since it was in the news, I gave them a cursory heads-up; hey, we received this prisoner, this may be related to this case, just want to let you-all know, and we'll report back with more once we know more. And that--that did not factor into the decision to keep him as a max prisoner.

Q. Okay. How often have you made that report back to the brig CO, or have you talked to him about the further media coverage?

A. It--it really comes up more when he has hearings coming up. That's about it. It's not a daily report. But we have reports that we have to make based on, you know, if there's a staff is hospitalized. There's all kinds of different incidents where we have to make reports to our boss and then he reports up to Naval Personnel Command.

Q. Right. No, I understand that.

But there is--so each time Seaman Copeland comes to court, you--you--you're ending up having to send reports to Charleston.

A. Not really a formal report; more of a conversation. Hey, this is coming up just so you're tracking. We have, you know, escorts lined up. These are the people that are gonna escort; whether there's media attention anticipated--those sorts of things.

Q. Okay. Have you followed the news stories of the case?

A. I watch the news while I'm in my office.

Q. Okay. So, on a daily basis?

A. Say again?

Q. So, you--you--you're watching the news on a daily basis?

A. Yes.

Q. Now you also mentioned in a--in a conversation with the prosecutors in this case that you've--that you actually feared for--for Seaman Copeland's safety if he were to transfer to gen pop.

Do you recall that conversation?

A. I do.

Q. Can you tell me more about that, please?

A. There was no specific incident that--that I'm referring to. It's more of a--you know, prisoners that are--that are high visibility as far as media goes, attracts attention from other prisoners via--the prisoners also are able to watch the news. They have it on the news channel while they're eating chow.

And if it's the local news, they very well could have seen that--that story being covered. And as more information was

released, those news stories specify that there was a suspect being head in pretrial confinement here at this facility.

Q. Okay. Have you fielded--whether personal or professional, have you fielded any--any questions from folks about--about this case in particular?

A. No. We refer all--all media inquiries to the CHINFO office.

Q. Okay. I understand that that's where you would refer them to, but have you--have you received them? Have those calls come into you?

A. Initially, we received a few calls from local media. And after, I don't know, maybe a few days to a week, they--they basically stopped. I'm not aware of any recent calls.

Q. Okay.

All right. Let's--let's shift gears a little bit and let's talk about the reclassification process in this case. We're talking about Seaman Copeland's maximum custody. You do not believe that there's anything he can do to--to get off of that status, correct?

A. That's correct.

Q. Okay. Since he's been there, you have not documented any behavioral issues with him.

A. He had one minor one when he first got here; nothing significant. But other than that, no.

Q. Okay. He's--he has attended classes since he's been there.

A. Yes.

Q. Those classes reduce his--his points for the reclassification process below the threshold for him--in order for him to be able to be qualified to--to transfer over to medium in and general population; isn't that true?

A. That's correct.

Q. And you've made the--you have made the determination in every instance of reclassification that that point system should be overridden, correct?

A. That's correct.

Q. Okay. Now you--your input is not the only person that goes into those reclassification proceedings, correct?

A. Yes, that's correct.

Q. You also take input from your--from your--from your ops folks, from your CDOs, that sort of thing?

A. Yep. Medical, clinical, operations, and CDOs.

Q. Okay. Who's Master Sergeant Gibbons?

A. He's the operations officer here.

Q. Where does he fall out in the hierarchy of the--of the brig chain of command?

A. He's the department head.

Q. Okay. And the--and the CDOs, are those the--those are the corrections officers within the brig, correct?

A. Yes.

Q. These are the folks that do rounds and check on maximum custody prisoners every 15 minutes?

A. No. They--there are--there are other watch standers that do those rounds, but the CDO is over--like, when I leave the building, the CDO is designated in writing from my boss, the commanding officer of Charleston Brig, as the command duty officer. They are in charge of the facility.

So, if I go on leave, they are, you know, qualified by the commanding officer to run the facility.

Q. Okay. I understand that.

A. Into the--on ship.

Q. And--and those--those folks who become CDOs, they are the watch standers generally, right? They--so your CDO can change day to day?

A. Yes.

Q. And that--those--

A. Yeah. They--they are in charge of the duty section that is on watch at--at whatever given time?

Q. Okay. So, they--they have more interaction with the prisoners than you do on a daily basis?

A. Yes.

Q. And those CDOs, when you--to qualify as CDO, are they previously a watch stander?

A. Yes.

Q. So, they've had interaction--they have interaction--

A. Yep. They start--

Q. --when they're--when they-re not the--

A. --they start as, you know, escorts, rovers, and they work their up--their way up through all the different controlling stations until they qualify as a CDO. That's the highest qualification here.

Q. Okay. So, they've--they've been--they've been on all the floors and dealt with all the prisoners?

A. That is correct.

Q. On a daily basis?

A. Yep.

Q. Sometimes on a--on a every 15-minute basis when these--when these inmates are on maximum custody status?

A. It depends--yeah, it depends on what's going on. But there are--there are watch standers in--in that housing unit, and those are the ones that do them every 15 minutes. And then the CDOs go through multiple times a day but not every 15 minutes, because they have to oversee the entire facility.

Q. Right. I understand. Watch standers may be there every 15 minutes but not the CDO. I understand. Thank you, sir.

So, these--and the folks at medical, they--they have--they have personal interactions with the inmates?

A. Yes.

Q. Okay. And now, talking back to the reclassification piece of this, almost without fail, all of those people with personal interactions with Seaman Copeland have recommended that he--he be reclassified into general population.

Is that not correct?

A. That is not correct.

Q. It's not correct.

A. There are some--he's been here for--for some time. There are some that were recommended that he was moved into general population, and there are others where it is not.

Q. I--I would agree with you. And the--and the reclassification documents are all in front of the court, so the military judge will be able to see that handful of times where perhaps somebody has made a different recommendation. I would proffer that it's--that that was early on.

Isn't that correct, sir?

A. I--I'd have to dig through them all. I only have a few of them in front of me. I have a bunch of them on the computer I can--I can pull up.

Q. That's all right, sir. No--no reason to do that. We have them here.

A. Okay.

Q. Do you--do you have anything else in front of you?

A. I--I just have a few of those. I have the SECNAV that I've been referencing. I have an SOP about custody classification. I have this handling letter.

Q. Okay. If you--if you wouldn't mind, sir, you can--you can close all that and put it to the side, please. If I ask you to reference something, I'm--I'll ask you specifically to reference it. But while you're providing testimony, I don't need you to be--to be looking through all that stuff.

A. Yeah, I just have it on my desk.

Q. Okay. Now these reclassification documents and reclassification boards, in your--in your conversations with trial counsel you discussed that there is an appeals process, correct?

A. Yes, there is.

Q. And you've--you have stated that Seaman Copeland has not availed himself of that appeals process?

A. He has not appealed any of our--our decisions.

Q. Okay. Who does that appeal go to?

A. If I'm the one making the determination, the appeal would go to my boss.

Q. Okay. And you--you believe that you are overriding based on the--the authority of the SECNAV and based on your boss's directive.

Is that true?

A. Yes.

Q. Okay.

A. Yes. I've had multiple conversations with Charleston about it.

Q. Okay. Would you expect that your boss would overturn your decision if Seaman Copeland were to appeal that decision?

A. No.

Q. Let's talk about--a little bit about what maximum custody status means. Generally speaking,--I'm not talking about Seaman Copeland at this point; but generally speaking, you're talking about being confined to a cell for 22 hours a day, correct?

A. Yep.

Q. You--the inmates who are in maximum custody status will eat their meals by themselves in their cell?

A. Yes.

Q. When they are availed of their one hour of rec time, they will go outside by themselves for one hour?

A. Yep.

Q. They are--their rec area is a separate rec area, separate and aside from the general population rec area?

A. Yes.

Q. When they are allowed into the--the day room for--for one hour a day, are they allowed to interact with any other inmates?

A. No.

Q. So, a maximum custody prisoner at the brig in Chesapeake is functionally solitary confinement?

A. The only people they interact with will be staff or command or legal visits or personal visits.

Q. Okay.

A. And as the max, they have to request personal visitation.

Q. Okay. Now as far as Seaman Copeland goes, you--you have--you've made an exception where he's allowed out of his cell for--for one extra hour a day, correct?

A. Yes. We're--we've been basically trying to meet in the middle as far as he has been behaved as a prisoner, so we have been working with him to be able to get out of his cell a little bit to--to clean up different areas of the brig by himself. That way he's not in the cell for the full 22 hours a day.

Q. Okay. So, what we're talking about here is a flexibility for an extra hour--one hour, correct?

A. I believe so.

Q. Where he is by himself?

A. He's not by himself. He has--there are guards present.

Q. Okay. There are--there are guards present. And what he is doing is he's--he's cleaning and working at the brig?

A. Yep. We also allow him to go down for library call; whereas, normally, the librarian would bring a cart of books or a paper that he could fill out requesting specific books that we have, and then the librarian would bring them to his cell. But he's allowed to go to the library.

Q. Okay. And he would go there by himself with a guard?

A. With guards.

Q. Okay. But, again, since he's been there, no--no misconduct other than one minor thing in the beginning?

A. Yep.

Q. And your testimony is that you--you don't know anything about the case other than the fact that there was an allegation of a 118 murder case, and then your knowledge of that case from the media hasn't played a role in your--in your determinations?

A. That's correct. I'm aware he has other charges now.

Q. Okay. And that--that informs your opinion now?

A. It feeds into it, yes.

Q. Okay. Generally, a maximum custody prisoner is not allowed contact visits with their attorneys, correct?

A. Correct.

Q. And the--the room that we are talking about--the visitation room that they are in is a--is a--essentially, it's an 8-by-8 cell divided in half, correct?

A. I don't know the specific dimensions, but, yes, it is a small area divided in half with plexiglass and slots to slide documents through.

Q. Okay. Have you ever been down there while anybody's been in that room having a conversation, sir?

A. I have not, but I have had multiple people, to include my CO, there and test it out.

Q. Tell me more about that, sir.

A. Well, we had the trial counsel--I don't remember his name, but it was a captain, O-6, came down for a tour. We showed him that facility. He went in there with--I believe with our Master Sergeant Gibbons that you referenced earlier. They had a conversation with other members of the trial counsel and my staff outside, asking--talking loudly; if they could hear them, they said no. My CO did the same thing recently last month.

Q. Okay. Now, in this case, you--you have made an exception to that policy where you're not allowed to have a contact visit with your--with their--with their attorneys, correct?

A. Say again?

Q. You've made an exception to policy for Seaman Copeland to meet with us?

A. In my--in this facility?

Q. Yes.

A. In the no contact?

Q. You've made an exception to that policy and--and allowed a single contact visit; is that correct?

A. To be honest, I do not recall that.

Q. Okay.

One moment, Your Honor.

A. I believe the conversation was if--if the defense wanted to have a no-contact visit, they could arrange for a meeting in I guess your office.

Q. Understood, Commander. Thank you.

One moment, Your Honor.

Commander, I want to go back to your--your predecessor, Commander Manealy, in the pass down that he gave you. Are you--are you aware of him having to testify in court?

A. I am not.

Q. Did he discuss with you the fact that the brig's maximum custody policy has been held by two military judges to constitute illegal pretrial punishment?

A. No.

ADC (LCDR MIHILL): That's all the questions I have for now, Your Honor.

Thank you, Commander.

WIT: Yep.

MJ: Trial counsel, cross-examination?

ATC: Yes, Your Honor. Thank you.

**CROSS-EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Good afternoon, sir. Can you hear me okay?

A. Yes, I can.

Q. Okay. This is--or sorry, good morning rather. This is Lieutenant Commander Dempsey, the trial counsel.

A. All right.

Q. What risks do you assume reducing Copeland's--Prisoner Copeland's classification status?

A. As we discussed earlier, with the media interest and the stories being played on local news which the other prisoners may have seen, sometimes that can cause issues between prisoners.

And then if the allegations are true and--and he is guilty of--of the crimes he's accused of, that causes a safety concern for our staff and our other prisoners.

Q. Okay. Thank you.

So, I want to read an excerpt from the SECNAV manual that we were just discussing. It's on page 10 of Enclosure (2) to the government's response.

It says, "Ultraconservative custody classification results in a waste of prisoner and staff manpower. A large number of max and MDI prisoners reduces the number of staff available for supervision of the kinds of productive work available to lower custody classifications. Classification systems must follow established but flexible procedures."

Despite that language, do you still feel that it's appropriate to have Copeland--Prisoner Copeland on a max status?

A. Yes.

Q. Can you explain why?

A. Because--well, for one, we're a level one facility. If he was to be a posttrial and was found guilty of those crimes, he would not even be housed in this facility. We--we have people from--anywhere from 1 day up to 90 days.

Q. Um-hmm.

A. So, he would not even be confined in the facility to begin with. So, that--that is one reason that we would be more cautious than not.

And then also I mentioned, you know, if he is guilty of those crimes, then that could potentially pose a risk to other

prisoners if there was to be an argument between them that escalated; and if he's unrestrained walking around, that also poses security risk for our staff.

Q. Thank you, sir.

And do you recall in early October of this year, the trial counsel submitting a request for a contact visitation with the defense counsel in this case between CSSN Copeland and his counsel?

A. I--I--I do.

Q. Do you recall your endorsement on that request?

A. I don't. I--I remember this came up and the defense filed a motion previously saying--kind of saying the same; that it was unjustly--we were unjustly keeping him as a max. And I know the judge in that case did not concur and he sided with us.

Q. Okay. And do you recall if that contact visit was approved by your commanding officer?

A. I--I do not at this--honestly, I do not.

Q. Okay. Was the--was the stepdown for CSSN Copeland, where he got that extra hour outside of his cell, was that on 11 August of this year?

A. I--

Q. I'll ask you not to reference any material while you're testifying, please, sir.

A. I don't remember the date that it--that it came up, but it came up eventually because, as mentioned, he's been--he's been scoring just below where he would be kept as a max. That would be--that would be seven points, but he's been scoring at a six because of the courses that he's been taking. And he's not getting any extra points for--because he hasn't committed any infractions other than the one when he first got here.

So, it's--so he's barely--he's one point below, but--so at some point we discussed, hey, is there anything we could kind of do while keeping him as a max to, you know, afford him a little bit more freedom, some incentives for good behavior while he's here. That's where that conversation began. The date, I don't recall.

Q. Okay. Thank you, sir.

And I just want to also circle back to the times when people had tested out the no-contact room. I just want to clarify. You said that people could not hear their discussion from outside of the room or inside of the room?

A. Outside.

Q. Okay. Thank you.

A. They--we had people--because if we have a max prisoner go, we're still gonna have guards there to make sure, you know, nothing's happening that's not supposed to and--and the people stood outside

where those--the guards would stand and they could not hear the conversation.

Q. Thank you, sir.

And then have you ever intended to punish Prisoner Copeland at all?

A. No.

Q. And a follow-up to that is, have you been using your authority and the SECNAV manual to make these determinations?

A. Yes.

ATC: One moment, Your Honor.

MJ: Take your time.

ATC: Sir, that's all the questions I have. I'll turn it back over to the defense, to the military judge who may have some follow-ups.

MJ: Commander Mihill, any redirect?

ADC (LCDR MIHILL): Yes, Your Honor. One moment, please?

If I may, Your Honor?

MJ: You may.

**REDIRECT EXAMINATION**

**Questions by the assistant defense counsel (LCDR MIHILL):**

Q. Commander, this is Lieutenant Commander Mihill again. Just a couple follow-up questions.

Trial counsel just asked you about the assumed risk and you--you--when we were talking, you said the media didn't influence your opinion. But when you just answered the prosecutor's question, you said that--that the--the decision to put him in general population would be influenced by the fact that the--the media reports may have made their way to the general population.

Is that correct? So, there was media influence?

A. So, the--you're asking if the media's reporting influenced my decision, which it did not. The fact that the prisoners were aware that we had a prisoner that's on the news at our facility did.

Q. Did. It did influence that decision.

A. So, what the media said did not, but the fact that the prisoners here are aware that we have a prisoner that's be--that's in the news, that weighed into the decision.

Q. Okay. I understand.

Now, you mentioned that you're a level one brig.

A. Yes.

Q. And that--and that if Seaman Copeland is guilty of the offenses, then that's--that's a problem for your facility, correct?

A. Yes. He would be transferred elsewhere. So--

Q. So, your position is, is that--so your position is that maximum custody solitary confinement, if he is guilty--he's a pretrial prisoner--is the only appropriate place for him to be?

A. At this facility, yes.

Q. Okay. Now you mentioned that--that in this case, at some point, that the--that the military judge did not--did not concur--did not concur with the defense. I would want to ask why do you think that? Why do you think the judge didn't concur with the defense?

A. I was not at that hearing. I only heard back from the people that we sent as escorts. And the main reason was it was a motion that said we were unjustly keeping him as a max prisoner, and then the--they basic thing that I cited for the reasoning is the SECNAV authority that's given to us to make that determination based on those two factors we've discussed earlier and--and--

Q. Okay.

A. --my understanding is the judge concurred.

Q. So, you--you got that information from the--from your folks that were up here, and you--you don't know that--the fact that that motion was never heard--

A. I--

Q. --never heard by this court, correct?

A. I believe I talked to the trial counsel as well, but it's been a while.

Q. Understood, Commander. I would say that the--the trial counsel's facial expression when you gave your response would indicate that that's--that's not accurate.

Now, when Seaman Copeland comes up here to the brig--comes up to our building, the courthouse, when he's in the courtroom the military judge dictates his movements, correct?

A. Yes.

Q. Okay. However, any other place in this building that he goes, your people have to follow your rules with regards to his movements, correct?

A. Um-hmm, yes.

Q. Whether or not he is wearing shackles, that's--that's your policy as well?

A. Yes.

Q. So, the only place where Seaman Copeland is outside of your control is when he's in this courtroom sitting in front of the military judge.

A. Yes.

Q. Okay. Going back to the--the test--the testing that was done on this room where--where the folks from OSTC came down and that sort of thing, when did that happen?

A. I don't remember the date.

Q. Was it before you--was it before you checked in?

A. No, it was not. I was here.

Q. Okay. Did they--did they attempt to share any files?

A. That I do not know, but we have two different slots in each cell--or each visitation room that--that are large enough to pass files through.

Q. Okay. Did they attempt to share any screens or any videos or anything like that?

A. I--that I do not know, but there is clear plexiglass where you could see a video through.

Q. Did they attempt to share any audio or anything like that?

A. Just speaking together.

Q. Okay. Turning to the reclassification piece of this, you said that he is--Seaman Copeland has consistently come in below the points required for him to be a maximum prisoner?

A. One point below.

Q. One point. Okay. But he's below the threshold.

A. Yep.

Q. And you mentioned that you checked in in May is when you assumed your duty?

A. Yep.

Q. And you said that you're not aware of any court case which found that the maximum custody classification constituted illegal pretrial punishment and those--those folks were awarded three-for-one credit for the time that they served in maximum custody. You're not aware of that?

A. No.

Q. You're not aware of a Prisoner Ramineek[ph], a U.S.--a U.S.--

A. I'm aware of Prisoner Ramineek.

Q. You are aware of him?

A. Yes.

Q. And he was there while you were there?

A. He was.

Q. He was one of the--the folks that received three-for-one credit for his time in maximum custody and you are not aware of that?

A. I'm aware he was awarded time served. I was not aware that Commander Manealy testified at that hearing.

ADC (LCDR MIHILL): No further questions, Your Honor.

MJ: Recross?

ATC: No, Your Honor.

MJ: Commander Mihill, is Commander Flanagan subject to recall?

ADC (LCDR MIHILL): No, Your Honor.

MJ: Subject to recall?

ATC: No, Your Honor.

MJ: Okay. Commander Flanagan, this is Captain Hutchison, the military judge. Thank you for your testimony. You are permanently excused. But as long as the trial continues, please don't discuss

your testimony with anyone except the counsel involved in this case. You may go about your duties. Thank you.

WIT: All right. Thank you, sir. Bye.

[The telephonic connection with the witness was terminated.]

MJ: Commander Mihill, any additional evidence on this motion beyond what you've already submitted as part of your enclosures?

ADC (LCDR MIHILL): No, Your Honor.

MJ: Government, do you have any evidence on this motion beyond what's already submitted?

ATC: No, Your Honor.

MJ: All right. So, Commander Mihill, I've--I've read your motion. Do you have additional arguments you want to make beyond what you've expressed in your motion?

ADC (LCDR MIHILL): If I may, Your Honor.

MJ: You may.

ADC (LCDR MIHILL): I just want to make a very clear point that the defense is not arguing an intent to punish here. The defense is not asking the court to strike down a corrections policy. That is not what we're asking to do.

We're asking you to look at--to look at the *King* case and look at the *Contreras* case and evaluate whether or not these--these--this pretrial restrictions, pretrial confinement is

unduly harsh or excessive in this case and is applied to Seaman Copeland.

The--the government in their--in their response sites heavily to *Mosby*. I will qualify that case for the court in that in the *Mosby* case there was--there was no other evidence put before the court. There was simply he's in maximum custody; that should be pretrial--that should be illegal pretrial punishment. That's not what we have here.

You've just heard testimony that there is a wealth of things going on at the brig, and the court has ample evidence to find that this--this pretrial confinement is unduly harsh. It is far more strict than is necessary to get Seaman Copeland to show up and arrive here in the courtroom, which is the intent behind pretrial confinement.

The government also points to this stepdown in these--these contact visits as--as part of a flexible demonstration of this--this policy. The defense position is that that's not flexible. What you're doing is you're allowing him still to be alone by himself for one hour a day at which point he goes and cleans the brig. Not entirely unlike what we have in *Contreras*. It's the same things that are going on there, right?

And then the other thing is that these--these--these contact visits with his counsel, if flexibility is the constitutional

right to participate in your own defense and confer with your counsel, then I guess that's flexibility; however, I would proffer to the court that that--that simply is not the case, Your Honor.

Pending any questions, that--that is the--the argument and only comments I wish to make on the government's motion.

MJ: Thank you. No questions.

Commander Dempsey, do you want to be heard?

ATC: Yes, Your Honor. Just in rebuttal to what the defense just argued, Your Honor.

Defense said that there is a wealth of things going on in this case that were not occurring in *Mosby* and that's correct. The--the brig OIC has allowed a stepdown for maximum classification, demonstrating his flexibility for the SECNAV policy. He's permitted--while his--his superior, the commanding officer of the brig in Charleston, has permitted contact visitation with his counsel. Again, a deviation from the standard policy of max custody prisoners.

They're endeavoring to meet their responsibility to keep not only Seaman Copeland safe but their other--the other inmates safe and their staff safe while balancing the serious allegations that Seaman Copeland is accused of.

And--and, Your Honor, I would draw your attention to Enclosure (4) of the government's motion where commanding officer of

the brig in Charleston stated that I note that isolated instances of previously demonstrated compliance do not mitigate risk with prisoners facing severe con--sentences and consequences. This is particularly true in cases where a prisoner may receive unexpected news or information that might serve as a trigger for volatile behavior. Allowing contact visits for prisoners designated with the custody classification of maximum increases risk to the safety of visiting personnel and my staff.

He goes on to just discuss that by even allowing that contact visitation, he recognized that he was taking an enormous risk, not just to Seaman Copeland or his attorneys but to his staff and potentially other inmates. But he did that in the interest of remaining flexible and applying the SECNAV policy, Your Honor.

There's no intent to punish and there's a legitimate nongovernment--or nonpunitive reason for following the SECNAV instruction in this case. Thank you, Your Honor.

MJ: Thank you.

Okay. I'm gonna take all this under consideration. I'll issue a ruling in due course. You know, obviously--so, defense, just to be clear, you are not seeking release from pretrial confinement. You're simply asking for pretrial confinement credit.

ADC (LCDR MIHILL): That is correct, Your Honor.

MJ: Which--which does not inure until at least there's a conviction if at all.

ADC (LCDR MIHILL): That's correct, Your Honor.

MJ: Okay. So, I--I will issue a ruling in due course after I take--take all this under consideration.

Okay. Let's move to the next motion, which I have as--actually, I'm gonna shift up a little bit. We're still gonna do the--the next motion in order, which is Appellate Exhibit VIII. That's the defense motion to exclude evidence under 404(b), but I think it makes sense to combine that with your motion to exclude evidence under 413. The government's response responded to those both.

So, let's take up Appellate Exhibit VIII, which is the 404(b) motion, and then Appellate Exhibit XVIII, which is the 413 motion.

And, government, you respond in Appellate Exhibit LX with enclosures in LXI and LXI(a).

And the government--the defense has got--has enclosures at Appellate Exhibit IX and Appellate Exhibit XIX.

So, government, you've got the--this is--you're the proponent of this evidence. You have the burden. Do you have additional evidence you want to present on 404(b) and 413?

ATC: Not in addition to what we presented via e-mail last night, Your Honor, Enclosure (63) and (64).

MJ: Okay. I--I have those as well.

TC: Okay. But beyond that, no, Your Honor. No additional evidence.

MJ: Defense, do you have any evidence to present on these motions?

ADC (LCDR MIHILL): No additional evidence, Your Honor.

MJ: Okay. Government, do you want to be heard on the--beyond--do you want to be heard on this motion? Do you want to talk about it?

ATC: Your Honor, I think our argument is laid out fairly well in our--in our motion. The only thing I'd like to draw attention to, Your Honor, is that the defense cites to *Hills* and says that M.R.E. 413 is a close cousin of 404(b) and we need to be careful about how 404(b) evidence, of using charged misconduct--to use charged misconducted. But 404(b) and 413 are distinguishable on that point, Your Honor.

MJ: Fair point.

Let me--you've categorized the evidence you seek to--to admit in five or six different categories, and I want to focus on the--the evidence of strangulation to begin with.

ATC: Yes, sir.

MJ: You allege that two of the charged offenses--maybe three, I have to look back--but some of the charged offenses allege instances of strangulation of--of certain victims. And then although you don't allege that strangulation was the act by which Petty Officer A.R. was--was murdered, in your--in your bill of particulars you're gonna put forward that theory.

ATC: Yes, sir.

MJ: In your 404(b) notice, you indicate that you want to use the fact that--or the--the idea that A.R. was strangled to prove common plan or scheme for the other offenses.

ATC: Yes, sir.

MJ: Okay. I guess a bit of my problem there is--or part of its problem--a concern is the evidence of that strangulation seems to be what you're trying to prove to prove the offense. So, understand *Hills* doesn't apply. But you don't have any direct evidence of that.

And so, I--I--if you go through the *Wright-Berry* factors, I'm interested in how you--you would weigh that particular allegation or--or suspection--suspicion of strangulation and how it would be probative with regards to the other two, where you have direct evidence--or at least direct allegations of strangulation.

It's easier for the court to see it the other way around. Much harder--I'm not sure I'm--not sure I'd rule that way. I'll have to think about it. But--but as an additional matter, taking

the--the--the suspicion of strangulation of A.R. to prove the other offenses seems almost counterintuitive.

ATC: If I may just consult with counsel, Your Honor?

MJ: You may.

And--and just to put a finer point on that because you brought it--because it--you know, brought it up in regards to *Hills*, *Hills* of course says you can't use propensity evidence that's charged to--to prove other charges.

Doesn't apply to 404(b), but the notion here is that you would--you would use evidence that you have that--that A.R. might have been strangled to--to bolster the other allegations where there's direct evidence of strangulation and then use those charges to then go back and prove that A.R. was strangled. And that seems very bootstrapping and circular.

ATC: And I--actually, I completely concur, Your Honor. I think what I'm--what I'm really just trying to say is there's that escalation of--of behavior between those three offenses to show what happened with CS3 A.R. and that's really what we're trying to demonstrate, Your Honor.

Not to say what you're saying here, Your Honor, that A.R.--what happened with A.R. also proves what happened with the other two.

MJ: Okay. It's the other way around.

ATC: Just that common scheme, the escalation is kind of what we're trying to prove. And I apologize for any confusion on that point in my motion.

MJ: Okay. That does clear that up.

Okay. Just--let's talk about the 413. What exactly--I want to talk about the evidence you seek to admit for 413.

ATC: Yes, sir.

MJ: And how that would play out in court.

ATC: Yes, sir.

So, L.L. is a--is a high school classmate of the accused. I say "high school," but this was just three years ago. And she was--there's an abusive sexual contact that occurred at her residence that she reported nearly immediately to her parents and the police. There was a police investigation. That case was closed for unknown reasons really, beyond what they state in the report that--lack of corroborating evidence, so to speak.

L.L. would testify to what happened to her, and the defense has requested a witness who was present in the home when this allegation occurred. Those are the only two witnesses that the government would intend to produce for this trial which we already intend to produce well over 60 witnesses, Your Honor.

MJ: I guess that's the thought though is how many more witnesses do we need or would we have for something not on the charge

sheet? What--the court's concern is a trial within a trial for some uncharged misconduct--alleged misconduct.

ATC: Yes, Your Honor. It's really the probative value of this evidence to us is extremely high, as is the nature, typically, of these sexual offenses. There is only one witness.

And using 413 as propensity to prove the charged misconduct helps--helps the members believe that these victims may be telling the truth. He's done it in high school and that conduct has not stopped, effectively, Your Honor.

And that's why we think that the probative value highly outweighs any--any time constraints that are being put on the--on this trial.

MJ: Okay. Anything further? I don't have any more questions.

ATC: No, Your Honor. Thank you.

MJ: Defense, I'll let you be heard as well if you--if you want to be heard.

ADC (LCDR MIHILL): Since we filed these motions independently, Your Honor, Lieutenant Commander Serfess is gonna talk about 413 and I have the 404(b).

MJ: Fair enough.

ADC (LCDR MIHILL): Whichever--whichever you'd like to hear first.

MJ: Let's--let's talk about 404(b) first.

ADC (LCDR MIHILL): Okay. 404(b). So the--

MJ: You heard my questions to the government, but I'm happy to hear any argument you have otherwise.

ADC (LCDR MIHILL): I think what we--I think where we're at, Your Honor, is despite that--the long and lengthy notice that the government has provided, we're really only talking about four instances of actual 404(b) other acts evidence.

The defense would concede that everything else the government is seeking to introduce is admissible to prove up the alleged offenses in this case.

MJ: Let's--that's a good point.

You don't disagree and, government, you don't disagree that all of this charged misconduct is--is going to come in as res gestae of the offenses of which they're related.

Fair enough?

ADC (LCDR MIHILL): I--we would agree with that, Your Honor. I think the--

MJ: But I think you would disagree that the government can use that evidence to prove other things.

ADC (LCDR MIHILL): That's correct, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): And I think it comes down to the instruction that we're--that is gonna be given after the court hears the

evidence--the fact finder hears the evidence. That would have to be something that we take up at a later time, but as far as the alleged other acts that are in fact themselves part and parcel of the charged acts, defense sees those as not being 404(b) and not worthy of instruction.

So that--that's--

MJ: And--and--

ADC (LCDR MIHILL): --a lion's share of what we're talking about.

MJ: What--what are those?

ADC (LCDR MIHILL): It's probably easier to talk about the ones that are--are actually 404(b), Your Honor.

MJ: Right.

ADC (LCDR MIHILL): The ones that we've laid out in our motion. So the misleading--the alleged misleading statements to investigators during the--during high school investigations, the alleged nonconsensual kissing--I realize the government, in their--in their motions has kind of walked that back a little bit and made it res gestae of the 413 evidence, so I'll let Lieutenant Commander Serfess speak to that--and then this evidence of an evil grin, and he looked like somebody else from--from the high school allegations and from the allegations made by Ms. C.R. in this case.

MJ: Well not--to the extent C.R. testifies, that's res gestae of the offense against her.

ADC (LCDR MIHILL): She can testify--testify about her perceptions in that moment, yes, Your Honor.

MJ: Fair enough. Okay.

ADC (LCDR MIHILL): But to--to draw--

MJ: But to use that to show something else, you object to.

ADC (LCDR MIHILL): To use a--to use a witness statement from a--from an uncorroborated, unadjudicated, preservice, multiple years ago one-off statement about an evil grin to tie those two things together to--to demonstrate motive, intent--

MJ: I understand.

ADC (LCDR MIHILL): --whichever ones the government has lumped together here, that--that simply should not be the case.

MJ: I understand your argument.

ADC (LCDR MIHILL): And we've laid those out fairly well in the motion.

One area that I--that is not well laid out is the--the--the factors--the *Reynolds* factors for the alleged broadcasting and recording of K.M.B. I'm happy to talk about that if the court would like me to--to talk about that.

MJ: Please proceed.

ADC (LCDR MIHILL): Turning to prong one of *Reynolds*, there--there is statements made. There is things that were said. However, the government really can't prove that--that it actually happened nonconsensually; can't prove that a crime happened or something like that.

They--they can point to the--the statements that--the statements that were taken; however, there's--

MJ: So, are you talking about the alleged broadcast of--of the alleged sexual encounter that--that they can't prove that the broadcast happened?

ADC (LCDR MIHILL): The--the--so I'm talking about the K.M.B. allegation from Oak Harbor preservice, Your Honor.

MJ: Okay. Understand. Never mind. Got it.

ADC (LCDR MIHILL): Preservice.

MJ: Got it.

ADC (LCDR MIHILL): Not the--not the S.--

MJ: I understand.

ADC (LCDR MIHILL): --S.S. allegations.

So, the preservice allegations that were investigated, phone extractions were done, witnesses were talked to, and ultimately nothing happened. So that--that is--that is where we are. So, to the extent that there was never probable cause and there was never

charges, government will have--they can't get past prong one of *Reynolds* for that.

Turning to the logical relevance here, they cite this--this preservice--alleged preservice recording as evidence of a common scheme, knowledge or intent, but that's all they do is allege these words.

They point to similarities, but they don't link a--they don't link a mental state. They don't link a--they don't link any of these things that you're required to do under intent or motive. It's not simply enough to say this is kind of like that; therefore, he knew this was wrong then. That's propensity and that's what we're--that's what the court needs to guard against.

And then finally, prong three, the prejudicial value of this is substantially outweighed--or the probative value of this is substantially outweighed by the danger of unfair prejudice.

What we're talking about is--is an act that there's really no strength that it's ever been--that it--there's no strength of proof there. The probative weight--it's a different encounter, a different person, different time, different conditions.

As the court points out, this--this is gonna lead to an unnecessary distraction to the fact finder because the government's gonna have to bring this person in here to say that these things happened and then surely, we are going to--to put on a case to rebut

this because our position is that it's--it's not relevant here nor needs to be proven up.

The time to prove it is buried in those--those witnesses and the necessary time to--to prove that--to attempt to prove that up.

Temporal proximity--not there. This is more than two years ago. Frequency--this is--this is one time that we're talking about. Intervening circumstances--we're talking about high school graduation, Navy boot camp, leaving town, living on your own, deployment abroad; that there's--these two things couldn't be further removed from each other.

And lastly, the relationship between the parties. We're talking about kids in high school and we're talking about a young lady who--who was hiding from her parents by her own admissions within the evidence the court has, who didn't want her parents to know what was going on, who--who--who may--or actually may not have lined up with who she believed herself to be. She's got incredible motive to fabricate these allegations.

And to use them now to prove up common scheme, knowledge or intent for an offense that happened two years later in a country far, far away, simply, the prejudice is entirely too high for any probative value I would say, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): That is the extent that I needed to comment on any of these--

MJ: Thank you.

Commander Serfess, you want to talk about the 413 issues?

DC: Just briefly. I mean, same, same. I mean, we--we--we've laid this out very clearly in--in our motion, and I think the 403 balancing test really speaks to this.

Yes, I understand it was just a few years ago, but it is when Seaman Copeland was a child. And so, the court should really consider that; of having a trial within a trial in this court-martial about, you know, juvenile offenses and how much weight that should really be given or how much value it has to any of the charged conduct that occurred after he joined the Navy and after he was an adult.

And the--it--I mean, the case law says that. The court should consider the fact that somebody was a child, and it is going to create a trial within a trial and have us call at least one extra witness but potentially an expert to speak to, you know, the mindset, you know, of--specifically of a child.

And we layout our defenses pretty clearly in our motion; that there are defenses here and the court has to consider that when considering the value of 413 evidence, Your Honor.

MJ: Okay. Thank you.

Government, you've got the burden, so I'll give you the last word on 404, 413.

ATC: Yes, Your Honor. Just one point on 404(b) with respect to K.M.B., who is a separate high school victim. The government does not intend to admit evidence of the underlying sexual encounter between the accused and K.M.B., merely the fact that he was under investigation, investigators were seeking his cell--cell phone, and that he hid that cell phone from investigators and it was never recovered. Just as it relates to his--the charged misconduct of hiding the cell phone with CSN--CSSN S.S. and with CS3 A.R. as well, Your Honor. And that's laid out in our motion as well.

MJ: So--so--and I read your motion. I understand. I--but I guess the--the point is that you're seeking to only admit that evidence that he was under investigation.

And how would--how would that play in front of the members if there's--there's this investigation on him and we're not gonna tell you what that's about, and during the investigation he allegedly hid his cell phone, and you should use that to show that he hides cell phones?

ATC: Yes, Your Honor. I understand your concern with that, but the probative value of that evidence is, again, just extreme, right?

We have two charged instances of him of hiding a cell phone with a semi plausible excuse both times. This just undermines--or,

sorry, undermines those excuses and proves that he intentionally hid his phone. This would be the third time that he had done that.

A limiting instruction could be given, Your Honor, to--to make sure the members do not read into what that investigation may have been in to.

MJ: Okay. I understand now.

ATC: Thank you, Your Honor.

MJ: Okay. Thank you.

Okay. Again, I will, you know, continue to consider the well-crafted motions by both parties and the evidence you presented, and I will issue a ruling in due course.

I'm ready to move onto the next motion unless we want to take a health and comfort break.

DC: The defense would really like a health and comfort break.

MJ: Okay. It is 1035. Let's come back at 1045.

Ten minutes enough time?

DC: Yes, sir.

MJ: Okay. Court's in recess until 1045.

[The Article 39(a) session recessed at 1038, 10 December 2025.]

[The Article 39(a) session was called to order at 1052, 10 December 2025.]

MJ: This court is once again called to order. All parties present when the court last recessed are once again present.

Okay. During the break, the parties let me know that we'd like to take up the motion to suppress the search and seizure of the appellant's phone, statements he made, and the search of his barracks, so we'll take that up next.

So first is--well--well, government, do you have a preference which order we take these in?

TC: No, Your Honor.

MJ: So, let's take up the motion to suppress the phone--the search and seizure of the phone. The government--the defense filed that in Appellate Exhibit XXVIII and submitted enclosures in Appellate Exhibit IX.

And then the government responded to all of the government--all of the defense's motions to suppress in Appellate Exhibit LVIII, with enclosures in LIX. So those are all appended to the record. We'll take that up now.

Government, you bear the burden, correct?

TC: That is correct.

MJ: Defense?

DC: So, I know that government's gonna call witnesses. We just plan to ask them all the questions though for all of the suppression motions, or do you want us to--

MJ: No. I think for judicial economy that makes sense.

DC: Okay.

MJ: Government, are you prepared to do that?

TC: Yes, Your Honor.

MJ: Okay. So--so I guess what you're telling the court is that these witnesses are relevant to suppressing the phones, suppressing the barracks--some may be--be relevant to each of the suppression motions; is that right?

DC: That's correct.

MJ: Okay. Then no need to call them more than once. Let's--let's take care of all the questions you have for each one while they're on the stand, okay?

TC: Yes, Your Honor.

MJ: Government, you have evidence.

TC: Thank you, Your Honor.

The government calls Special Agent Jessica Gokey.

MJ: Very well.

**SPECIAL AGENT JESSICA GOKEY, NAVAL CRIMINAL INVESTIGATIVE SERVICE, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Can you please state your full name and spell your last name?

A. Jessica Gokey, G-O-K-E-Y.

Q. And what is your current city and state of residence?

A. Virginia Beach, Virginia.

Q. What is your current occupation?

A. I'm a special agent with NCIS.

Q. And how long have you been a special agent with NCIS?

A. I was hired in March 2022.

Q. Do you have any prior law enforcement experience outside of NCIS?

A. Yes.

Q. What is that?

A. I was on active duty as a master-at-arms for eight years, and then I went into the reserves as a first-class master-at-arms.

Q. Can you describe for the military judge a little bit about your law enforcement training and education that you've received?

A. Yes.

So along with the military side of the training that I've received, I've also received professional training through FLETC, which is the federal law enforcement training center in Glynco, Georgia. That's approximately 900 hours worth of just basic agent training where I train in law, evidence, and how to do my job properly. I also have advanced training in ICAC related aspects of my job.

Q. Okay. And--so I want to draw your attention to the case of *United States v. Copeland*. What is your role in this case?

A. I'm the case agent.

Q. Okay. And you're the case agent specifically involving the--the cases--well, let me draw your attention to the case involving Seaman Copeland and Petty Officer Resendiz.

A. Yes.

Q. Okay. Now, how did you become involved in this case?

A. On the 31st of June of this year, I was the duty agent, and I received a phone call from the SSA, who was the--in charge of well. And he called me that afternoon around like 1500-ish, and he had briefed me on the day's previous events involving two missing sailors from the base.

MJ: Special Agent Gokey, you--

WIT: Yes?

MJ: --you said 31 June. Is--you mean 31 May?

WIT: Yes. I'm sorry, yes.

TC: Thank you.

WIT: Thank you.

So that day, I received the phone call from Agent Miller. He back-briefed me a little bit on, you know, what happened previously before, and let me know that Mr. Copeland had come back; however, Ms. Resendiz was still missing.

And at that point, he asked me to come meet him down here on base, and we were actually gonna go talk to Mr. Copeland.

Q. Okay. Does NCIS investigate missing persons?

A. Yes.

Q. Okay. Now, did you have an opportunity on the 1st of June to speak with Seaman Copeland?

A. I did, yes.

Q. And where did that conversation take place?

A. In the X-2 barracks.

Q. Okay. And what, if anything, did Seaman Copeland tell you on the 1st of June?

A. He told me that him and Ms. Resendiz had made plans to, you know, make tacos. And they had been texting that, you know, Mr. Copeland was gonna go grab the ingredients to make those tacos and Ms. Resendiz was gonna be picked up by Mr. Copeland, brought back to his barracks, and they were gonna cook dinner and hang out together.

Mr. Copeland stated that they were, you know, listening to music and just having a good time. He stated that throughout the night, that Ms. Resendiz had some confrontations with some ex-boyfriends; that she had texted one of them "fuck you," and that kind of started, you know, this emotional rollercoaster of what she was on is how Mr. Copeland was essentially describing it. She called

a couple other ex-boyfriends and just continued to have those conversations.

Mr. Copeland stated that eventually he had just gone to sleep. And then whenever we asked him some clarifying questions--you know, like had you-all had any sexual relations or any romantic relations that night, Mr. Copeland stated, no, they did not. They did not have a relationship like that.

We asked Mr. Copeland what happened, like, the next day, and Mr. Copeland had stated that he had used one of his roommate's vehicles to take her back to her barracks on Miller Hall, which is on base as well, at approximately 10 a.m.

Q. Okay. And so that was the 1st of June, correct?

A. Correct.

Q. Now between the 1st of June and the 3rd of June, did your investigation continue?

A. Yes.

Q. Okay. And just kind of give me some wave tops of--of what NCIS was doing to try to find Petty Officer Resendiz.

A. Yes.

So, we were pinging phones--her phone. We were pinging her phones. We were doing emergency orders to financials. We were calling friends, family. We were doing a lot of interviews and pulling anybody in who may or may not have seen her. We were

receiving tips, so we were running those down. We were just attempting to track her last whereabouts at that point.

Q. Okay. And were those tips--tips of people who said they had seen her recently or things of that nature?

A. Correct, yes.

Q. Okay. Now a decision was made to reinterview Seaman Copeland on the 3rd of June; is that correct?

A. Correct.

Q. All right. And what was the--the purpose of that interview to--when you interviewed Seaman Copeland on the 3rd of June?

A. It was to clarify some discrepancies that had been brought up by talking to other individuals who were around.

Q. What were some of those other individuals?

A. Mr. Copeland's roommates.

Q. Okay. And what, if anything, did they tell you that was of interest?

A. So, the biggest thing would have been the three roommates had told me at that time that when they had left that morning, approximately 7:00 to 7:30 in the morning, that there was a woman. They did not know her name or couldn't really give much of a description except she had darker skin and darker hair; who was laying on the floor with her breasts out exposed. And that

Mr. Copeland was laying on her naked kind of on her hip, stomach area.

Q. Okay. Now when you--so on the 3rd of June, when you interviewed Seaman Copeland, did you think you were interviewing him in the course of a murder investigation?

A. No.

Q. Why not?

A. I had no reason to believe. I had no reasonable suspicion or probable cause to assume that something terrible had happened to Ms. Resendiz.

Q. Okay. Was the purpose you were just trying to find her?

A. Correct.

Q. Okay. Now, let's talk about how Seaman Copeland--like when he arrived at your interview. Did that interview take place at the NCIS field office here on Naval Station Norfolk?

A. Yes.

Q. Okay. And prior to him arriving to that June interview, did you obtain his iPhone 15?

A. I did, yes.

Q. And how did you obtain his cell phone?

A. So myself and a few other agents had gone to his barracks room to execute a command authorized search and seizure, a CASS, to

search the barracks room for anything related to an--Ms. Resendiz, excuse me, or her herself.

So, whenever we arrived, I had three of my REACT members call everybody out, which is protocol for us to make the room safe and secure for us to go in and search. Everybody was called out, to include Mr. Copeland. He answered the door, he was taken back, and he was given to one of our investigators who--and he was promptly put in handcuffs for our safety. He was--you know, basic weapons search.

Then we pulled out all three of the roommates and they were all placed into handcuffs as well. And then we also found another young lady there, Ms. Cook, who we also pulled out. She was not placed into handcuffs, but she was physically restrained on the side of the room--or excuse me, the side of the hallway while my guys went in and cleared and made the room safe.

Once the room was determined to be safe, we allowed our NCRT team or our forensics team to go into the room and to begin their search based off of my CASS.

I then went to Mr. Copeland. I reintroduced myself. I also introduced Special Agent Duffy. And then I explained to him, you know, kind of what was going on; that I had that CASS, and that we were going to be searching the room; and that in the meantime, we are gonna take him down to my office here on Norfolk and have a talk if he chooses to do so.

Q. Okay. And so, at that time, did you seize his iPhone 15?

A. Correct, yes. So, it was found during the safety search.

Q. Okay.

A. The search of his person.

Q. And did you seize it based on probable cause?

A. Yes.

Q. Okay. And what facts led you to believe there was probable cause to seize his phone?

A. The previous conversation that I had had with Mr. Copeland he had stated that he had, you know, text messages between them; that he had spoken to Ms. Resendiz. And then also just in my training and knowledge I know that iPhones or phones in particular are always tracking our location, so I was working under, you know, what he had previously told me; that he had actually dropped her off. And so, I kind of--I wanted to see that.

Q. Okay. All right. Now let's talk about the interview itself. So before asking any substantive questions of Seaman Copeland, did you advise him of his Article 31(b) rights?

A. Yes.

Q. And what--and while you were explaining those rights to him, was he able to communicate with you clearly?

A. Yes.

Q. Did he appear to understand those rights?

A. Yes.

Q. Did he, in fact, tell you he understood those rights?

A. Yes.

Q. And what indication did you have that he understood what you were talking to him about and that he understood his rights?

A. Yes. So, the way that I specifically read rights, I read them in a way that I have since I was an MA. There's--I read the top paragraph to the individual who I'm speaking to, and then I read the rights themselves, the one through five.

I ask them multiple times, "do you understand. They either say yes or no. If they say no, I explain further. If they say yes, I have them initial next to that line and I explain to them you're not waiving your rights at this time. This is just letting me know and everybody know that you fully understand what I just read to you.

Once we get done to number five, I usually say words to the effect with--you know, do you understand these again, do you have any more questions. They say yes or no; we proceed forward.

I asked Mr. Copeland, you know, with your rights in mind, do you wish to have this conversation with me or proceed to have this conversation with me, words to those effect. He said yes, I'll talk. So, then I have--I have Mr. Copeland and everybody else I speak with read out the bottom paragraph.

And the reason why I do that is just so I can gauge, you know, their--their--use of their English language. Like, can they read it? You know, I can, you know, base my questions off of the way that they read it. I can see if they're nervous or not as well.

Q. Okay. And so, based on your assessment, did--did it appear that Seaman Copeland understood the rights advisement you provided him?

A. Yes.

Q. Okay. Now let's talk a little bit about the--the duration of that interview. Is it fair to say the interview was about 3 hours and 17 minutes long?

A. Yes.

Q. Okay. And it began sometime between 9:00 and 9:30; is that fair?

A. That's fair.

Q. Okay. And during that interview, did you allow Seaman Copeland to take breaks?

A. Yes.

Q. And did you--do you provide him with water?

A. Yes.

Q. Do you provide him with food?

A. Yes.

Q. Did he ever tell you he was unable to continue the interview?

A. No.

Q. Did he ever appear disoriented during the interview?

A. No.

Q. Did he ever appear too tired to continue?

A. No.

Q. Did he ever tell you he was too tired to continue?

A. No.

Q. All right. Now while--you mentioned in the beginning that there was a--a command authorized search and seizure going on at Seaman Copeland's barracks room on the night of 3 June, correct?

A. Correct.

Q. And was that going on at the same time your interview with Seaman Copeland was going on here on board Naval Station Norfolk?

A. Yes.

Q. Now we'll--at some point, you know, through the course of the--your investigation or NCIS's investigation, it was determined there was a presumptive positive field test for blood found in Seaman Copeland's closet in his barracks room, correct?

A. Correct.

Q. Now, did you learn about this during the interview or after?

A. After.

Q. Okay. Now let's just briefly talk about that presumptive positive test. It's--I think the proprietary name is a Hemostick; is that correct?

A. Correct.

Q. And can that field test ever give false positives to your knowledge?

A. Yes.

Q. Can that field test ever tell you whose blood--if it is blood--whose blood it is?

A. No.

Q. Okay. All right. Now, going back to the interview on 3 June with Seaman Copeland, did he provide you with oral permission to search his iPhone 15?

A. He did, yes.

Q. And so, you--you asked him for permission to search, correct?

A. Correct.

Q. And he responded, yes?

A. Yes.

Q. Did he also provide you with his passcode?

A. He did, yes.

Q. And was it the correct passcode?

A. It was.

Q. During the--now you did present him with a written consent form, correct?

A. I did.

Q. And did he sign that written consent form for the iPhone 15?

A. No.

Q. Okay. But at the--did he ever tell you though don't search my phone?

A. No.

Q. Did he ever tell you I revoke my consent?

A. No.

Q. Okay. Now, let's talk a little bit about--now let's go from June 3rd to June 6th. In that time--sorry. Back up.

So, after the interview concluded with Seaman Copeland on the early morning hours of the 4th, did you take him back to his barracks room?

A. Yes, I did.

Q. Okay. And after that search was complete, did you release the scene back to Seaman Copeland?

A. Yes.

Q. Now the next day, so on that--the day of the 4th, did you start the process to obtain a command authorized search and seizure for Seaman Copeland's iPhone 15?

A. Yes.

Q. And did you present that on the 4th or the 5th to the commanding officer of Naval Station Norfolk?

A. I believe it was the 5th.

Q. Okay. And was that CASS approved?

A. Yes.

Q. Okay. And is that the basis for which Seaman Copeland's phone was searched?

A. Correct.

Q. All right. Now let's talk about the 6 June interview. Did NCIS interview Seaman Copeland again on 6 June?

A. Yes.

Q. Did you conduct that interview?

A. I did not.

Q. Okay. Did you, however, provide the materials to those interviewers prior to their interview with Seaman Copeland?

A. Yes.

Q. Now at the time you complied those materials and I guess prebriefed those interviews, did you suspect Seaman Copeland of murder?

A. No.

Q. Why not?

A. I still at the time did not believe I had enough evidence.

Q. Okay. Would you consider him a person of interest?

A. Absolutely.

Q. Okay. Now for context, at the time of the interview on 6 June, had Petty Officer Resendiz's body been found?

A. No.

Q. Had USACIL provided DNA results for the blood found in the closet?

A. No.

Q. Had USACIL provided DNA results for the blood in the stairwell?

A. No.

Q. And were you still pursuing leads that she could possibly be alive?

A. Absolutely.

Q. All right. One moment, Your Honor, if I may.

All right. And with regard to that 6 June interview, did you remain at that interview, or did you go to leave to do something else?

A. I left.

Q. Okay. And with regard to the presumptive positive--or the--the blood found in Seaman Copeland's closet, was it of an amount that was significant to you at all?

A. No.

Q. And in--in what way? Was it--

A. There was obviously enough there to be tested and to be seen; however, it wasn't enough that would--I would think that a reasonable person could have been deceased from it. It wasn't enough.

TC: Okay. No further questions, Your Honor.

MJ: Thank you.

Defense counsel, cross-examination?

DC: Yes, Your Honor.

**CROSS-EXAMINATION**

**Questions by the defense counsel:**

Q. So, I just want to talk to you a little bit about the day that you searched and interviewed Seaman Copeland. So that day you got a CASS, the 3rd of June?

A. Correct.

Q. And you wrote the affidavit?

A. Yes.

Q. And you drafted the--the CASS?

A. Yes.

Q. And the CASS states that you were authorized to search in the case of United States v. Angelina Copeland but that was a typo, right?

A. Right.

Q. Okay. Then the affidavit states that--facts in the criminal investigation into United States v. Angelina Resendiz.

A. Correct.

Q. Okay. And so, in the affidavit you describe facts that lead you to believe that you would find evidence of a crime.

A. Yes.

Q. Specifically, evidence of unauthorized absence.

A. Yes.

Q. And then the items that you were authorized to search for were in the affidavit.

A. Yes.

Q. Because earlier you just testified that you were looking for any evidence of--of Resendiz, but that's not what the--the CASS authorized, right?

A. Fair.

Q. There was a list of items that you guys were authorized to look for.

A. Yes.

Q. Okay. For instance, used condoms.

A. Correct.

Q. So, can you explain to the court how a used condom would be evidence of an unauthorized absence?

A. Well, at that point, we were operating under what your client had said earlier; that him and Ms. Resendiz did not engage in any romantic or sexual relations. I was still kind of operating under the assumption that perhaps Mr. Copeland did know where she was or had, you know, dropped her off somewhere else at that point.

So, with her being, you know, still gone and him saying they've never engaged in any sexual encounters and then with the roommates saying that, you know, they saw presumptually[sic] Ms. Resendiz or just a--a female with their breasts open--or, excuse me, exposed and him being naked, I--we could surmise that perhaps, you know, there may potentially be the crime of sexual assault at that point or anything else along those lines.

That's why we were looking for potentially, like, used condoms or any signs of maybe some sexual activity.

Q. So, again, unauthorized absence though. How would the used condom be evidence of unauthorized absence? I'm just trying to--you know, there needs to be a nexus between the items that you were looking for and the crime that you suspect the person of doing.

So, at this--according to this, you--it's confusing because there's some typos. You either suspect Seaman Copeland or Seaman Resendiz of unauthorized absence, right?

A. Both.

Q. Both of them. Okay.

Explain the nexus between a used condom and unauthorized absence for the court.

A. That's the best explanation I can give to you at this moment, ma'am.

Q. Okay. And if you did find--why did you think that you would find a used condom?

A. Like I said earlier, your client said that there's no sexual activity. The roommates somewhat give me a little bit more that there may have potentially been, so that's why we were looking for that.

Q. Is the--this--the standard for probable cause is a reasonable belief that you would find the thing that you're looking for in the place that you're looking for it at, right?

A. Um-hmm.

Q. So, he says that he didn't have sex with her. The roommates say that they saw her in some sort of disrobe. What made you believe that you would find a used condom in the room?

A. Just in my training and experience I have investigated numerous sexual assaults or sexual contacts. I just know at most times that sometimes we are gonna find pieces of evidence, to include condoms and condom wrappers.

Q. Okay. So, let's--let's talk a little bit about the search that was actually conducted. So, you weren't there.

A. Correct.

Q. But you briefed the agents who were--who were gonna conduct the search before they went.

A. Correct.

Q. And you told them what the CASS authorized and to search for.

A. Yes.

Q. And you would agree they weren't supposed to be searching for anything belonging to Resendiz. That there was a limit to the CASS, which was the list--the things that were listed in the--the affidavit.

A. Things listed in the affidavit, yes.

Q. Okay. So, did you know that they were gonna use electronic detection storage device dogs?

A. Yes.

Q. You did know that?

A. Um-hmm.

Q. Anywhere in the CASS authorize that?

A. No.

Q. Okay. And did you know they were gonna use Bluestar?

A. Yes.

Q. And was there anything in the CASS that permitted that?

A. We were searching for DNA and blood, and that is a tool we use to find that.

Q. Anything in the CASS authorizing the use of Bluestar?

A. No.

Q. Did you know that they were gonna use cadaver dogs?

A. I knew we had one on scene.

Q. And was there anything in the CASS that permitted them to look for cadaver dogs?

A. No.

Q. And I don't know a lot about cadaver dogs, but they're looking for a cadaver, which is another word for a dead body, right?

A. That is a question beyond my scope. I do not know the answer to that.

Q. Okay. But you would agree that the word "cadaver" means dead body.

A. Well, that's not--I believe--again, I believe that's not their actual title as that K9. I could be wrong.

Q. Okay. What did you think--I mean, it wasn't in the CASS, so you didn't write it in the CASS. Did--did you--and you knew they were using the cadaver dogs. What did you think that the cadaver dogs would find that would be evidence of an unauthorized absence?

Q. At that point, with the use of that specific K9, they were a tool that was presented to us. We had multiple agencies and multiple

individuals throughout the entire state say, hey, do you need us, do you want to use us, because that--our K9s, our Bluestar, the Hemosticks--they're all tools that we have in our tool belt that we can use. And so, they were there, they offered their service, and we took it upon ourselves to use them.

Q. Well, that didn't answer my question. What evidence of unauthorized absence did you think the cadaver dogs would--would find?

A. Any--I don't know exactly what all they hit on so, again, that would be out of my purview. Or excuse me, signal on.

Q. Okay. So, when you showed up to Copeland's room for the search, that's when you took him to the interview room.

A. Yes. We got him out of the room and then I, along with a couple other agents, took him to U-40.

Q. Okay. And you arrested him, essentially.

A. He was detained.

Q. And you searched him.

A. Correct.

Q. Put him in cuffs.

A. Correct.

Q. Put him in the back of your car.

A. Correct.

Q. And seized his phone.

A. Correct.

Q. And you seized his phone because you believed that you had probable cause to do so.

A. Correct.

Q. But you didn't have a CASS.

A. Not at that moment.

Q. So, what gave you the authority to seize his phone at that time?

A. If I have reason to believe that there is evidence or fruits of a crime on any piece of electronic, I am authorized to seize it and place it into either our evidence facility or hold onto it until a point whereas I can apply for a CASS or a warrant and then I can execute the actual search of that device.

Q. So, you believe that you do not need a CASS or a warrant to seize somebody's property.

A. Correct, if I have probable cause to believe that there is evidence on there.

Q. And you had probable cause or you believe that you had probable cause to seize his phone before you even got to his room, right?

A. Correct.

Q. But you didn't ask for a warrant when you were submitting the CASS to the CO for the room. You didn't ask for a warrant for Seaman Copeland's room--I mean for Seaman Copeland's phone.

A. Not at that moment. My priority was getting into that room.

Q. Okay. So, I'd like to talk a little bit about the interview with--with Copeland. So, you read him his rights and told him that he was suspected of violating Article 86, unauthorized absence, and a violation of Article 107, false statement, right?

A. Correct.

Q. And you did not provide him any cleansing warning for the previous times he was questioned, right?

A. Correct.

Q. And you suspected him of being UA but not at that moment, right?

A. No, because he had been found.

Q. Okay. And this is for the three days that he was--didn't come to the ship.

A. Correct.

Q. What statement did you suspect was false at that time?

A. The--him and Ms. Resendiz engaging in any sexual activity or romantic activity.

Q. And why did you think that was false?

A. Just based off of the roommate's testimony previously about her--presumptuously her, excuse me, being half naked on his floor.

Q. Okay. And you would agree that the purpose of the rights advisement is to, like, orient the suspect, right, to what--what you're about to talk about?

A. Absolutely, yes.

Q. Okay. But then during the interview you tell him that NCIS doesn't investigate unauthorized absence.

A. Essentially, we don't.

Q. Okay. And you don't, at the time, suspect him of a homicide or a kidnapping or harming A.R. in any way.

A. No.

Q. So why did you read him his rights then? If NCIS doesn't investigate unauthorized absence and you don't suspect him of--of hurting A.R., why do you even read him his rights?

A. I was gonna ask him incriminating questions. And in--the in--let's say if Ms. Resendiz had shown up and she was unharmed and she was okay, the conversation that me and Mr. Copeland had about his unauthorized absence, I could have been able to turn over to command so then they could have used that as evidence against him for his unauthorized absence.

So, if I'm asking any sailor any incriminating question, I'm obligated to read them their rights prior.

Q. Did you interview a CSSN Richardson as part of this investigation?

A. I believe so. I don't recall exactly who all I interviewed on that.

Q. She is an alleged victim on the domestic violence case, right?

A. Yes.

Q. And you interviewed her.

A. Correct, me and another agent.

Q. And you did not read her--her rights; and during that interview, you told her that you weren't reading her rights because you weren't gonna use any of this against her in the conduct that she was suspected of, right?

A. Correct.

Q. So, during the--the interview, there were times where you and Special Agent Duffy leave the room.

A. Yes.

Q. But there's a camera feed and you guys can see the other end of that camera outside of the--the room, right?

A. Yes.

Q. And did--so did you--you were able to see--or somebody was keeping an eye on Seaman Copeland during those times.

A. Correct.

Q. And he was sleeping during those times, right?

A. His head was down.

Q. You could--did you hear him snoring?

A. I did not. I was in a different room.

Q. And during that interview of Seaman Copeland, you found out that one of the cadaver dogs signaled on a backpack?

A. Correct.

Q. But you still didn't suspect him of harming A.R.

A. Nope.

Q. So, we talked a little bit about the--the verbal consent and then he did not want to sign the--the written consent.

A. Correct.

Q. Then later on in the interview you asked him to consent to a search of the--the barracks.

A. Correct.

Q. And he does that.

A. Yes.

Q. And then you re-ask him if he would like to consent to the search of his phone.

A. I believe Agent Duffy asked those.

Q. Um-hmm.

A. But on the PASS, we had the backpack, the barracks, and the iPhone.

Q. Well, that's not what it says, but--so--but he; wouldn't sign the consent form for his iPhone 15.

A. For the first PASS.

Q. That's correct.

A. No, he did not.

Q. And then when you get back to the room, you take him with you, right, to his room?

A. Correct.

Q. And you didn't hear when he asked to have his phone back?

A. No.

Q. Did Special Agent Duffy ever tell you that he asked for his phone back?

A. I don't recall her saying that to me.

Q. Okay. Hold on one second.

A. Um-hmm.

Q. Do you recall what day you gave the--the phone to the digital forensics?

A. I believe it was on the 4th.

Q. Okay. So that--that same day.

How did you know that the passcode was correct?

A. We checked it.

Q. And did you put the phone in airplane mode?

A. Absolutely.

Q. And what material did you give to the agents for the 6 June interview?

A. Every morning prior to us breaking out into our groups to continue on with the investigation, we would do a big brief in the morning, so they knew about everything that had been happening prior to. I gave them a copy of the previous interview with your client, and then I just spoke with them in person.

Q. Okay. So, before you interviewed Seaman Copeland on even the 3rd, you had a conference about what to notify him of, right?

A. Yes.

Q. And OSTC, the--the trial counsel, were present at that?

A. Correct.

Q. And then--so just tell me about how you guys decided to read him his rights for UA and false official statement.

A. If I recall correctly, I was talking with Commander Mayo and Lieutenant Commander Dempsey, along with another previous OSTC who has since left, and, again, if I was gonna ask him any incriminating questions about him being absent from his command those three days--you know, I was gonna ask him where were you, items like that--I had to read him for that specifically. And then also we came to the conclusion also with the 107 like I gave earlier.

Q. And during the interview, the trial counsel were also there to consult with during the--the interview.

A. Yes.

Q. And at no time did--you know, with the signaling of the cadaver dog and the search of the room, at no time did anyone decide that--that they should read him his rights for a homicide or a kidnapping or in any way harming A.R.?

A. No, that would have been premature.

DC: No further questions, Your Honor.

MJ: Government, do you have any redirect for Special Agent Gokey?

TC: Yes, Your Honor.

**REDIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. All right. Special Agent Gokey, I just, like, want to ask you a few questions in response to some of the questions that defense talked to you about.

Let's talk first about the purpose of this investigation at the onset, so starting on 31 May of 2025. What was the purpose of this investigation?

A. We had two missing sailors.

Q. Okay.

A. And one had been found at that point. The other one was still missing.

Q. Okay. And was it important to your investigation to understand the relationship between the parties involved?

A. Absolutely.

Q. Was it important for your investigation to know the relationship between the missing sailor and the last person that she had that--that had seen her alive?

A. Yes.

Q. And would knowing if the two were in a romantic relationship be important to your investigation?

A. Yes.

Q. So, would knowing if the two had a sexual relationship--like a romantic relationship rising to a sexual relationship be important to your investigation?

A. Yes.

Q. Okay. So--so talking to--like, directly speaking to the--the condoms listed--the used condoms or wrappers in the CASS. Finding those used condoms in a room would be helpful to your investigation?

A. Yes.

Q. Okay. Defense asked you about the use of Bluestar and whether or not that was covered by the CASS. Do CASSs detail the tools that you may use to conduct your search?

A. No.

Q. So, would a CASS ask you--or would a CASS tell you that you could use a magnifying glass?

A. No.

Q. Would a CASS tell you that you can use a camera?

A. No.

Q. Would a CASS, you know--so this CASS authorized you to look for DNA, correct?

A. Correct.

Q. And what--and Bluestar illuminates blood; is that correct?

A. Blood and unfortunately other items as well.

Q. Okay. So, would the use of Bluestar help further--help you find items listed in Attachment (b) of that command authorized search and seizure?

A. Yes.

Q. Okay. Let's talk about the use of a cadaver dog. Do you--what is the--what is the purpose of--of a cadaver dog?

A. From my vague understanding, they hit on--excuse me--they signal on specific odors to include decomp.

Q. Okay. And is it--is it fair to say that if someone committed suicide in the--in that room that the cadaver dog might alert?

A. Potentially, yes.

Q. Okay. And the cadaver dog did alert to an item in that room, correct?

A. Correct.

Q. And was that item ultimately searched?

A. Yes.

Q. And what was that item?

A. It was a backpack with some personal belongings of Mr. Copeland's.

Q. Okay. Did--was anything of evidentiary value found in that book bag?

A. No.

Q. Okay. All right. One moment, Your Honor.

All right. The last thing I want to talk to you about is defense asked you about whether or not NCIS investigates unauthorized absence. Earlier you said NCIS does investigate missing persons investigation--or does missing person investigations, correct?

A. Correct.

Q. Now when a--when a service member is a missing person, is that a UA?

A. Technically, yes.

Q. Okay. And so, in this case you were searching for a service member, correct?

A. Correct.

Q. And so, in this case you were investigating UA.

A. Yes.

TC: Okay. No further questions, Your Honor.

MJ: Defense, recross?

DC: No, Your Honor.

MJ: Okay. Is Special Agent Gokey subject to recall?

TC: No, Your Honor.

MJ: Okay. I don't have any questions for you, Special Agent Gokey.

You want--you want her subject to recall?

DC: Yes, Your Honor.

MJ: Okay. So, Special Agent Gokey, I'm gonna temporarily excuse you from these proceedings. But while the proceedings last, please don't discuss your testimony with--with anyone except the counsel involved and just be available to--be on standby if you need to be recalled, but you can step down. Thank you.

WIT: Thank you, Your Honor.

[The witness was warned, excused, and withdrew from the witness stand.]

MJ: Trial counsel, additional evidence on this motion--on these motions?

TC: Yes, Your Honor.

The governmental next calls Special Agent Danielle Ortiz.

MJ: Very well.

**SUPERVISORY SPECIAL AGENT DANIELLE ORTIZ, NAVAL CRIMINAL INVESTIGATIVE SERVICE, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Can you please state your full name and spell your last for the record?

A. Sure. My name is Danielle Ortiz, O-R-T-I-Z.

Q. And what is your current city and state of residence?

A. Norfolk, Virginia.

Q. Okay. And what is your current employment?

A. I am a supervisory special agent at NCIS.

Q. How long have you been with NCIS?

A. Since 2011.

Q. Okay. Do you have any other law enforcement experience?

A. I do not.

Q. Okay. As a supervisory special agent, can you explain to the court what--what that is?

A. Sure. I've been a supervisor since 2023, so I essentially have oversight over the daily duties of our special agents. So, it's their--their actions, their reports, their kind of just day to day on what we do.

Q. Okay. Can you give us a little look into the training and education you've received to be a law enforcement officer?

A. Sure. So, it started with obviously going to the Federal Law Enforcement Training Academy. That was the first thing that we all do. We go through CITP, and then a NCIS add-on.

After that, we go into the field and kind of choose our own paths in terms of what our interests are. So, after that, we are required to take a lot of basic training for our common cases--sexual assault, domestic violence, things like that. So those were all the things I did early on in my career.

Q. Okay. So, I want to draw your attention to the 3rd of June, 2025. Were you involved in the search of--one of the searches--the initial search of Seaman Copeland's barracks room?

A. Yes.

Q. Okay. And prior to conducting that search, can you give us a sense of, you know, the information that you were provided about what the purpose of that--of that search was?

A. Yes. The information that was provided was that Ms. Resendiz was missing for several days and that was kind of it; that she had been seen in that room, and that was kind of it, so not much more.

Q. And were you provided--or were you read what the command authorized search and seizure authorized you to look for?

A. Absolutely.

Q. Okay. Now, before we get into what happened in the room, I want to talk generally about NCIS and their mission to search for missing persons. I guess, does NCIS investigate cases involving missing persons?

A. We do. Missing persons, anyone that's UA has become sort of a huge staple with NCIS in the past two to three years. It even has its own case category now. We have two different case categories.

So typically, we receive calls from command in terms of sailors that haven't come to work or perhaps are experiencing suicidal ideations. After consulting with command, going through a small list of, hey, what actions have you taken, right, it's typically on us to do more law enforcement techniques. So that could be pinging phones, working with local law enforcement, do welfare checks, other sort of local tactics that we could use in terms of where this person last was, things like that.

So, we're doing that, running surveillance, knock and talks, all just for sailors who don't come to work.

Q. Okay. And was that the purpose of this investigation in the beginning?

A. Yes.

Q. Okay. Okay. So--so let's talk--so after you were briefed on what the command authorized search and seizure allowed you to look

for, walk us through how the team conducted the search of that barracks room.

A. Sure. So, we had composed a small team with MCRT members. If you want me to discuss kind of that and--

Q. Sure.

A. Okay. So MCRT is our Major Case Response Team that NCIS has that's composed of people who have certain forensic qualifications.

So, for me, my training, I've been a certified CSI since 2016. I've certified twice through my own accreditation through the IAI, which is the International Association of Identification. I've taken almost every training that's under the sun, forensically, for NCIS.

I've been a forensic associate. I've been a forensic consultant where I ran forensics solely by myself for two years when I was in Okinawa. And then I came here after being afloat and then becoming a supervisor. I was asked to be a team lead based off of my forensic qualifications.

So, it's not normal to have an SSA as a TL from CRT, but because myself and our other TL are also accredited as CSIs, we run the teams here in Norfolk. So, I want to give you that background.

So, I'm CRT--going back to that. We have two teams here. We have Team A, Team B. I run Team A. So, we do anything that has to deal with a team that could do a search, a crime scene. Anything

that's gathering evidence, we're going because we're trained and we always are at the ready, we're on call, and we have the equipment.

So, we started identifying a team of people who could--who were available and who were forensically qualified to go into the room and conduct the search. So, the--the process is the same no matter what.

So, essentially, we get the team together, we do an equipment check, we do a PPE check, and then Jessica, who's the case agent--Special Agent Gokey, sorry--brought us the CASS and so we knew kind of what we were doing in terms of what we were looking for.

We go to the scene, work with the facility manager to get into the room, and all this is documented through notes, right? We have a notetaker. Sorry. I'm not trying to bore you, but I'm trying to give you the background.

So, we have specific roles in terms of a team lead, a notetaker, a photographer, and someone who manages evidence, and some miscellaneous personnel who can either help bag or doing time or just making a log of who's coming and who's going, right?

So, we get to the room, and it's an automatic, okay, we're gonna walk through and we're gonna see what we have. That's always kind of step number one; what equipment do we need, what do we see in terms of that's just out in plain view that we need to process.

Then after that, it's overall photography, so we do everything in situ, which means as it is in place, and then we always do our reminders in terms of if you see anything, raise your hand and we'll come over and take a photograph, right? Don't touch it, don't move it. Meanwhile, we also have a sketcher too. I hate that role so I always forget it. So that person's also taking measurements and things like that.

So, we go through, we identify everything, and then at that point after the overall photography is when we go hands-on. So, if we're going through drawers or looking for things, if you find something that you think is important, the TL will come over and take a look. We'll capture it via photography and decide whether or not we want to take it. That was the process that was done for that room. Standard.

Q. Okay. I still want to talk to you a little bit about Seaman Copeland's closet.

A. Okay.

Q. Did you gain access to that closet?

A. Yes.

Q. And why did you do that?

A. It was part of the CASS.

Q. Okay. And what did you believe you would find inside of that closet that would help you find Petty Officer Resendiz?

A. Well, it was so much I think when we--her--anything related to her is what we were looking for; her personal belongings. That's--that's the short of the question.

However, when we went into the room, he didn't have a lot of things. So, we knew that there could potentially be more in the closet; clothing, electronics, ID, uniforms. I mean, specifically, we were looking for items that people said she had been seen with, and that was, like, number one. Backpack, uniform, things like that, any ID card or room--room key, things like that we were looking for.

Q. Okay. And did you remove all the items that were in that closet?

A. Yes.

Q. Okay. And once you removed the items from the closet, what, if anything, drew your attention?

A. So before, if I can just kind of give you an overview because we were very methodical and there was a--the closet had--so there--there's a break between--there's a threshold where there's like a metal strip and it goes from carpet to tile.

So, the closet--the tile in front of the closet was sticky. So, before we even opened the door, we had assumed there had been something on the floor. Maybe it hadn't been cleaned or maybe it was cleaned. We didn't know. So, we wanted to kind of see what was causing that residue.

So, when we open the closet, it's natural. We went through all the clothes one by one, moved them all out so we could see the bare tile. And it was still just kind of sticky and brown, and so that was kind of, like, what we saw initially.

In the left corner of the closet, there was a small, almost looked like a sticker I think we labeled it as, maybe a clothing tag--something like that just to give people an idea of what it is--that had moisture and it was brownish-reddish in color.

Q. Okay. And what did that indicate to you that it might be?

A. I wasn't sure at the time to be honest with you, and so we decided to test it in addition to testing the sticky residue.

Q. Okay. And how did you test it?

A. We used Hemosticks and swabs. The swabs can't tell us anything. They're just collection and they go into a bag.

So, a Hemostick is a presumptive test that--to get kind of geeky--it just reacts with the peroxide that's in your hemoglobin, right? It's just a field test. It's a small strip, and it gives you a positive or a negative. A negative is no coloring. A positive, you're looking for yellow to green. Green is more positive than yellow, so, yes.

Q. Okay. And--and when you conducted the--the test with the Hemostick on that sticker--

A. Um-hmm.

Q. --what, if anything, did it indicate?

A. It turned green, so it--it was a positive presumptive. So, we tested the tag, and we tested the tile below the tag as well because it had a small sort of partially crusty, partially moisture residue, and so we processed that as well. Also tested positive, and then we collected the dryer part of the residue and put it into a glassine envelope. Small clear bag.

Q. That Hemostick test can't tell you whose blood it is though.

A. No.

Q. Okay. Or even if it really is blood.

A. Correct.

Q. Okay. And can you give the military judge a sense of, like, how much of this brown residue was--was present in the closet?

A. Maybe somewhere--I would say a little bit larger than the size of a quarter or stamp. So, it's a--the best size I can give you is you know the tag in the back of your shirt, that's what it looked like, sir.

MJ: Okay.

**Questions by the trial counsel:**

Q. All right. So, after conducting the--the field test for blood on--on that--on the closet, what's--what did you--what did your team do next with regard to the closet?

A. Well, after--so I just want to make sure that we're talk--all these steps are memorialized through photography. I want everyone to know that, right? Before we touch it, we photograph it. Then we process it, we photograph it. We even photograph the Hemostick, right? I mean, it's super detailed.

So, after we pick it up, we do some more swabs, and then we know we have a presumptive, so the natural progression is to Bluestar it, right? Let's see if we can get it to light up.

Q. Okay. And did you do that in this case?

A. Yes.

Q. What are some of the limitations, if you know, of the use of Bluestar?

A. It--it has to be--I mean, it's also a--it's also a reactive, so you have to have complete darkness. Not--I mean, it's--you can't see--you can't see it. We knew that there was something there because of the presumptive, right? So, after it's applied, it's just--you can't overapply. I mean, that's just kind of one of the--one of the limitations, right? You don't want to saturate it too much. So, we kind of knew that we had only a couple tries to get it, and so we just kind of went for it.

Q. Does it ever react to, like, cleaning agents or things like that?

A. Oh, sure. Yeah. I mean, it's meant to. It's the--so to give you some--some context--I mean, I think everyone understands the sticks. So Bluestar is--it's a tablet that goes into distilled water and it's mixed and it dissolves with that distilled water, and then it's sprayed onto the surface.

So, it's meant to illuminate with the red blood cells in your hemoglobin. However, it can pick up detergent. It can tell you if a place has been cleaned, right? So, it will fluoresce. However, the--the glow is different; meaning if it's bleach, right, it will be a duller glow and it won't last for as long. That's not what we saw.

Q. Okay. So, after finding the presumptive positive with the Hemostick and then the results with the Bluestar, did you think you were investigating a murder scene?

A. No.

Q. Why not?

A. Because it's--one is that you never know what you have, right? You don't--I mean, we're getting these--these field positives, but I also understand that these--it's--it's a field test for a reason because it needs to be processed in a controlled lab, right? So, it's always like we'll take it and we'll let the lab decide, right?

It's also my experience doing hundreds if not thousands of crime scenes that most people that occupy these rooms don't live very

clean and, also, the barracks really aren't that clean either. So, it could have been something that was left over from, you know, prior to when Seaman Copeland lived there. So, we just didn't know.

Q. Okay. Now the--the team also used a cadaver dog, correct?

A. Um-hmm.

Q. Can you explain to me what--what the purpose of the use of that cadaver dog was?

A. So, the cadaver dog was offered as a service for us, right? And so, I didn't want to turn down the service, and I'm never gonna turn down having a dog around, right? So, we offered to have the dog come to the scene and just do a quick run-through before we did--before we processed anything to see if there was any scent or if the dog picked up on anything that would help us in what we were looking for; was kind of just, hey, it's a service that's available so we're--we're gonna take it.

And there really wasn't any reason or suspicion. It was just kind of like if you have a service to offer that can help us with something that we can't see with the naked eye, then we'll take it.

Q. It was a tool that could be used to find Petty Officer Resendiz though, correct?

A. Yes.

Q. And items that she might have had on her possession--

A. Yes.

Q. --or on her person?

A. Yes.

Q. Okay. If something had happened to her.

A. Yes.

Q. Now did the dog provide some alert to an item in Seaman Copeland's room?

A. Yes.

Q. And what was that?

A. The backpack.

Q. Okay. And were you present during the search of that book bag?

A. Yes.

Q. And what, if anything, of evidentiary value was found in the book bag?

A. I mean, it--I think it was his--his gym bag. I mean, he would have to confirm, but it looked as if there was gym items in there if I recall. Like deodorant and maybe some shower materials, so...

Q. And is that a common that--or is it possible for, you know, cadaver dogs and dogs of that nature to hit on items with excessive sweat?

A. Absolutely. It's body odor, so it's a scent. So--and he, you know--he--he kind of gave us an overview saying, you know, the dog has different tiers of--we'll call it hitting, right? So, it can be--a hit would be when the dog lays down, right? A signal could be a spin, right? The dog kind of goes in a circle, right? It shows interest.

And so that's what happened with the backpack. And it turned out--I mean, and he said right then and there, listen, we're in the month of June. It's hot. If Seaman Copeland's wearing that bag walking, you know, around base, it's gonna have his natural scent and his odor on it. And that was what, you know, Andrew explained to us--the dog handler.

Q. Okay. So, the use of the Hemostick and Bluestar and the cadaver dog, although not explicitly listed in the CASS as a tool, did you believe you were authorized to--to use those tools to find Petty Officer Resendiz?

A. Can you repeat the question in a more--

Q. Yeah. Let me--I need to rephrase that.

Are--are the tools that you're able to use to conduct your search ever listed in a CASS?

A. No.

Q. Okay. So, did you feel you were authorized to utilize Bluestar in the course of your search?

A. Yes.

Q. Okay.

A. It was the natural progression of what we were finding.

Q. The same with the Hemostick?

A. Yes.

Q. And the cadaver dog?

A. Yes.

Q. Okay. And at the conclusion of your search, did you release the scene back to Seaman Copeland?

A. Yes.

TC: Okay. One moment if I may, Your Honor?

MJ: Okay.

TC: No further questions, Your Honor.

MJ: Cross-examination?

DC: No, Your Honor.

MJ: Very well.

Subject to recall?

TC: No, Your Honor.

DC: No, Your Honor.

MJ: All right. Supervisory Special Agent Ortiz, thank you for your testimony.

WIT: Thank you, sir.

MJ: You are permanently excused. Please don't--hold on one second. Please don't discuss your testimony with anyone else and while--as long as the trial continues except for counsel involved.

WIT: Yes, sir.

MJ: Thank you very much. You're excused.

WIT: Thank you. Have a good day.

[The witness was warned, excused, and withdrew from the witness stand.]

MJ: Do you have additional witnesses--

TC: One, Your Honor.

MJ: --on this motion?

Okay. Let's take a five-minute health and comfort and then we'll come back and take your next witness.

So, court's in recess until--till five till.

[The Article 39(a) session recessed at 1152, 10 December 2025.]

[The Article 39(a) session was called to order at 1159, 10 December 2025.]

MJ: This court-martial's called to order. All parties present when the court last recessed are once again present.

Trial counsel.

TC: Yes, Your Honor.

The government next calls Special Agent Bee Duffy.

MJ: Very well.

**SPECIAL AGENT BERNADETTE DUFFY, NCIS, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Can you please state your full name for the record?

A. I'm Special Agent Bernadette Duffy.

Q. And spell your last name for the record?

A. D-U-F-F-Y.

Q. And what is your current city and state of residence?

A. Chesapeake, Virginia.

Q. Okay. Are you currently employed?

A. Yes.

Q. Where are you employed?

A. With the Naval Criminal Investigative Service.

Q. And how long have you been an NCIS agent?

A. Approximately six years.

Q. Do you have any prior law enforcement experience?

A. I do.

Q. Tell me about that.

A. I was a member of the Norfolk Police Department for eight years.

Q. Okay. Can you talk to the military judge, like, wave tops of your training and education in law enforcement?

A. Yes. So, I went through the Norfolk Police Academy, where I was a patrol officer for approximately three years and then I became a detective. So, I've been through various specialized training to include interview training, search and seizure training, things of that nature.

Q. Okay. In your capacity as an NCIS agent, have you ever been attached to a ship as the agent afloat?

A. I have, yes.

Q. And which ship was that?

A. The USS Harry S. Truman.

Q. And--and when were you the agent afloat on the USS Harry S. Truman?

A. I began underways with the Truman in January of '24 throughout the course of that year, and then I finished the deployment with them on the 1st of June of this year.

Q. Was Seaman Copeland a member of the USS Harry S. Truman while you were an agent afloat?

A. Yes.

Q. Okay. So, prior to 3 June of this year, had you had the opportunity to meet with Seaman Copeland?

A. Yes.

Q. And had you interviewed him?

A. Yes.

Q. Approximately how many times had you interviewed him?

A. Approximately five times--five interactions with Seaman Copeland on the ship.

Q. And were those related to cases involving victims on the USS Truman?

A. Yes.

Q. Okay. And during those interactions, did you read him his 31(b) rights?

A. Yes.

Q. Okay. And did he appear to have any difficulty understanding them?

A. No.

Q. Any--during any of those previous five interactions, did he ever--did you ever observe any difficulty on Seaman Copeland's part communicating with you?

A. No.

Q. Or understanding the conversation?

A. No.

Q. Following the conversation?

A. No.

Q. Did he respond appropriately and coherently to questions you asked him?

A. Yes.

Q. And during some of those interviews, you even talked about his family, correct?

A. Correct.

Q. He asked you questions about how to become a law enforcement officer?

A. Correct.

Q. During any of those previous interactions, did you have any concerns about Seaman Copeland's ability to understand you?

A. No.

Q. Okay. Now, you mentioned that you had the opportunity to interview him. Have you--previous to 3 June, had you had the opportunity to ask him for a consent to search?

A. Yes.

Q. Approximately how many times had you discussed with him a request to consent to search?

A. Approximately three to four.

Q. Okay. And during those times where you advised him about his rights to consent to search, did he appear confused in any way?

A. No.

Q. Have any difficulty understanding you?

A. No.

Q. Did he in fact grant you consent to search?

A. Yes.

Q. And were at least one of those occasions an oral request to search?

A. Correct.

Q. And on all those occasions after you requested to search, you did in fact search?

A. Yes.

Q. Okay. All right. Now I want to talk to you about the 3 June interview. Were you present during Seaman Copeland's 3 June interview on board Naval Station Norfolk at the NCIS field office?

A. Yes.

Q. And what was your role during that interview?

A. I was a secondary agent in the interview.

Q. Okay. And prior to that interview, what was your--what was your impression of the investigative posture of the case?

A. My impression of the investigative posture was that at that time it was a missing person's case. So, I had just a wave top understandings. The ship had pulled in I think approximately two days prior, and I was at the field office for an unrelated reason that day.

And when I was speaking with Special Agent Gokey, she mentioned that Seaman Copeland was with Seaman Resendiz prior to her disappearance, so that was my understanding of his involvement.

Q. Okay. Did you suspect at that point that you're interrogating a murder suspect?

A. No.

Q. Why not?

A. My understanding of the facts that were understood by NCIS at that time--and, again, I didn't have the full read out--was that there was no indication that she was deceased.

Q. Okay. So, let's talk about the beginning of that interview. Was Seaman Copeland advised of his Article 31(b) rights before questioning him?

A. Yes.

Q. And did he indicate to you that he understood those rights?

A. I believe Special Agent Gokey read his rights, but, yes, I was in the room when he indicated he understood.

Q. Now based on your previous interactions with him, the multiple prior rights advisements that you were a part of, did he appear to fully comprehend those warnings?

A. Yes.

Q. And did he agree to speak with you and Special Agent Gokey?

A. Yes.

Q. Okay. Let's talk about his demeanor during that interview. Did--through the course of that interview, did he ever appear

confused or impaired in any way? Or I'm sorry, cognitively; had difficulty understanding you.

A. He didn't appear to have difficulty understanding me.

Q. Okay. Did he ever appear to be too tired to continue?

A. No. He appeared to be tired. I believe he was sleeping during breaks in the interview, but I did reengage with him when we walked in and say are you still good.

Q. And how did he respond?

A. Yes.

Q. Okay. And were breaks provided to him throughout the interview?

A. Yes.

Q. And after each break, did he reengage to continue the interview?

A. Yes.

Q. Okay. All right. Let's talk about the consent request to--or the request to search his iPhone 15. Did--did Special Agent Gokey ask for consent to search Seaman Copeland's iPhone 15?

A. Yes.

Q. And did he provide oral consent to search that phone?

A. Yes.

Q. And did he provide the passcode to that phone?

A. Yes.

Q. Did he appear to understand what he was consenting to?

A. Yes.

Q. And later, when he was presented with that written consent form, he declined to sign it?

A. Yes.

Q. But did he ever tell you that he revoked his consent?

A. He never revoked consent in a way that I would consider to be an unequivocal revocation of consent.

Q. Okay. Did he ever tell you, I--you know, don't search my phone?

A. No.

Q. Okay. And after the interview was concluded, was Seaman Copeland taken back to his barracks room?

A. Yes.

Q. And, to your knowledge, was the scene then released to him at the conclusion of that search?

A. I don't have any direct knowledge of the scene releases. I had left after the interview.

TC: Okay.

One moment, Your Honor, if I may.

MJ: Sure.

**Questions by the trial counsel:**

Q. Were you present when--did Seaman Copeland, at the--at his barracks, ask for his phone back?

A. I'm sorry. Can you rephrase the question?

Q. Sure.

Were you present where--or was there ever a time when Seaman Copeland, at his barracks, asked that his phone be returned to him?

A. Yes. So, I--I cannot recall specifically if it was at the barracks or in the vehicle on the way back. I can't recall that piece, but I do recall him asking something to the effect of can I get my phone back. And I explained to him that we were seizing it at that time. We were going to apply for a CASS, not saying that we were gonna get one or we weren't, but it would be returned to him in the event that we didn't obtain a CASS. And to be clear, I--I wasn't involved in the CASS process.

Q. Okay. Were you involved in the seizure process?

A. I don't recall.

TC: Okay.

All right. No further questions, Your Honor.

Thank you.

MJ: Defense counsel, cross-examination?

ADC (LCDR MORGAN): Yes, Your Honor.

**CROSS-EXAMINATION**

**Questions by the assistant defense counsel (LCDR MORGAN):**

Q. Good afternoon, Special Agent Duffy.

A. Good afternoon.

Q. So, I kind of want to--let's just start from the top. So how exactly did you get involved with this investigation?

A. So, I--after pull-in, I was at the NCIS office for an unrelated reason. And--well, it was my return home party. So, because of this case, there weren't a whole lot of agents there. And eventually, when I saw Special Agent Gokey, she mentioned to me that Seaman Copeland was in the company of Seaman Resendiz, like, prior to her disappearance.

Q. And she gave you the whole rundown of things that happened prior to that?

A. No, not--not in particular. So, I didn't--I didn't get the granular detail. I think that they had had a prior interview with him that I was--we hadn't even pulled in for yet. So, she did mention to me that they were gonna try to speak to him that evening, and I offered--because I had interacted with Seaman Copeland prior--to be the secondary on that interview.

Q. Did she discuss what was discussed during the first interview with Seaman Copeland?

A. Not in a level of granular detail that I can recall.

Q. Okay. But you--but you did notify him for unauthorized absence and false official statement, right?

A. That's correct.

Q. But you had no clue what he was--what the prior statement was?

A. Well, point of clarification is I believe Special Agent Gokey went through his rights with him and I did not.

Q. You were in the room though.

A. I was.

Q. And you were interviewing him regarding those offenses.

A. That's correct.

Q. Why exactly did you guys read him his rights for Article 86 and 107?

A. Whenever we question a sailor in reference to an event, if there is any indication that we will be discussing a crime that they may or may not have committed under the UCMJ, they're advised of their rights. So, because it organically could come up in the discussion of Seaman Resendiz's disappearance, then we wanted to make sure that we read him for that.

Q. But why specifically those?

A. So, as far as the unauthorized absence, I was told that he was UA with Seaman Resendiz prior.

Q. Okay.

A. And as far as the false official statements, I think that there--and this is speculation, right, because I'm not exactly sure, but there was some information, I think, that throughout further witness interviews, another witness had disputed whatever Seaman Copeland passed to Special Agent Gokey prior to that. So, there was a question of whether or not he had lied to her on their initial interview.

Q. Okay. You stated earlier that there was no indication that she had been harmed or potentially deceased, correct?

A. That's correct. That I was aware of.

Q. But you knew how long she had been missing.

A. I think approximately three to four days, but I'm not spun up on that.

Q. Gokey tell you that none of her friends or family had heard from her?

A. Yes.

Q. She did tell you that?

A. Yes.

Q. She did also tell you that the last place she was seen was in Copeland's room?

A. Yes.

Q. And at no point you suspected him of potentially harming her?

A. No.

Q. At any point between the time, she went missing up until the time she was found, at any point did you suspect that she was potentially--potentially dead or harmed?

A. No.

Q. Were you a part of any discussions about what Seaman Copeland would be read articles for at all, period?

A. I may or may not have been there when they were working it out; but because I wasn't the case agent, I don't remember specifically the discussions.

Q. At any point did you consult with any attorneys about that?

A. About specific--did I consult with any attorneys about--

Q. Correct.

A. --what he would be read for?

Q. Or were you present.

A. Or was I present?

Q. Yes.

A. Yes.

Q. Okay. And what--what exactly was the rationale behind just Article 86 and 107?

A. Can you rephrase the question?

Q. I'll rephrase it. At any point were any other articles--punitive articles suggested as to--to read him his rights for?

A. I can't recall.

Q. You don't remember?

A. Correct.

Q. Now while you guys were interviewing Copeland inside the room, was anybody else listening to that interview?

A. Yes.

Q. Do you recall who?

A. Specifically, I believe there was a couple NCIS agents in there. I don't remember exactly. A couple of them were newer. There was Lieutenant Commander Mayo and Lieutenant Commander Dempsey as well.

Q. Okay. And why exactly were--was OSTC there at midnight listening to this interview?

A. That would be a question for Special Agent Gokey. It's not unusual for us to loop in OSTC for cases of this nature as far as, you know, like a sailor we don't know where they're at.

Q. So, like UA and 107?

A. That's not typically a case category that NCIS would investigate, no, but in reference to the fact that Seaman Resendiz

was UA and she had not been heard from by her family and there were concerns that that was unusual behavior for her.

Q. Now you said that during the break you observed Seaman Copeland sleeping, correct?

A. Correct.

Q. You knew he was tired.

A. Yes.

Q. But you proceeded on with answering--asking him questions during the investigation.

A. Yes.

Q. But either way it was clear to you that he was very tired.

A. It was clear to me he was tired.

Q. In fact, you mention it several times throughout the interview.

A. Correct.

Q. During your interview, you stated you want to be straight with him. You said, did you have anything to do with Resendiz's disappearance. Do you recall that?

A. Yes.

Q. What did you mean by that?

A. So typically, when we conduct these investigations, anyone we interact with--and I want to be clear I'm not the case agent on this case. But anybody that I interact with gets the same questions;

is, do you know where she's at, did you have anything to do with her disappearance. And I treat those as blanket questions to any witnesses that we interact with throughout the course of the investigation.

Q. And for this particular one, you--you were specifically asking Copeland.

A. Yes.

Q. Did you ask--interview anybody else?

A. I didn't.

Q. Let's talk about the PASS and the phone. Now, the conversation in the car when Seaman Copeland asked for his phone back, that wasn't the first time you told him that the phone was seized, is it? In fact, you told him that the phone was seized when he first came into the room.

A. I don't recall.

Q. You don't recall that?

A. I don't.

Q. You spoke to trial counsel in this case, right?

A. Yes.

Q. You told them that you mentioned when see--when you took the phone before Seaman Copeland even came in that you told him that it was seized.

A. So, I didn't take the phone.

Q. But you were clear with Seaman Copeland that his phone was seized at the time it was taken.

TC: Objection, Your Honor. I think there's--

MJ: What's the basis?

TC: --maybe some misunderstanding of--of what that 701 actual says.

MJ: So, but I--I've got the 701 disclosure.

ADC (LCDR MORGAN): Yeah. Right.

MJ: So, the objection's overruled, but I've got the 701 disclosure so I can--

ADC (LCDR MORGAN): Right.

MJ: --I can look at all the evidence.

ADC (LCDR MORGAN): Absolutely.

**Questions by the assistant defense counsel (LCDR MORGAN):**

Q. But at any point, Seaman Copeland was made clear that his phone was seized, correct?

A. That's correct.

Q. Now at the time the phone was seized, you stated you believed there was probable cause to seize it?

A. Correct.

Q. And if there was probable cause, why--why didn't you seek a CASS to search the phone?

A. Why didn't I see a CASS?

Q. Seek a CASS to search the phone.

A. I was not the case agent.

Q. Okay. And even though you weren't the case agent, you--you would not have any--any act in seeking a CASS at all, period?

A. No. That's typically what a case agent would do for continuity purposes.

Q. But you were aware that a CASS was signed earlier that day, right? For the room--for the search of the room?

A. I'm trying to remember when I was aware that there was a CASS for the room.

Q. You knew at the time that you guys were interviewing him that there were people searching his room, correct?

A. That's correct. So, I guess I did know at that point.

Q. All right. You guess you know?

A. I did know at that point.

Q. Okay. And now you said that you had probable cause to--to seize the phone. Why exactly do you feel like there was probable cause to seize the phone?

A. Based upon an assertion from Special Agent Gokey that there is probable cause to seize the phone.

Q. So, your basis for probable cause was solely based on a conclusion of somebody else? You don't know the specific facts that led to you believing there was probable cause to seize the phone?

A. Can you rephrase the question?

Q. What particular facts led you to believe that there was probable cause to seize the phone?

A. So, I didn't have the full background that Special Agent Gokey had as the case agent. So, when she tells me that there's probable cause to seize the phone, I'm inclined to believe her.

Q. Okay. So, your indication that you believe there was probable cause is solely based on the conclusion of somebody else.

A. Correct.

Q. You stated that you believe that Seaman Copeland gave you consent to search his phone, right?

A. Correct.

Q. In fact, that's based on solely the fact that when he was initially asked he said yes and provided his passcode, correct?

A. Can you rephrase the question?

Q. That opinion is based solely on the fact that when Gokey asked to search his phone he said yes and provided his passcode, right?

A. Yes.

Q. And that was halfway early in the interview?

A. Correct.

Q. There were other statements that was made after that, correct?

A. Yes.

Q. And in fact, right after that, you guys presented him a written PASS, a written authorization. He didn't sign that, did he?

A. No, he did not.

Q. And that was specifically for the search of the iPhone 15.

A. That's correct.

Q. Now you guys presented him a second PASS in writing and that was for the search of a backpack, barracks room, and electronic devices, quote, right?

A. Yes.

Q. And it's your understanding that the signature for that PASS did not apply to the previous search or consent to search the iPhone 15, correct?

A. Correct.

Q. And that's because he didn't sign the PASS for the iPhone 15, correct?

A. That's correct.

Q. Now, when you guys were going through that second PASS, talking about the barracks room, the backpack, and electronic devices, that did not apply to the iPhone 15, Copeland had some questions for you about what all entails with the PASS, right? He asked you about consent, right?

A. Yes.

Q. Yes?

He asked you about the scope of a PASS, correct?

A. Correct.

Q. He asked about being able to revoke a PASS, right?

A. Yes.

Q. And being able to refuse a PASS if he wanted to, right?

A. Correct.

Q. Being able to take it back; the consent.

A. Yes.

Q. And--and right after that, he signed that PASS for the--for the 4 June PASS for the barracks room, the backpack, and the electronic devices, right?

A. Correct.

Q. And then right after that you circled back and you said I want to revisit your phone. You say are you still okay with that and he says no, correct?

A. Correct. I think he said something to the effect of, no, I want to go home.

Q. He says no, period. I just want to go home, right? In response to your question about let's circle back to the phone, are you still okay with that, right?

A. Correct.

Q. And you recall that?

A. Yes.

Q. And you still believed that he search--gave you authorization to search his phone?

A. Correct. At the time I didn't consider that to be a revocation of consent. It was partially probably because of how I phrased the question. My recollection is I put it in front of him, I said are you okay with revisiting this, and he said, no, I just want to go home.

Q. Okay. And not only that, he asked for his phone back.

A. That's correct.

Q. And you tell him no.

A. That's correct.

Q. Right.

A. It--it was phrased--my recollection is that it was phrased like a question; like, can I get my phone back. And I explained that it was seized, and we were gonna keep it in our custody for, you know, Special Agent Gokey to seek a CASS.

Q. You--you stated earlier that this isn't the first time you've dealt with PASSs with Copeland, right?

A. That's correct.

Q. In fact, you said at least three occasions--three to four is what you said.

A. Correct.

Q. And in those three, the four occasions, he's consented to those PASSs before in the past, right?

A. That's correct.

Q. You said one was oral. The other one was in writing, I assume?

A. One was oral and the other three or so were in writing, correct.

Q. Okay. And he signed those.

A. He did.

Q. He didn't refuse to sign.

A. Correct.

Q. Okay.

A. He did not refuse to sign.

ADC (LCDR MORGAN): One moment, Your Honor?

MJ: Take your time.

**Questions by the assistant defense counsel (LCDR MORGAN):**

Q. And just to be clear, you've never seized a phone in an unauthorized absence investigation before, have you?

A. I can't recall having seized a phone in an unauthorized absence investigation. Not to say that I haven't, but I can't recall an incident.

ADC (LCDR MORGAN): Okay. Nothing further, Your Honor.

MJ: Okay. Redirect, government?

TC: One moment, Your Honor.

MJ: Sure.

TC: No further questions, Your Honor.

MJ: Is Special Agent Duffy subject to recall?

TC: No, Your Honor.

MJ: Defense, subject to recall?

ADC (LCDR MORGAN): No, Your Honor.

MJ: Special Agent Duffy, thank you for your testimony. You are permanently excused. Please don't discuss your testimony with anyone else except the counsel involved in the case, but you can return to your duties. Thank you.

WIT: Yes, Your Honor.

[The witness was warned, excused, and withdrew from the witness stand.]

MJ: Government, do you have any more evidence to present on these motions?

TC: No, Your Honor.

MJ: Defense, do you have any evidence on these motions?

ADC (LCDR MORGAN): No, Your Honor.

MJ: Okay. So, I think--I think what I'd like to do is kind of take up each one of the motions to suppress and sort of bifurcate your arguments to the extent you have any so that I'll hear from both sides on each one before we go to the next one.

So, let's start with the phone; the--the defense's motion to suppress the search and seizure of the iPhone 15.

So, government, you have the burden since it's--you're the proponent of the evidence so I'll let you go first. And, again, I--I've read your motion--I mean, I read your response. So--and now--now that I've heard the testimony, I'll let you be heard and I'll let you know if I have any questions.

TC: Yes, Your Honor.

To the extent that--I mean, I don't want to regurgitate what we've already provided in our written filing, but there are just like several layers of permissible legal authorization for the--the government to have seized and searched Seaman Copeland's phone.

First, there was probable cause to seize the phone. Whether it was at the beginning or the end of the interview, Seaman Copeland articulated to law enforcement that he had spoken with the--the victim, you know, prior to her disappearance; that they had corresponded about making tacos, coming over. That was the last place that she had seen alive was with him in his barracks room.

He also discussed, you know, various other actions that, you know--that--or people that Seaman--sorry--that Petty Officer Resendiz was corresponding with via her phone. But on his phone, he would have evidence of their communications.

Furthermore, he also told law enforcement that he had driven her from his barracks room to another location, so that phone would have evidence not only confirming the correspondence, the communication between the parties but also the geolocation information--

MJ: Does--

TC: --would determine.

MJ: Does the fact that NCIS believes that some of the statements he made on 1 June were inconsistent with other evidence they discovered, does that play into their probable cause to look at the messages between Resendiz and Copeland?

TC: Yes, Your Honor. I think the government would agree with that.

The--you know, to the extent that there were--you know, it kind of bleeds into other motions, but other things that became apparent between 1 June and 3 June about the relationship between the parties. You know, there would be potentially evidence on the phone, you know, discussing the relationship between Petty Officer Resendiz and Seaman Copeland which would be helpful to the investigation to--to find where she was.

I mean, I think the--the overview of kind of where law enforcement's mind was from the 31st of May through really the 9th of--you know, the 10th of June was they were trying to find Petty

Officer Resendiz. There were--you know, the--we tried to provide in our motion kind of, you know, an overview of all the different investigative actions that law enforcement was undertaking during that period of time and all the multiple leads.

A fair conclusion about what was going on at that time was that Petty Officer Resendiz and petty--and Seaman Copeland--you know, Seaman Copeland was potentially helping Seaman Resendiz further her UA; that she had some sort of mental health crisis. There was some indication that she may have gone UA to New York. We were checking hospitals. You know, things of that nature. And that he had information about that. And knowing the relationship between those two parties was integral to that investigation to find her.

MJ: Okay.

TC: So, there was probable cause to--to seize the phone from the outset, but you don't have to stop there, Your Honor. He also provided permissive authorization for search and seizure. He did provide it orally.

Now the case law we provided--you know, various, you know, federal court cases, several circuits that discuss the difference--well, first, they discuss oral consent and written consent, but our rules also make the distinction between consent to search and consent to seizure.

MJ: Okay. That's what I was gonna talk about. I--if I--maybe I missed it. I--I don't--I didn't see any evidence that--in testimony--I'll go back and look at the evidence. I didn't see any--any testimony about a consent to seize.

It--are you saying that that evidence exists; that at some point he voluntarily turned over his phone and says you can have this?

TC: Sir, I think by implication if you're allowed to search it, then you would need physical possession of the phone to do that.

MJ: No, no. Understand that. But--but our case law makes clear the distinction between seizure and search. And it seems to me the government's position is the seizure was a lawful seizure based on probable cause. And then I think we get into the question of then whether or not it can be searched.

TC: Yes, Your Honor. I think the government's position would be--again, like, it's by implication. If you allow someone to have--

MJ: You give someone you passcode--

TC: Right. You--you expect them to take possession of it.

MJ: But if it's already out of your possession and you're asking him at this point--we've got your phone. What's the passcode; can we search it. I'm not sure--I don't know. I'm not sure that implicates the consent to seize.

TC: Yes, Your Honor. So--well, so then, again, the multi--like the different layers of the legal authorization for the government to have seized and searched that phone, the seizure we believe there was probable cause and that he gave a permissible authorization to--to search that phone.

MJ: But what about the--the--the authority to seize--so it's a temporary detention?

TC: Yes, sir, that's another basis as well; that he was--he was temporarily detained to be brought to law enforcement and that was a permissible reason for law enforcement to have obtained his phone.

MJ: Okay.

TC: So, Your Honor, so with regard to the permission to search, he did give oral consent, and we tried to lay that out in our motion, the words that were used. He was asked can I search your phone, he says yes. He then provides the keys to that phone with his passcode. He is then read the permissive authorization for search and seizure. He doesn't say that he declines to allow the search. He just asks--.

MJ: Let me jump ahead. Is his declination--when he says, no, I just want to go home, is it the government's position that he is--that he is not revoking consent to search, but he is--just doesn't want to fill out any more paperwork.

TC: That's correct, Your Honor.

MJ: Is that the government's position? That's what I got from your motion--your response.

TC: Yes, Your Honor.

MJ: Okay.

TC: Yes, Your Honor. And there is--there are numerous federal cases that discuss--you know, we laid out in our motion that discuss a subsequent refusal to sign a written consent does not eviscerate the oral consent that was previously given. And I think this is a good example of a case that--that follows that case law.

MJ: Okay. If there was no consent, is the search still lawful?

TC: Yes, Your Honor.

So, the--law enforcement, after they seized the phone, quickly obtained a command authorized search and seizure for that phone which the defense does not challenge. The--you know, the--the particular--the--that command authorized search and seizure, the interview ended on the 4th of June in the early morning, and that NCIS agent was in front of the commanding officer at seven o'clock on the 5th.

MJ: Just a point of clarification in the evidence, the--the search authorization--and this relates to the search of the--the CASS for the barracks. But it--it happened on the video that I watched at the end, and it says--it--it says 1241, 4 June. I don't think that's

41 minutes past noon. I believe that's 0041. That's just a typo, right?

TC: That's correct, Your Honor.

MJ: So--so this interview ends and--at zero--just before 01 in the morning on the 4th of June. Just getting the timeline right. Is that--is that right?

TC: Yes, Your Honor.

MJ: Okay, okay.

TC: And then within, you know, slightly over 24 hours, NCIS is in front of the commanding officer obtaining a CASS for that iPhone 15, which was approved, and then that is the basis for which NCIS conducted a search.

MJ: Was any search conducted prior to receiving the CASS?

TC: No, Your Honor.

MJ: Okay.

TC: And so--so the--it's government's position that--that--each of those layers independently gives legal authorization to have seized and searched the phone. But moreover, even if none of those things had happened, we have good faith that law enforcement relied on that command authorized search and seizure to conduct the search of the iPhone 15 and then inevitable discovery.

So just like laying out what was happening right around the time--like right after that interview. Regardless of what happened

in the interview, no information from that interview on the 3 June factored into the other legal process that law enforcement and the government was--was seeking at the time. Specifically, the--the government sought a 2703(d) order for Seaman Copeland's--to Seaman Copeland's cell phone provider, which provided information that Seaman Copeland, on the 1st of June, had communicated with Seaman--with Petty Officer Resendiz. There were about five contacts to her on that night.

Immediately, the government was also to determine through interviewing Seaman Copeland's roommate, Airman Calisse, that Seaman Copeland had borrowed his white jeep on the night of 1 June into the early morning hours of 2 June. And independent of, you know, anything that was derived from that 3 June interview, law enforcement ran the plates of the vehicles that Seaman Copeland was known to used and one of which was that Jeep liberty--or, sorry, that white jeep, and that was caught on Flock camera driving around Hampton Boulevard and 24th Street.

So, we have Seaman Copeland contacting the victim with his cell phone, and then immediately--like, you know, within hours, getting in a vehicle and driving to a location in the Hampton--you know, in the Hampton Roads area.

So, it's--you know, there's probable cause to seize his phone at that point based on that information that he is--she's

potentially alive. He's communicating and he's going to visit her. All, you know, fair--you know, fair for the government to obtain his phone to get geolocation data and more information about where Petty Officer Resendiz was.

MJ: Okay.

TC: So, for those bases, Your Honor, the government had legal authorization to seize and search that phone.

MJ: Okay. Thank you.

Defense counsel.

ADC (LCDR MORGAN): Yes, Your Honor.

MJ: Regarding the search of the phone or the--the seizure and search of the phone in your motion.

ADC (LCDR MORGAN): Right. So--so I want to be clear here, that seizure happened when it was taken. There is no implication by any PASS that a seizure was gonna happen proactive--retroactively, okay? So just being clear with the court, that seizure had already taken place. He did not consent to that, okay, by anything.

You know, also want to make clear, you know, I think it's pretty telling in this whole situation when Special Agent Gokey was--was questioned, she said two things: She said that she didn't--she felt like she had probable cause, but she also felt like she didn't need a warrant to seize the phone.

She said she didn't need a warrant without being able to articulate or being--or articulating any type of exigent circumstance to seize that phone. I mean, she had plenty of opportunity to get a CASS if she felt like she had probable cause.

MJ: Let me ask this: When they interrogated Seaman Copeland on the 3rd of June, was he in custody? Was that a custodial interrogation?

ADC (LCDR MORGAN): No, Your Honor.

MJ: Was--was he detained?

ADC (LCDR MORGAN): No, Your Honor.

MJ: But he was placed in handcuffs.

ADC (LCDR MORGAN): What was that, Your Honor?

MJ: He was placed in handcuffs.

ADC (LCDR MORGAN): Yes, Your Honor, he was.

MJ: And he was put in the back of an NCIS vehicle.

ADC (LCDR MORGAN): Correct.

MJ: And he was driven to NCIS field office.

ADC (LCDR MORGAN): Correct.

MJ: So, you don't--you don't believe he was detained?

ADC (LCDR MORGAN): No, Your Honor. Correction. We do believe he was detained.

MJ: Okay. So--so doesn't the rules of evidence permit, you know, seizure of his phone upon detention?

ADC (LCDR MORGAN): Not without a basis, Your Honor. And if--again, if they believe there's probable cause, they had the opportunity to get a CASS.

MJ: Well, I think the--I think the--the rule and the case law supporting the rule on temporary detention is short of probable cause.

Now the government says it was a probable cause search and that--that may be true, but even short of that, doesn't--doesn't our rule allow temporary--you know, the seizure of items of evidentiary value short of probable cause based on temporary detention?

ADC (LCDR MORGAN): I mean, temporary, Your Honor, but these people had already seized the phone and made that perfectly clear to Copeland--

MJ: But they seized it--

ADC (LCDR MORGAN): --that he wasn't getting it back.

MJ: They seized it when they put him in handcuffs.

ADC (LCDR MORGAN): Right. But they--but--but it made it clear, Your Honor, that he wasn't getting that phone back and that was a permanent seizure not a temporary one.

MJ: Well--okay.

ADC (LCDR MORGAN): Also, Your Honor, kind of going back to whether he even consented to this phone, now let's break this down because when he was first questioned about being able to search his

phone, he did say yes and he did provide a passcode. And defense does not contend that that wasn't an oral consent to search the phone at that time. The issue is the fact that Seaman Copeland revoked that consent to search the phone.

MJ: Even if that is true, the government contends they didn't search anything until they had a command authorized search and seizure from the CO of the Naval Station. So even--even if he didn't consent, their search was incident to a search authorization as opposed to consent.

ADC (LCDR MORGAN): But that's not true, Your Honor, because--

MJ: So, tell me why.

ADC (LCDR MORGAN): Because in the DFE report, it specifically states that the--the extraction of the phone was already made.

MJ: So--

ADC (LCDR MORGAN): The extraction of the phone was the search, Your Honor.

MJ: Well--

ADC (LCDR MORGAN): The examination of what was already extracted from that phone--

MJ: What kind of extraction was it? I think the evidence suggests it's a--it's a full file extraction; in other words, a complete rip of the phone.

ADC (LCDR MORGAN): Right.

MJ: And the government's argument is that's--that's a continuation of the seizure. And isn't that what *U.S. v. Strong* says; isn't that what CAAF just told us in--in *Strong*, you know, a year and a half ago?

ADC (LCDR MORGAN): No, Your Honor. Because, again, that--one, it's not incident to arrest, right? It's not incident to arrest. And--and on top of that, the DFE specifically states in the report that the extraction and the search itself was based on the PASS, a PASS that we know was revoked and invalidated solely by the unequivocal statements by Seaman Copeland saying, no, he did not want them to search the phone and asking for his phone back.

I mean, when you look at case law, yeah, you know, defense agrees, right? I mean, the case law insinuates from different circuits that asking for the phone back is not enough alone, right? You need more. But there's more in this case and the more here is the fact that he was specifically asked right before leaving let's revisit the phone; are you still okay with us searching that. That's exactly what it says. He shakes his head no and not only did he shake--shake his head no, he stated no. He did not want them to search the phone.

On top of that, it's pretty clear Special Agent Duffy spoke about multiple occasions where she's interviewed Seaman Copeland in the past, and he was--he gave oral consent to search in those

occasions. He also gave written consent to search in those occasions.

At no point in any of those instances does Seaman Copeland ever refuse to sign an authorization that he actually gave a PASS for. And you need to look at the totality of the circumstances here and the context surrounding everything at play.

And--and what's at play here is that Seaman Copeland and Special Agent Duffy--even having a relationship with Seaman Copeland from the past--understood that he did not sign an authorization to search that phone. He refused to sign it.

Not only did he refuse to sign it, she said let's--are you still okay with us searching the phone. He says no; shakes his head no. Then immediately after following--whether it's on the way back or at the room--he says I want my phone back too; can I have my phone back.

So, when you have all those together, that's a clear indication that he does not give consent to search--for them to search his phone.

And I think what the government is looking for and kind of what they said that he--he didn't say this or that. I mean, the case law is also clear that there are no magical words that are needed. All that's needed is a clear, unequivocal statement or--or acts that

would indicate that he did not consent to search the phone. And that's exactly what was made in this case.

MJ: Let me ask you about--you did not mention in your motion inevitable discovery and the government makes a case for inevitable discovery. Let's say the consent was improper, let's say the seizure--that the seizure was improper, the--the search of the phone was improper, all illegal.

Why doesn't the--why should this evidence be excluded when the government asserts there's inevitable discovery?

ADC (LCDR MORGAN): One moment, Your Honor.

So, Your Honor, inevitable discovery cannot be the results or fruits of the poisonous tree here.

MJ: So--but I--but I think the government's point is it's--so if the illegality we're talking about is the seizure of the iPhone 15 and then the search of that iPhone 15, and I recognize there's another motion that we'll talk about here in a second--we've talked about--that the search of the barracks--

ADC (LCDR MORGAN): Correct.

MJ: --room was illegal. So even if that were illegal too, there's evidence--we--none of you talked about it but it's in the evidence you provided me--there's a search of the common stairwells, correct?

ADC (LCDR MORGAN): Correct.

MJ: In those stairwells on the same day, June 3rd, blood was found and that blood was later tied to Seaman resend--or Petty Officer Resendiz. Is that--that's the state of the evidence; you agree with that?

ADC (LCDR MORGAN): Correct.

MJ: There are 2703(d) orders being sought on the 4th of June independent of anything to do with the search of the barracks room or the--the phone, and those returned indications that Petty Officer Copeland--or Seaman Copeland was communicating via phone with Seaman Resendiz--or Petty Officer Resendiz.

So those two things taken together, wouldn't that give the government probable cause to go seek a search authorization for the phone at that point independent of any illegality of the barracks search or of the seizure and search of the phone itself?

ADC (LCDR MORGAN): Well, no, Your Honor, because, again, those are--those are all steps that are found on a basis of--that led from illegal searches in the past altogether. Even--even finding the screenshot in the phone where the body was located comes solely from the phone.

MJ: Well but that's--but that gets back to, you know--but, again, if--if a--that's in--that the government argues anyway that's inevitable discovery; that--that even though the search of the three--the 3 June, 4 June search of the phone was illegal, had the

government known about the illegality at the time, there was a--they were still making enough independent investigatory steps where they would've inevitably sought and gotten a search authorization for the phone and all that evidence on the phone would have been discovered.

ADC (LCDR MORGAN): Not based on an independent step outside of illegal search that's already happened, Your Honor.

MJ: Well, what about the search of the stairwells that found Petty Officer Resendiz's blood? What about the 2703(d) order? What about the statements made by the roommates that were inconsistent with the statements Seaman Copeland made on June 1st, which were--which were not subject to this--these motions?

All those inconsistencies--the blood in the stairwell, the 2703(d) orders--would they not have led NCIS to then go seek a search authorization for the phone?

ADC (LCDR MORGAN): No, Your Honor, because, I mean, they--they made it perfectly clear. Multiple agents came in here and spoke about how they didn't even consider Seaman Copeland for even harming her, causing harm to her in any way. They--they all spoke about how there was no--no belief that there was a crime scene, the room itself.

And--and, again, all this is based on them getting into those spaces, getting into the phone based on illegal searches. And that's the issue we have here is because the government wants to say,

okay, well let's just--let's just lean back on inevitable discovery. But the problem is, Your Honor--yeah, we can tie one independent basis but, again, that--that--maybe--maybe the blood would have been found in the stairwell, but there wouldn't have been a body found potentially.

Again--

MJ: Well, the--I think the government's point is the blood in the stairwell--which is a common area where there's no reasonable expectation of privacy--that was an investigatory step that they took--that NCIS took--even if their search of the barracks room was illegal, that's an investigatory step they took.

Finding Resendiz's blood in a stairwell and based on statements Seaman Copeland made on June 1st could reasonably cause them to--to want to find his cell phone regardless of any illegal searches.

Do you not agree with that?

ADC (LCDR MORGAN): No, Your Honor. There is--there is no nexus to the cell phone itself.

Like, again, and I think Lieutenant Commander Serfess made this perfectly clear when she was questioning Duffy, there has to be a nexus. There has to be a reason why--a reasonable belief that there is something articulable on that device that they need to search that would lead to evidence of a crime.

MJ: So, again, missing persons investigation at this point, so the government says. 2703(d) order on the 4th of June, no indication that's based on anything that went on--on the 3rd of June--so the government says. You can rebut that--that 2703(d) order returns cell phone records for Seaman Copeland that indicate he talked to--or he at least messaged or--or sent correspondence to a phone tied to seaman--Petty Officer Resendiz.

So once that returns several days later, wouldn't that give NCIS probable cause to then seize Seaman Copeland's phone now that we know there are records between a missing sailor and him?

ADC (LCDR MORGAN): One of the things that it would do, Your Honor, even if they did--even if he did give authorization to search the phone, it would limit the places in which they can search. And--and that's kind of what you fall back to, right? Just because you can get the phone don't mean you can search everything.

And so, you know, making it clear, Your Honor, none of these CASSs that--that we have in front of you that led to the discovery of anything in the room, anything in the phone was based on anything authorized.

And--and, again, you know, I want to make clear, defense--we do intend to challenge the CASS on 5 June, and I think it made it--made it clear in the fact section of the motion, like, we had just received that 5 June CASS right before being able to file a

motion. And, of course, we have future hearings scheduled in this case, and we do intend to challenge that.

And so, you know, it's not that, okay, well, defense does not challenge the 5 June CASS and, therefore, it would have been found regardless. No, we do challenge the 5 June CASS, and we will do that in a future session, but, again--

MJ: I--you're--

ADC (LCDR MORGAN): --it's all based on something illegal.

MJ: Counsel, you're--you're still talking about search authorizations and I'm saying--let's say I agree with you and that every single search authorization, every single consent was invalid. Now I haven't reached that determination yet. I have a lot of things to consider, and I'll take all this evidence in.

But let's say for the sake of argument that I agree with every point you're making; that every search authorization was invalid, the seizure of the phone was invalid, the search of the barracks room was invalid. I'm asking about inevitable discovery from this other information.

If I've got cell phone records that tie Seaman Copeland's phone to Petty Officer Resendiz's phone on the 1st of June, doesn't that give NCIS probable cause to search that cell phone even though they--they previously illegally searched it? Wouldn't that--that's the inevitable discovery the government's asking this court to occur.

And the inevitable discovery doctrine talks about--well, you know what it talks about. I mean, you know what the law says.

So why isn't that inevitable--why wouldn't that inevitably be discovered?

ADC (LCDR MORGAN): Just because somebody contacts another individual does not automatically give you probable cause to search the phone. Are we gonna search everybody's phone that--that had contact with Resendiz at the time or during those--those hours or tried to contact her? No, we're not gonna do that.

MJ: I think the government's position would be it's not everybody. It's the last person that anybody's seen with her.

ADC (LCDR MORGAN): That we know of.

MJ: That we know of. Fair enough.

ADC (LCDR MORGAN): Right. And, again, it's that we know of and--and also somebody that the--law enforcement has already made clear they don't suspect of anything related to her--her missing--her missing, whereabouts, or potential harm.

So, you know, want to make that clear. Those aren't our words. That--that--that is straight from the mouth of three agents that came here and testified today. And that's what you have to work with, and that's the burden that the government has to overcome. And they can't.

Because, again, right, they want to lay on inevitable discovery but also their own witnesses are saying that at no point up until the body was found, did they suspect Seaman Copeland of doing any wrongdoing other than unauthorized absence and 107.

MJ: Okay. Anything further on the motion to suppress the phone?

ADC (LCDR MORGAN): No, Your Honor.

MJ: Okay. Thank you. Understand your argument.

Let's take up the motion to suppress the statements.

TC: Yes, Your Honor. If--if I may before we do move to that--

MJ: I'll give you the last word. You have the burden.

TC: Just something that defense mentioned with regard to future litigation on this issue. Defense has chosen to file this motion now. The idea that they can later file another motion to suppress after you rule on whether or not the--the contents of this phone are admissible, absent good cause, I don't know what their--what the basis would be, and I just want to make sure that--

MJ: You know, what--that motion's not before me. I don't have a motion to suppress any--I have a motion to suppress the evidence but the defense at this point not made an argument to suppress based on an illegal search, based on command authorized search from 5 June so I will take that up when it comes and those are the arguments you can make at that time.

TC: Yes, Your Honor.

MJ: If it comes.

TC: Yes, Your Honor.

MJ: But--but I understand your point.

TC: You said moving to statements, Your Honor?

MJ: Unless you have any additional on--you know, you have the burden, so I'll give you the last word on the motion to suppress the phone.

TC: No, Your Honor, nothing further.

MJ: Okay. Let's move to the statements; both 3 June and 6 June statements.

TC: Yes, Your Honor.

MJ: Again, heard all the evidence and I read your motion, so anything else to highlight?

TC: Just--Your Honor, just to highlight that at the time of that, you know, 3 June interview, I mean, just looking at what law enforcement saw, it was a missing persons investigation. There was no body. There was no DNA. We had a sailor--we tried to layout the--you know, the general--and, sorry, sir.

A point of clarification: So, I just want to correct the record with regard to that 2703(d) order, I think I represented that everything was--nothing was gleaned from that 3 June interview that might be used in the (d) order. We--the--one of the facts that was

detailed--articulated in the (d) order was that Seaman Copeland had provided us with his phone number, which we could have obtained through a subpoena or any other reason, but I just wanted to make that clear for the record--

MJ: I understand.

TC: --that that's one fact that was highlighted in that (d) order.

But to move to the statements again, the--the context in which--the context is important; what law enforcement was aware of at the time of that 3 June interview. No--each agent came in and testified that they did not believe it to be a, you know, murder investigation. It is, you know, common for, you know, sailors to--to go UA.

This one, there was concern about the sailor's mental health. There were numerous witnesses that discussed her mental health, possible places she could go. Law enforcement was going to hospitals. They were getting tips, you know, about, you know, where--where she might have been.

While there were presumptive positives, you know, found in his barracks room for blood that was not communicated to the interview team. But even if it was, it doesn't provide very much information at this juncture in the investigation. Could be a false positive, could be someone else's--someone else's blood, could be

Seaman Copeland's blood. It is a data point but does not move Seaman Copeland from a--even a witness to a potential--to a suspect at that--that juncture.

And I ask the court to--you know, to look at *Metz* as a good, you know, bright-line rule for, you know, when, you know, a person of interest is not necessarily a suspect.

So, the rights advisement at that point for 107 based on the inconsistencies between the 1 June interaction and the 3 June interaction, 107 was warranted.

And then for agents to talk to Seaman Copeland about where he was during that period of time. He was in an unauthorized absence status and as a person subject to the code, he is supposed to be advised of his 31(b) rights as it pertains to 86. So, from that perspective he was given the proper rights advisement for what they suspected him of.

In terms of the voluntariness and the totality of the circumstances, he was given breaks. It was a--only a three-hour interview. I mean, it's a long movie. It was not that late at night and starting between 9:00 and 9:30; ending a little bit after midnight. Again, it's not--it was not that late at night nor did it last that long.

He never asked to stop the interview. During the interview he appears to be tired but the agents, to their credit, checked in

with him multiple times and they gave him permission to tell them he was too tired by they themselves saying, I am too tired--I'm tired; you must be tired. And he never takes them up on that offer to end the interview.

He understood, you know, what those--the rights advisements were. He understood--you know, he appeared to understand what was going on. He answered questions coherently. He has a lot of experience with law enforcement. And an agent who has interviewed him multiple times before had no concerns about his ability to understand what was going on in that interview.

So, both the rights advisement was--was the correct rights advisement, and the--the totality of the circumstances lend themself to a--lend themselves to a voluntary interview on 3 June. The statements contained there within should not be suppressed.

Moving to the 6 June interview, again, we are only three days past June 3rd. The agents, you know, discuss kind of what information had been gleaned during those three--three days and not much more than she was still missing.

So, you know, agents--you know, I asked what agents were to have advise him of. You know that it was looking like, you know, potentially because there was no proof--you know, a lot of proof of life during that period that maybe she was deceased, but they did not

have any indications to move petty officer--sorry--Seaman Copeland from a person of interest to a suspect.

And, again, I draw the court's attention to *Metz*, which I think *Metz*--agents in that case had even more information about that accused being suspected of setting that fire. And there was a witness who said if anyone's got a grudge it's that guy. And, you know, he's the guy with the keys to that--that maintenance facility. You know, this is the guy you go look at.

And those indications are not present in this case. What we have in this case is it's the last person to have seen her alive--or sorry, to have seen her. We know that he has reached out to her which is kind of antithetical to someone being dead if you're texting them or--or calling them.

We know that--we knew that, you know, he, you know, potentially had gone to see her or, you know, gotten in a car and, you know--and, you know, gone to visit her. Something of that nature.

So there really wasn't anything more for law enforcement to have advised him of at that point. So, the rights advisement, they did the best that they could. They advised him again of 107 and then they oriented him to what they wanted to talk to him about. We believe you have knowledge of the possible death of Angelina Resendiz, and that's what they questioned him about.

So, you know, the 31(b) rights, I mean, we try to, you know, orient the accused as best we can to the offenses that we believe he has committed and we're orienting him to the--you know, the topics that we wanted to speak with him about and that rights advisement was proper, Your Honor.

The--the characteristics of that interview happened in the morning; 8:45 in the morning. Not a very long duration. He appears to, again, understand what's going on. He asks questions. He's engaged. And for all those reasons, the totality of the circumstances support a voluntary interrogation.

Pending your questions, Your Honor.

MJ: No questions.

Defense counsel, do you want to be heard on the motion to suppress statements?

ADC (LCDR MORGAN): Yes, Your Honor.

So, I'll just provide one clear fact that we learned today that wasn't in the motion, and that's exactly that the agents were notified of the cadaver dog hit during the course of the investigation--the interview with Copeland, okay?

And--and absent any questions from the court about the 3 June interview, because I think we've touched that quite a bit today, the defense will move on to the 6 June interview.

MJ: Let me ask you about one instance of the 3 June interview: Is it the contention that--that he was--that Seaman Copeland was too tired and was--well, let me just ask--you framed it sort of two ways.

ADC (LCDR MORGAN): Right.

MJ: That he wasn't warned properly. He wasn't oriented to the crimes that NCIS really suspected him of. And two, that he was tired and unable to follow or--is it--is that--is that the second prong that you sort of attack?

ADC (LCDR MORGAN): That is--that is correct, Your Honor. It's on two fronts. You know, I think it was perfectly clear--I mean, we all know that it was eleven o'clock at night, even branched over into the next day past midnight, in which they interviewed Seaman Copeland.

They--they saw him on the--the video screen at every single break with his head down, sleep. They acknowledged several times how tired he was and how tired he looked. And it is our point that, you know, he was not in the--the right place or state of mind to be able to provide statements at that time.

MJ: But it--but it's also your point that he unequivocally told officers, no, he doesn't want his phone searched.

ADC (LCDR MORGAN): Absolutely. He was clear with that.

MJ: Could he--could he--if he's--if he's got the wherewithal at the end of the interview to do that, doesn't he have the wherewithal

at any point to say I don't want to talk anymore; I invoke my rights to remain silent, I want to lawyer--any of those things?

How does--how does his ability to--to revoke his phone--search of his phone dovetail with--with his supposed inability to--to follow along and to understand his rights with regards to the interrogation?

ADC (LCDR MORGAN): Well, Your Honor, I think it's perfectly clear that, you know, at--at some point, I mean, he was--he was just responding to a question when he was talking about his phone. I mean, he--he--you're right. He did make a response--a clear response when he said no to his phone.

But I think, you know, it's pretty clear also, just by the--the video itself, how tired Seaman Copeland was and that wasn't conducive to a proper point in which they should have interviewed him.

MJ: Okay. I understand. Let's move--if you're ready to move to 6 June.

ADC (LCDR MORGAN): Right.

So, moving to the 6 June interview, you know, there's--there are some things that we also learned today that wasn't included in the motion. I kind of want to go over those.

So, there are several things that we now know NCIS had knowledge of before they even did the 6 June interview. And Special

Agent Gokey said that she pretty much provided those agents knowledge of the background of everything they found at that point leading up to him going in for that interview.

Several things was, you know, at this point, clearly, Resendiz had already been missing for nine days. She was missing for nine days. No point of contact with family, friends whatsoever, period.

They search Seaman Copeland's room; had a presumptive positive test for blood within his room. Looking at that by itself, okay, you know, the government probably put out there that, you know, okay, sometimes there are false positives.

But in addition to the presumptive blood test, you also had it light up with the Bluestar. And, you know, they said that sometimes that it can indicate, you know, presence of bleach or something like that, but Special Agent Ortiz said in her statements--she said that wasn't what it indicated though because of how long it was lit.

And we know that not only was it presumptive positive for blood, not only was she missing for nine days, not only did she have contact with friends or family, but you also have this pool of stuff within the closet and other places within his room that--that lit up as though it was presence of blood.

In addition to that, she--she kind of hinted at, well, we don't know when this blood was there. Maybe it was in--you know, in the room prior to him even moving in, but that wasn't the case because she also noted that the substance, the liquid was moist, right? So--so that's recent.

And--and the same thing on top of that, they also talked about the cadaver dog that is--that is there to sense the presence of decomposition, hit--hitting at--at a portion of his room or the bag in his room.

So, all that on top of each other is exactly what these agents knew going into that 6 June interview, and not once did they read him his rights for doing any harm to Resendiz prior to asking him questions.

And then on top of that, they had several questions even prior to that--and I--and I lay that out in the motion--before they even got to the rights advisement. And that's pretty indicative here because exactly what they wanted to do was to--they just wanted to question him. They didn't want to actually provide him rights of what they actually suspect. They didn't want to do that because they want him to talk.

And they felt like if they read him his rights for 118 or murder, kidnapping, whatever--at this point, I think it was clear indication that what they should have suspected him from--for which

is an objective test--looking at it objectively is murder, right? But they didn't do that.

And that's the issue that we have in this case, and--and that's exactly why all those statements should be suppressed.

MJ: Okay. Thank you very much. I don't have any questions about that.

I'll give you the last word, government, since you--you have the burden.

TC: Your Honor, I would just say that the cadaver dog alert--I think both agents test--two of the agents testified and we put in our motion also that it was likely a false positive. It was body odor. It was a gym bag. There was nothing of evidentiary value found in that--in that backpack and--but nothing further, Your Honor.

MJ: Okay. Thank you. I don't have any additional questions.

Do we want to talk about the final motion with regards to these motions to suppress the barracks search?

TC: Yes, Your Honor.

MJ: Again, government, you've got the burden.

TC: Yes, Your Honor.

MJ: Again, I've--I've heard all the evidence, read all your motions. So, anything additional you want to add?

TC: No, Your Honor.

Well--

MJ: Anything else?

TC: --actually, if you give me a chance, I'll--but I don't want to--I don't want to re--I don't want to--

MJ: No, I'm not rush--I'm not rushing you. We have--we have as much time as we need. I'm just saying I--I will just point out that the motions on all of these subjects were extremely well-written by both parties. So, you have framed the issues very nicely for the military judge.

And so--so you don't need to rehash anything, but if you want to comment on things or in particular that you find particularly relevant, you can let me know, especially based in light of the evidence we heard today, so...

TC: Yes, Your Honor. If I may then, so--so, again, multi--multiple levels of evidentiary--or of legal authority for the government to have searched and seized items in Seaman Copeland's room on the 3rd of June.

First, we--there was a valid CASS that was obtained and that CASS was styled to search for Petty Officer Resendiz. This was a last known place that she was seen, and the affidavit informs, Attachment (B), about what--what they were looking for. And all the agents testified they were looking for her, for indicia of her in that room.

So, you know, one of the things, you know, they were looking for was--was DNA. DNA leaves a trail of where a human has been and where a human might be. Other instiment--instrumentalities of the crime, I mean, how NCIS investigates missing persons for a service member is through Article 86. And so how might she have left that room.

Were there bus tickets? Were there plane tickets? Were--a rental car. I mean, anything that might indicate how she left that room, where she went, things of that nature, were all fair game pursuant to the--you know, pursuant to that CASS.

You know, defense makes arguments about the tools that were used and I think Special Agent Gokey may have gotten confused about what the--the CASS authorized, and CASSs don't authorize the tools that one may use to find the items in Attachment (B), I mean, as evidenced by our questions about magnifying glasses or--you know, or cameras or things of that nature aren't specifically articulated in a CASS.

However, Attachment (B) does say items with DNA. And how might one find items with DNA? Well, you know, a Hemostick, you know, will tell you if blood is potentially present. Bluestar will tell you if blood was--was potentially present, which would lead you to indicate that there's maybe DNA there as well.

But even more so, Your Honor, when law enforcement entered that closet to find items that might--might have--might be of--you know, might be Petty Officer Resendiz's, you know, they--they noted that the rest of the barracks room was kind of devoid of other personal effects so that closet, you know, seemed to be where all the items were kept.

When they removed the items, I think plain view of--of that--that sticker in the back of that closet, you know, a brown substance--you know, a brown substance. Yes, they did--you know, they--it did appear to be wet, and that was something that--you know, it's entirely reasonable for them to have tested that to determine whether or not a presumptive positive would come back for--for blood.

But, again, that's only a data point. It's not indicative of that it is actually blood or it belongs to any--you know, to Petty Officer Resendiz. It could be Seaman Copeland's.

And I'll proffer to the court, barracks room are not the most sanitary places, and it is, you know, just as likely that that sticker, moist for whatever reason, is still in the back of that closet and has nothing to do with this investigation whatsoever. But it is a data point which investigators, you know, eventually were able to, through further testing, determine the evidentiary value. But at that juncture, it was just--it was simply a data point.

MJ: Let me ask this--those are questions about it. Why--why does the CASS authorize to search--to seize used condoms?

TC: Yes, Your Honor.

I think on redirect, talking with Special Agent Gokey, and she was trying to understand more about Petty Officer Resendiz and her mindset and the relationship, you know, potentially with other people involved in this investigation.

And at--you know, as of 1 June, you know, Seaman Copeland told law enforcement that there was basically no romantic relationship between the two of them. But, you know, by the time the--the CASS was obtained on the 3rd, roommates had--give some indicia that there was--something had happened because there was of woman partially nude in their common area on the morning of 29 May.

So used condoms might provide more information about the relationship between Petty Officer Resendiz and the person who last saw her alive. Romantic relationship might, you know, give someone a reason to help that person continue to be UA. I mean, if that person has, you know, more affection towards, you know, Petty Officer Resendiz than just a coworker--excuse me, sorry. Sorry. I'm getting animated.

Ms. Cheek, I'm so sorry.

Getting animated--you know, and anything it's more than just a coworker relationship. He might have more reason to continue

with this lie about where she is. I mean, all of those factors play into what investigative leads the--you know, NCIS was going to continue to--to pursue.

So, yes, used condoms would be something of evidentiary value as Special Agent Gokey, you know, did--did mention and that's why it would be included in the CASS.

Does that answer your question, sir?

MJ: It does. Anything further?

TC: No, Your Honor.

MJ: Okay. Thank you.

Defense counsel.

DC: Yes, Your Honor.

I'm--I'm not buying it with this--with this CASS, Your Honor, and I--I hope that the court isn't either.

This--I mean, from the very beginning of this CASS from, like, start to finish, it's problematic. For one, the warrant itself, which is what we have to look at--the four corners of the warrant--is so confusing to me because they're looking--they're looking for stuff in the case of Angelina Copeland.

That is a pretty serious typographical error, and it makes me--it should make everyone who looked at this warrant confused and not have a good faith basis to do whatever they're going to do,

because they don't even know what--whose crime they're searching for or the nexus for it. But--but then we--

MJ: Doesn't the--doesn't the affidavit refer to Angelina Resendiz?

DC: Then, yes, Your Honor. So, they're looking for evidence of Angelina Resendiz's criminal activity, right? It--we're talking about reasonableness of a--of a search. That's the crux of the Fourth Amendment; what is reasonable.

Is it reasonable to invade Seaman Copeland's privacy and--and his interest in his room in his closet because they are looking for evidence of somebody else's crime? I do not believe that that's reasonable and I--the government doesn't cite a case.

MJ: I--but doesn't that happen all--but doesn't that happen all the time, I mean, outside the military? This is a--you're on a Fourth Amendment search in--in--

DC: Yes, Your Honor. I don't know if it happens all the time. The government didn't cite a single case that allows that.

But then let's say that that is authorized, Your Honor--

MJ: So--so let me ask this: I mean, there's--there's some evidence that she was in his barracks room before she went missing.

DC: There's tons of evidence that she was in his barracks room on the 29th of May, yes.

MJ: So why is it unreasonable--it--if, in fact, she is UA and that's the crime they are investigating, you're saying it's unreasonable to go look for the last place she was known to be?

DC: I don't think it's reasonable to invade somebody's privacy to look for evidence of--of UA for a couple of days. No, I do not think that that--that that is reasonable.

MJ: Do you have any case law to support that?

DC: Do I--

MJ: Did--is it--

DC: I don't have the burden here, Your Honor. So, no, I don't have any case law but I'm saying that I do not think that that's reasonable. But then if you look--

MJ: Well, I--and I don't--I understand your position, but I--

DC: Um-hmm.

MJ: --the--the--and—and--I care very much about what you think.

DC: Okay.

MJ: But I--

DC: Yes, Your Honor.

MJ: --is--is there case law or something that says--I mean, I--and I understand the government has the burden, but the government has said and presented evidence that Resendiz was in his barracks room and now she's missing.

DC: Yes, Your Honor.

MJ: So, you're asking this court to find it unreasonable to go look in the last place she was.

DC: For what, Your Honor? That's what we're asking.

MJ: For her.

DC: If--okay. Then they didn't have authorization for that, because the CASS doesn't say that. The CASS lists out the things that they were looking for to look for evidence of her UA and none of them are her. They don't say that here.

What they're saying that they're looking for is used condoms. I have no idea what the nexus is that. The special agent could not connect that. These are the things they were supposed to be looking for.

Yet, the people that were conducting the search, the people who were actually conducting the search, that is what they thought, Your Honor. That's what they thought. They read this and what they actually wrote down is that they were looking for anything belonging to Resendiz. But that's not what the CASS authorized them to look for.

And--and still--let's say they did find something belonging to Resendiz, right? Let's say they--let's say they found, you know, a backpack belonging to her. How would that be--what is the nexus between finding a backpack in the room and her UA? We know that she was in that room. Why would finding a backpack--

MJ: Why do we know she's in that room?

DC: Why do we know that she was in that room? Because she said she was going to that room. I mean, she--she told her friend that she was going to that room. I--I have no reason to believe that that's not true. And also, Seaman Copeland told NCIS that--that she was in that room, and the roommate saw her in that room. I mean--

MJ: The roommate saw an individual in that room.

DC: That--

MJ: Is it a reason--

DC: That's true.

MJ: Is it--is it a reasonable investigative step to confirm what the roommate saw?

DC: That's true. And Chief Parker said that he saw her in that room as well, and he--he was her chief. I mean, it seems to me everything points to the fact that she was in that room.

MJ: So, I guess the question I have is just because there's evidence that she was in that room, does that mean it's conclusive and the government is no longer allowed to look for indicia that supports that conclusion?

DC: No, Your Honor, but--

MJ: No--

DC: --perhaps, yes.

MJ: So, the answer's no?

DC: No.

MJ: The answer's they do not have the authority to--

DC: No, they absolutely have the authority. I don't disagree with that. Again, but how is that evidence of her unauthorized absence? Whatever they find in her--in that room that belongs to her, I don't understand--I do not see the nexus. There is no nexus between them finding something that belongs to her in that room and her being UA. She could have been in that room on the--on the 29th of May and gone to work the next day.

MJ: So, the--

DC: So--

MJ: I think--I think the court agrees with you in the sense that it wouldn't prove beyond reasonable doubt she was UA during the time frame you're looking at.

DC: Um-hmm.

MJ: But it would be circumstantial evidence that she was not at work during some portion of time.

DC: How is that true, Your Honor? Because she was in--

MJ: Well, I don't have to answer questions.

DC: Well, I'm telling you it doesn't make any sense to me at all. That's what I'm saying. She was in that room at some point when she was on liberty. We--we know that. That is--that is an undisputed fact. The fact that she was in that room while she was on

liberty is not evidence that she was at some other time in an unauthorized absence state.

She existed in this world. Her--her DNA was in places. That doesn't mean that she was in an unauthorized status. I mean, frankly, it would be more evidentiary value if her DNA was found not in that room because that is a place that we know that she went to; that she wanted to go to; that she planned to go to; and that she was there during the hours of liberty. That--we--we all know that.

It's not evidence of her unauthorized absence that her DNA would have been in that room somewhere. And, again, that's not--they're--the agents, they don't even--they don't even pretend to have a good faith basis. They're--they are saying they're looking for her.

The one--Special Agent Ortiz tells the trial counsel that she's looking in the closet for Seaman Resendiz. Now, based on the fact that nobody suspects at this point that Seaman Copeland has done anything bad to Resendiz, I can only assume that they are thinking they're gonna open the closet and they're gonna find a very alive and unauthorized status Resendiz behind a padlocked closet. I--that's not reasonable.

But even if we say it is, the CASS doesn't authorize that. It's not saying you can look for Resendiz. It's saying that you're looking for bed linens and used condoms and all these things that

have absolutely no nexus between their existence and her unauthorized absence status. Because that--that's just not what they were looking for. This is so clearly subterfuge that they were looking for evidence of a crime.

But then we'll get to the plain view standard if you're ready for me to move on or you want to--

MJ: I am.

DC: Okay. Well, the plain view standard. There was nothing in plain view. And if you notice, Your Honor, I--I crafted the motion understanding that there are some things that, you know, Seaman Copeland's roommates could have consented to, right?

I mean, the common areas, got it. They're--you know, they're--there's--there's no dispute about that. The roommates can consent to the search of the common areas.

I'm only talking about the stuff that Seaman Copeland has exclusive control over and didn't authorize for NCIS to search in his PASS. Like blood on the floor of the closet and room.

And there was no plain view. Special Agent Ortiz was very clear about that. She saw that sticker that she saw, and she said I didn't know what that was. She had to pick it up and she had to test it. And so that's the same as *Hicks*. Once you have to pick it up and test it to know what it is, it's not in plain view anymore. So, this wasn't in plain view.

And so, we're asking the court to suppress the blood on the closet and on Seaman Copeland's--in--on the floor of Seaman Copeland's side of the room, Your Honor.

MJ: Okay. Thank you very much.

Commander Mayo, you have the last word since it's your--your burden. Do you want to comment on the subterfuge search that the defense alleges; that DNA is so overbroad that that's not what they're looking for?

TC: Yes, Your Honor.

Again, like--the purpose of this investigation was to find Seaman Resendiz--or Petty Officer Resendiz. DNA leaves a trail of where someone is and where they have been.

To items found in the last place that she was seen gives some indication of where she also might be. So that is further information helpful to that Article 86 investigation to terminate that 86 and to find her. So, all--all perfectly reasonable items to be searching pursuant to 86 for Petty Officer Resendiz. So there--no subterfuge is apparent in this case, Your Honor.

And if I may, Your Honor, there is a footnote in one of our--okay. Sorry. Not in one of our--it's M.R.E. 315 and 16 establishes that there's no requirement that a search authorization be served on a suspect only. To the extent the court--we're looking

for authority to have executed the search on Seaman Copeland's barracks room for the purpose of finding Petty Officer Resendiz.

Something I didn't touch on in the--in the original argument is inevitable discovery. It's still present here. Even if that CASS was not obtained on the 3rd of June, which it was, and--and good faith--and, in good faith, relied upon by agents to find Petty Officer Resendiz in places that she might be found. I do disagree with defense's assertion that she might not be found behind a padlocked closet. You know, people hide in closets all the time. It's not unreasonable that when Seaman Copeland and his roommates--NCIS arrived, that someone ran in the closet, they locked it.

MJ: What about defense's argument that even if that were true and she's hiding in the closet, that's not what the CASS authorizes? The CASS authorizes to search for her DNA.

TC: Well, that's a pretty big source of DNA, Your Honor.

MJ: Okay.

TC: The--but moreover, inevitable discovery is really where--you know, again, the--the last--you know, another layer of legal authorization for this court to find that the contents of that room should not be suppressed.

I draw the court's attention again to the 2703(d) orders and the information obtained from roommates about his--his movements;

that--you know, on the morning--you know, between 1 and--and 2 June; but more importantly, the stairwell and the common areas right outside of his barracks room.

We have, you know, his--blood found in the stairwell found by both NCIS and the building manager who indicated that there was a brown substance in the stairwell directly next to his barracks room.

So once that was tested and determined to be Petty Officer Resendiz, it's naturally that, you know, government would obtain a command authorization based on that to then search his room.

So, for those multi layers of legal authority, the--those--the items found from the 3 June CASS should not be suppressed.

MJ: Very well.

Okay. I think that closes the book on the motions to suppress. So, we're past the lunch hour and I want to make sure people have a chance to have lunch and especially Seaman Copeland.

So, to be clear, I will take all this under consideration and I will issue rulings in due course on each of these motions from the defense.

How much time do you want for lunch?

DC: Just--just 30 minutes, sir.

MJ: I'm gonna be magnanimous and I'm gonna give you till 1400.

So, court's in recess till 1400.

[The Article 39(a) session recessed at 1322, 10 December 2025.]

[The Article 39(a) session was called to order at 1415, 10 December 2025.]

MJ: This court's once again called to order. All parties present when the court last recessed are once again, with the exception of Ms. Cheek who has been relieved as court reporter by Petty Officer Hall. And Petty Officer Hall has been previously sworn.

Okay. Let's take up the next motion in order and that's the motion to compel production of experts. There's several motions filed by the defense in this case--or four motions, I think. Those are:

A motion to compel an expert pathologist, which is Appellate Exhibit X, and its enclosure, Appellate Exhibit XI.

A motion to compel a mitigation specialist in Appellate Exhibit XIV, with enclosures at Appellate Exhibit XV.

A motion to compel an expert in human memory and reaction, and that's Appellate Exhibit XXIV; the enclosures in Appellate Exhibit XXV.

And a motion to compel an expert in sexual sadistic behavior, which is Appellate Exhibit XXVI; enclosures at XXVII.

The government responded to those in sort of omnibus response to--to compel all those experts in Appellate Exhibit LIV,

and they provided additional enclosures at Appellate Exhibit LV. All those are now appended to the record.

So, defense, I believe you have the burden with respect to each of these, so let's start with your motion to compel an expert pathologist.

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: Do you have any--you don't have any additional evidence to present on this motion?

ADC (LCDR MIHILL): No additional evidence, no witnesses, Your Honor.

MJ: And, government, you don't have any--and is that true for all these motions? All these motions to compel experts, no--no additional evidence for either side?

TC: That's correct, Your Honor.

MJ: Okay. So, let's just take up your--your argument. Again, read your motion. If you--do you have any additional stuff to add?

ADC (LCDR MIHILL): Only want to touch on a couple things from the government's response, sir; the fact that the allegation that the defense is refusing to follow the JAGMAN or that we're refusing to engage with the government to find an adequate substitute.

I--I would just like to direct the court to the rule itself, 703, and *U.S. v. Reyes*, 80 M.J. 218. Both of these things stand for a trial position that if the byname expert is--is--if the

expert is necessary, which the government concedes as far as the pathologist goes, that the byname expert shall be approved. If not, the government shall provide an adequate substitute.

In this case, we've received a list of people that the government--I don't even know if they've spoken with them. I don't know if they're available. I have mixed contact information for all of these folks.

It's not the defense's burden to do the legwork to find the adequate substitute. That's not the way--that's not the way case law's written; that's not the way the rules are written. There is no requirement for us to take the government's list and say these people are better so use these folks without any sort of idea of whether or not they've even been vetted as adequate substitutes.

Now, we found--

MJ: Now. Just to be clear, you're--you're the one who's asked for an adequate substitute because, I mean, they've got to provide you with a comparable--I mean, you would--you would analyze their credentials, compare them with the expert you have, and make a motion to--that they're not adequate.

ADC (LCDR MIHILL): That is correct, Your Honor.

MJ: What is the government's threshold level to determine that--why isn't the list they've given you good enough?

ADC (LCDR MIHILL): What the government is asking us to do is basically go back to the drawing board and say here's a bunch of other people. We like these maybe. We--we don't know who has spoken to any of them.

MJ: So, what minimum requirements would you need from them before you would go into your more in-depth search to determine whether or not they're adequate or not?

ADC (LCDR MIHILL): And it's certainly our responsibility once the government provides that adequate substitute--

MJ: So that--so--

ADC (LCDR MIHILL): --to verify that person.

MJ: Well, don't put the cart before the horse. If they--if they give you an adequate substitute--I mean, if you're making them give you an adequate substitute, aren't you conceding that they're adequate?

ADC (LCDR MIHILL): The defense position is that Dr. Banerjee is the appropriate expert.

MJ: Okay.

ADC (LCDR MIHILL): We've asked for that person. The government recognizes that that variety of expert is necessary. They just don't like the fees that she charges. And if it's their contention that they will find an adequacy substitute--within their motion they talk about looking for a government substitute. They were unable to find

one. So, they produced a list of other folks that maybe these people work.

MJ: So--so the question again is, what--what information would they need to provide you that would satisfy their burden to--to give you what they consider to be an adequate substitute?

ADC (LCDR MIHILL): If the government could tell us consistent contact information, provide CVs for these folks. If they could explain that they're available for the trial dates. All of those things would then put us in a position where we could evaluate those folks to decide if they are in fact adequate substitutes.

MJ: Okay.

ADC (LCDR MIHILL): The list we received is not a this is a list of adequate substitutes. This is people that might work.

MJ: Okay.

ADC (LCDR MIHILL): Now the government cites to the--the indigent fees in the Northern District of California as evidence that we're not adhering to the JAGMAN, but if you look at JAGMAN 146(l)(3) it says employment in the course of 703(d) will be paid a compensation at the rate prescribed in advance by the official empowered to authorize those employments.

Now, Dr. Banerjee has worked with the military before. She has been approved as an expert in courts-martial, and we have asked for her participation here.

The government is now incumbent upon them to either approve that expert or to find us an adequate substitute, not just say we searched Google and these are folks that might meet the criteria.

So, defense's position is that in the absence of anything that allows us to do the next step of that legwork, the--the employment of Dr. Banerjee conceded necessary, and we believe that she should be appointed in this case, Your Honor.

MJ: I understand your argument.

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: Government.

TC: I guess no--no good deed goes unpunished, Your Honor. So, the government did not just search Google for a list of suitable alternatives. We contacted an expert in the field and asked for an ad--someone in this field that would be ad--that would be comparable to this person's--who was unavailable--credentials, and that was the list that was provided.

To the extent the government was not tracking that that was not a permissible option to allow defense to choose someone from that list and to that extent--I mean, to the extent the court is going to order any relief in this case, the government can have a week to pick one of those people on those lists and provide it to defense as an adequate substitute.

MJ: You have--you have accurately predicted the exact relief I'm gonna provide.

So, at this point, the--the motion before me is to appoint an expert but 703 requires that, you know--that I--that I rule that an expert--expert consultation is required, so I will--I do order that; expert consultation is required.

And so, government, it appears your attempts to provide an adequate substitute have not been met. And I do--I do agree the government needs to require a little more legwork than simply a list, understanding the list may not be just a Google search. But I think the--the defense has accurately described the information they would need to go about determining whether there--these are an adequate substitute.

So, by next Friday, which is the 19th of December, I'm gonna order the government to provide an expert or more than one with a CV, fee schedule, and availability that meet the requirements of this court's TMO and provide that by next Friday.

And then you--defense, you will have an opportunity to review that and determine whether or not you believe that's an adequate substitute; and then if it's not, you have the remedies available to you that we can take up in due course.

Everybody understand my ruling?

TC: Yes, Your Honor.

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: Very well.

Okay. Next, mitigation specialist.

DC: The defense did not request oral argument, Your Honor, so we don't--

MJ: Very well.

DC: --have any oral argument.

TC: Nothing further, Your Honor.

MJ: Okay. Then I'm--I'm satisfied with the--the pleadings and I will rule in due course on that as well.

Human memory. You want to talk about that one? I don't remember off the top of my head whether you requested oral argument or not.

ADC (LCDR MIHILL): We did, Your Honor. Just to--just to--

MJ: And you're requesting Dr. Wetherill; is that correct?

ADC (LCDR MIHILL): We are requesting Dr. Wetherill, yes.

And the reason that--for that is commentary upon the government's response is that they alluded this is a strategic preference by the defense. That's not accurate.

This--requesting three different--and Commander Morgan may or may not talk about Dr. Dickson. It's dictated by the government's charging scheme in this case. They've--they have--they've approved

an expert in recidivism, and it's very clear what Dr. Sani was approved for in this case.

And they sum it up accurately. She's going to base her professional opinions on things that--should she need to--need to testify on the merits, the defense may be limited in what they can ask her or if they can call her or what they can bring her to do.

Now Dr. Wetherill brings a different side of expertise here where she--she's an expert in blackouts. And we know that one--at least one of the victims is going to talk about being blacked out or being in some state of a blackout.

While Dr. Sani's education, training, and experience may go to that, she, after her preparation as a recidivism expert, may not be able to take the stand on the merits and--to rebut the government's evidence.

So, defense position is that the--the employment of Dr. Wetherill is--is necessary given the way that the--the case has been charged and the--the information that the experts will rely on in order to formulate the basis for their opinion; that the employment of Dr. Wetherill is--is necessary in conjunction with that of Dr. Sani.

MJ: Okay. Government.

TC: Your Honor, I--I don't quite understand the--the argument that Dr. Sani would not be able to--to provide expert consultation on

all the areas that defense has highlighted. The argument that that somehow would, you know, open the door to information gleaned from the accused, maybe in certain cases that--that's a possibility. But in this particular case, for what they've requested each of these experts to opine on, other than like a blanket statement that this will--you know, this will waive attorney work product or privilege as to what Dr. Sani gleaned from the accused, they don't articulate like how that could happen.

So, they--to the extent that they--you know, they have a forensic psychologist who has been approved, who they do not dispute has expertise in the areas that they are asking for these other experts to be appointed. There's no reason why Dr. Sani couldn't provide that consultation for them in those other areas.

MJ: Okay. Let me--let me drill on that point, is--is Dr. Sani competent to talk about memory confabulation or memory--that's not the right word--but--but recording memory, blackouts, the kind of things that Dr. Wetherill--Wetherill will testify to--

ADC (LCDR MIHILL): We--

MJ: --or--or consult on?

ADC (LCDR MIHILL): Well, we've specifically said Dr. Sani's opinions in this case for her--her ability to assess risk and recidivism. That's why we've engaged her.

Now as a forensic psychologist is she qualified? Likely, Your Honor. It's not an avenue that we've pursued, but to the extent that we haven't laid out a situation where that wouldn't--where that would be the case--this is all in the hypothetical.

Dr. Sani comes in and does a--does an interview with the accused, talks about the alleged offenses--all of the alleged offenses to determine what's gonna happen, you know, in the future. That--that's her purpose. That's why we told the government we want that person. They come in here and they have that conversation. Inherent in that conversation is--is probably a discussion of facts and circumstances surrounding the alleged offenses.

Well, if--if the government's evidence needs to be contested, if there needs to be somebody put on the stand to rebut an assertion or evidence put on by the government expert, Dr. Sani's basis and what the government can probe is her basis for her--her opinion. It will be based on conversations that she's already had.

So that is one particular situation in the hypothetical where that--those two things cannot be separated from each other and that will end up ultimately either inhibiting the way the defense can present their case, or it will lead to a--a piercing of that privilege.

MJ: I'll give you one more chance, but I'm gonna let the government respond to that.

TC: Yes, Your Honor.

Still not following how--if the--the defense's purpose for calling Dr. Wetherill is to talk about alcohol and its effect on memory for the victim in this case, how--you know, the--the traditional, you know--you know, people who drink alcohol sometimes have blackouts. They sometimes have, you know, blank spots in their memory, and they might not be forming memories at the time but, you know, they might be, you know, functioning at a level where someone might perceive them to be functioning. That has nothing to do with what the accused tells this expert. This expert, Dr. Wetherill, will be testifying about--

MJ: Well, that's--

TC: --her observations.

MJ: --that's--that's--that may be true, but, again, all hypotheticals.

But--but what if what Dr. Sani talks to the accused about in determining his risk for recidivism and his future harm is they talk about the events at issue, and what if he makes admissions to her, and then you're called upon the stand for her to testify about how alcohol affects memory and things like that.

A fair question would be, based on your expert opinion, are the facts in this case consistent with someone who blacked out--would she be able to answer honestly--honestly if she knew that was not the

case because, for instance, Seaman Copeland had confessed to, no, she was--she was dead drunk, way--I mean, I'm not saying he would say that. I'm not saying that's what happened.

But if she knows facts given to her by Seaman Copeland, can she actually--can she then assess--can she testify independently about what happened or what could have happened based on her knowledge and expertise in blackouts?

TC: Yes, Your Honor, because I--I--I can't conceive of a situation where the accused--even if the accused told her I did it, right, the way that this expert testimony comes out at trial is, you know--you know, how much alcohol did this person have. You know--you know, or tell me about blackouts.

It's--it's a general kind of explanation about that phenomenon. And, you know, are these factors, X, Y, and Z, consistent with someone in a blackout? Yes. They don't--you know, they don't--you know--and there's no--I can't think of a question the government would ask in this particular situation that would pierce that privilege and get into statements that the accused made to Dr. Sani.

But even if that were the case, then I offer the court another--another alternative solution; is that we grant--that the court grants two forensic psychs and not three.

Because now, if the argument is that Dr. Sani is going to speak with the accused for recidivism purposes, then Dr. Wetherill and Dr. Dickson aren't going to talk to the accused for that purpose and there's no reason why there should be two additional experts to testify when both are forensic psychologists and both are eminently qualified to talk about alcohol and memory.

MJ: Okay.

TC: So as an--as an alternative resolution, Your Honor.

MJ: I understand your argument.

I--I gave you the last word on this and then we can move on to the--which--which is related of course--which is the sexual sadistic behavior.

ADC (LCDR MIHILL): And Commander Morgan is prepared to talk about that. I imagine the argument is much the same, Your Honor.

The--the specifics of--of Dr. Dickson is the fact that she's an expert in a very particular field. And I--having not spoken with her about the overlap between her and what Dr. Wetherill will testify to, the argument would remain the same; is that the basis for those opinions may be different reasons why they find themselves on the stand and that--that how they get to those things as the basis for their opinions, separate and aside in different areas. The same argument.

MJ: I understand.

Okay. Let's--understand all that. I'll take that under consideration as well.

Let's talk about the last expert, the sexual sadistic expert. And, Captain Morgan, are you gonna talk about that?

ADC (LCDR MORGAN): Honestly, Your Honor, I think Lieutenant Commander Mihill laid it out perfectly exactly why they're different.

MJ: Well, I understand why they're different. Why--why is--why is this expert necessary to defense preparation? What about her skill set--her--her skill set?

ADC (LCDR MORGAN): Her, yes--yes, Your Honor.

MJ: What about her skill set is relevant--not relevant--is necessary for your preparation in this case?

ADC (LCDR MORGAN): Right. I mean, it's absolutely relevant. And it's based on solely the government's charging scheme in all of this and--and the facts underlying some of the allegations that--that the government charged; specifically, you know, with--with C.R. You know, that--that whole situation led to thoughts of, you know, her--and she even admits this in her own statement; is that, you know, he--he stated that, you know, I like to be strangled in a--in a sexual way.

MJ: Okay. So, let me ask this: Is--is--do you need an expert to discuss why C.R. might like to be strangled?

ADC (LCDR MORGAN): Absolutely, Your Honor.

MJ: So--okay. But then--I guess that goes to the point that there's no evidence of that--at least not that I've seen. The--the evidence that she likes to be strangled is the accused's own statement that he heard she liked to be strangled to her. She's never adopted that--at least I--I didn't see any evidence of that.

So, is--is the accused simply telling someone that he heard something about her evidence of that trait?

ADC (LCDR MORGAN): Providing her acknowledgment of that, Your Honor, you know--

MJ: Can--can you point to me where she acknowledged that except by just telling whoever she reported to the story? Is--is relaying the story of what happened to her acknowledging that that is true or that's a true statement?

ADC (LCDR MORGAN): Not necessarily, Your Honor, but--but within the context of which it happened, right, I mean, every--the allegation is abusive sexual contact, and so the whole manner in which the--the strangulation happened, you know, happened in a sexual context. And it also goes to the state of mind of Seaman Copeland at the time that it happened.

MJ: But, again, we're talking--

ADC (LCDR MORGAN): And even--even assuming that every--all her statements are true.

MJ: Well, what does this expert--what does this expert provide? What--what is the specialty that--that she discusses?

ADC (LCDR MORGAN): One explanation to the members, Your Honor, that, you know, we can all probably assume that maybe people would have some general idea about kind of what all could have encompassed sexual sadistic behavior, especially when we're talking about strangulation in the bedroom or--in a sexual context, but we--we can't rely on that assumption, Your Honor.

I mean, it is--I mean--in addition to that, I mean, she--she's gonna allow us to develop other theories--possible theories based on what the evidence shows and--and use her expertise to be able to establish that.

MJ: But you have to have some threshold. What--what--again, is her expertise necessary because one of the alleged victims may have this behavior? Is that--is that the argument?

ADC (LCDR MORGAN): Correct and especially how the government's also trying--

MJ: Okay. So where is the evidence for that argument? Where is the evidence for that behavior? And if it's simply that the accused--and I'm not gonna put words in the accused's mouth. I'm gonna say is it simply because the victim--the alleged victim has reported the accused told her that he heard she liked to be choked?

ADC (LCDR MORGAN): And the context in which the alleged assault even happened or took place based on the--the alleged victim's own account.

MJ: So, I guess what I'm getting at is you are not arguing that you need this expert because of some sexual sadistic behavior that the accused might have, but based on behavior or trait that an alleged victim might have.

ADC (LCDR MORGAN): And, Your Honor, that's exactly why we need this expert; to be able to develop potential theories in line with that. I mean, again, what--what the government charged and what the government's also--

MJ: So, what--I'm sorry, go ahead. Go ahead.

ADC (LCDR MORGAN): What the government charged and what the government is also reporting in terms of 404(b) is other acts of--they're trying to use the act of strangulation, especially in a sexual context, to be able to show other things.

And so--well, whether it's a sexual context or--or not, right? Just the act of strangulation, we should be able to bring forth on expert to be able to develop potential theories in line with that.

MJ: But I--what evidence do I have that those potential theories could exist? I mean, the only evidence you're giving me is a statement about one of the victims. About one of the victims;

not--not from the victim but about one of the victims that I don't have any support for.

So, what--what evidence is there that--of this sexual sadistic behavior would otherwise be manifest anywhere?

ADC (LCDR MORGAN): So, Your Honor, when you point to, you know, what the--what evidence is out there, you know, this--this is the exact issue that we're dealing with and the reason why we need this expert and why we're--why the whole point is to develop potential theories is--is solely based, again, on the charging scheme as well as the--what the government has purported they are trying to introduce as 404(b) evidence in this case.

And--and the fact that a lot of these things, especially once we start questioning these people, will lead or potentially lead to potential defenses that--that we're--that we are--that's necessary in order to be able to show the innocence in this case and--and--and to prevent the government from being able to prove their burden beyond a reasonable doubt.

And--and--and that is solely the reason why we're requesting this expert; is to, again, allow us to develop potential theories which goes to defenses in this case.

MJ: Okay. I understand your argument.

Government, I'll let you be heard.

TC: Nothing additional from our written filing, Your Honor.

MJ: Okay.

Okay. Again, I'll take all this--with the exception of the pathology expert, which I--I ordered the government to do some work on, the other three experts I will take under consideration, and I will issue a ruling in due course. And I will--I will try to expedite those rulings, because I know they--they further develop the course of your preparation.

Okay. Let's move on to the motion to compel discovery, which is Appellate Exhibit XII.

The government's response is at--I don't know where. I don't know. We'll figure it out.

DC: They did make a response, sir.

MJ: They did. I got it somewhere. I just--it's an eyesore. I can't look at it.

DC: It was XLV. No, I'm sorry. That's the suppress discovery. I don't know. Suppress discovery is funny.

MJ: Okay. So, I'll--but I'll look--you don't have any evidence on this motion, correct?

TC: No, Your Honor.

MJ: Okay.

DC: No, Your Honor. And we--and we rest on our filing.

The--the issue the defense has is that we're in a dangerous territory in--in our opinion of the trial counsel deciding when

there's new or different information that they're getting from witnesses, one. But--but, two--because we're not getting any disclosures at all.

But two, even if the trial counsel talks to a witness in this case, we should be provided a disclosure that that happened, because, like we said in our motion, the fact that witnesses are more willing to talk to the trial counsel than the defense, that demonstrates a bias.

And so, all we want to be told is, one, that we've been provided all new or different information, not just that it's denied; and, two, that they've spoken to--to witnesses.

MJ: Well, do you--do you have any rule or law that requires that; that they--that they talk to witnesses; that they've got to provide dates and times when they've talked to witnesses?

DC: The law is R.C.M. 701; that it's relevant to the defense's preparation for the reasons that we stated in our motion, Your Honor.

MJ: How is it relevant to defense preparation that they talk to a witness and no new information was provided?

DC: It goes to the witness's bias; that they're talking to the government more than the defense. And that--that's exactly what we spell out in our motion, Your Honor.

MJ: Okay. Government, do you want to be heard?

TC: Just pending your questions, Your Honor.

MJ: One moment.

You can have a seat. It may be a second. I do appreciate the courtesy.

I don't have any questions. I'll--I'll consider this. I'll get a ruling out to you in short notice.

Okay. That's the motion to compel discovery.

Multiplicity. That motion, has that been mooted--or not mooted, but the government concedes?

TC: Yes, Your Honor, the government concedes.

MJ: Okay. So, what is the plan? Are you gonna withdraw and--withdraw one of the specifications?

TC: Yes, Your Honor, the lesser included.

MJ: Okay.

Defense, does that satisfy you?

DC: Yes, Your Honor.

MJ: Okay. And so I--let me--let me be clear: There--there is a--there are scenarios and worlds of facts where--where the--where I think it's abusive sexual contact is not necessarily a lesser included offense of aggravated sexual contact, but, defense, you agree in this case that that's not the case; that this--in this case, the consent element of abusive sexual--the lack of consent element of abusive sexual contact is in fact a lesser included offense--the lesser included of the force element in aggravated sexual contact?

DC: Yes, Your Honor.

MJ: And, government, you agree these are two--this is the same crime. It's not--it's not two separate incidents near in time.

TC: Yes, Your Honor.

MJ: Okay. So, I--I just don't--if we get to the end of this and he's convicted of a lesser included offense, I don't want the argument to be never on notice.

So, you agree this is--this is a lesser included offense of the--of the greater offense.

DC: Yes, Your Honor.

MJ: Okay. So that's mooted. I don't have to--the government's gonna withdraw the abusive sexual contact offense there.

All right. Let's move into the Appellate Exhibit XX, which is the motion for appropriate--motion to dismiss based on violation of speedy trial rights under 707 and--R.C.M. 707 and Article 10, UCMJ.

Government, I believe you've got the burden here.

TC: That's correct, Your Honor.

MJ: Any evidence you want to present beyond what you presented in your motions and enclosures?

TC: Nothing--no, Your Honor; only perhaps reference the Enclosure (7) we discovered last night.

MJ: Okay.

TC: Just as an indication of the ongoing investigation.

MJ: Do you have any arguments you want to make on this motion?

TC: Nothing that wasn't included in our motion, Your Honor.

MJ: Okay.

TC: But pending any questions.

MJ: No questions.

Defense counsel, who's--who's--who's got 707?

ADC (LCDR MORGAN): Right here, Your Honor.

MJ: Okay.

ADC (LCDR MORGAN): So, I do want to just respond to one of the things that the government brought forth in their motion and that was their citation to--I want to make sure I'm correct--Casta--*Castanedamanzo*. *Castanedamanzo*.

MJ: Okay.

ADC (LCDR MORGAN): Citation for the record, 2023 CCA Lexis 85.

So, they--they claim that that case is pretty instructive just because the delay in that case was significantly more than what we're talking about here up until arraignment. I think it--it was a total of 259, 260 days or so.

You know, part of the reason why the court didn't find any issue in that case is--is pretty distinguishable from this one. They talked about the fact that there was no evidence that the conditions of that confinement were harsh or oppressive. We're talking about

the prejudice element here. That is completely different from what Seaman Copeland is experiencing.

You--I mean, part of what we filed in this court is, you know, a motion for illegal pretrial punishment. You heard Commander Flanagan talk about the oppressive conditions that Seaman Copeland has to deal with and live with every single day; 22 hours of lockdown, an hour of rec, by himself in solitary with guards surrounding him.

MJ: Let me--

ADC (LCDR MORGAN): An hour of work--

MJ: And I do--I do understand your motion there on the issue, but you know--and correct the court if I'm wrong--typically that *Barker v. Wingo* analysis of prejudice deals with prejudice to the accused's right to--or the ability to get a fair trial. And it talks about things like spoliation of evidence and witnesses being gone and not the--the--I don't want to say routine, but not the--the rigors of pretrial confinement but rather the--the harm that's caused to his case by significant delay--

ADC (LCDR MORGAN): Well--

MJ: --which is, you know, losing evidence and witnesses disappearing, things like that.

ADC (LCDR MORGAN): Well, that's only, Your Honor, when it's not as oppressive as what Seaman Copeland is dealing with, right? If--if

they're talking about the--and this is--and I'll pull it out, so talking about the actual prejudice, you know, it's assessed in light of three different interests, right?

The first interest is to prevent oppressive pretrial incarceration, to minimize the anxiety and concern of the accused, and to limit the possibility that the defense will be impaired, to include the possibility that a convicted person--person's ground for appeal might be impaired.

So, I think where the court is getting to is the--is the third interest, but there's others. And--and that's exactly what the defense is articulating here.

And--and it's not just the routine confinement that Seaman Copeland is experiencing. Like, what is--what he is experiencing is very oppressive, and I think that's by objective means. I mean, two trial courts have already found the conditions that Seaman Copeland is--is being subjected to is illegal pretrial punishment.

I mean, and the--and the one thing that the--that the brig has said, okay, well, we're gonna give you this because of the good behavior you did, that--what they talked about was an hour of working, an hour of cleaning the brig with the supervision of--of guards while still in solitary and unable to even speak to anybody else. And--and that's kind of what we're talking about there.

MJ: Let me--let me ask you this: So, two things, you--you make both an Article 10 argument and an R.C.M. 707 argument. So, do I get to the prejudice analysis if I'm speaking strictly about 707?

And I do but--but only--only with regards to how I would dismiss the case, right? Dismissal with prejudice or not.

ADC (LCDR MORGAN): Correct.

MJ: If I find a 707 violation, there is only one remedy, is dismissal, correct?

ADC (LCDR MORGAN): Correct.

MJ: But if I don't find the 707 remedy, then I never have to worry about the--the prejudice, correct?

ADC (LCDR MORGAN): Repeat that?

MJ: If I don't find the violation of 707; in other words, if I find that the--the convening authority appropriately excluded delay and that the 120-day clock from imposition of confinement to arraignment has been met, then I never get to the prejudice analysis, correct?

ADC (LCDR MORGAN): Well, that's--that's not true, Your Honor. And may--maybe for the 707.

MJ: Well, I'm--I'm--two things: 707 is distinct--

ADC (LCDR MORGAN): Right.

MJ: --from Article 10. I'm talking about just 707.

ADC (LCDR MORGAN): I agree, but--but this case specific--

MJ: Hold on. No, the--hold on.

ADC (LCDR MORGAN): Okay.

MJ: Just 707.

ADC (LCDR MORGAN): 707.

MJ: If I find that the convening authority appropriately excluded delay--

ADC (LCDR MORGAN): Right.

MJ: --and that with the excludable delay, Seaman Copeland was arraigned within 120 days of his--

ADC (LCDR MORGAN): Right.

MJ: --imposition of confinement, that satisfies 707 and I never have to worry about--I never get to whether there's prejudice to his--to his harsh confinement, correct?

ADC (LCDR MORGAN): For 707 that is correct, Your Honor.

MJ: Okay. So--so not gonna rule today, but--but I understand your prejudice argument.

Let's talk about Article 10.

ADC (LCDR MORGAN): Right.

MJ: Is the art--is the defense's contention that the Article 10 violation--obviously, you know, Article 10 clock starts upon imposition of confinement, and it goes at least until--at least until trial on the merits.

ADC (LCDR MORGAN): Correct.

MJ: And this case is docketed for June 3rd or June 4th to begin trial on the merits.

ADC (LCDR MORGAN): That is correct.

MJ: But--but everything after arraignment you would agree has been agreed to by the defense counsel.

ADC (LCDR MORGAN): That is correct, Your Honor. However--and this kind of goes to a point that the government made in their motion that I also wanted to address once we talked about the different interests and the factors of *Wingo;* and that is, you know, the government can't get the benefit of--of the delay and then say, okay, well, now because of the delay we caused, we're gonna hold--hold the defense to the standard of, okay, well, now they acquiesce and agree to, you know, a--a potential delay that lasted to June.

You know, the whole point of what the defense was trying to do from the beginning of this case was prevent any potential delay. I mean, the government wanted to say they--they offered to do the trial in February; however, they--they also refused to give us any discovery in the case initially. We put--

MJ: Well, and I--and I would--I--I--you would have remedies if that's the case.

ADC (LCDR MORGAN): Right. And--

MJ: I mean, if--so I guess if the government wants to go to trial in February and you say--I mean, it seems to me one alternative

would be--would be absolutely, sure, and then immediately file motions to dismiss for failure to provide discovery or--or--

ADC (LCDR MORGAN): Well, the remedy for discovery in that case would be just a continuance and that--and that--

MJ: But then--but then that would certainly inure to your benefit from Article 10's perspective.

ADC (LCDR MORGAN): Well, and then that would've just delayed it even further. We're talking about the amount of experts we're dealing with in this case. Like, we've--we've submitted numerous requests for experts. Some are already granted. The ones not granted you saw motions with here today.

Trying to coordinate the schedules of all those individuals would potentially have delayed this case past June, and that's not what we wanted to do in this case. So, we put it for a time that we--we had to based on the fact that, hey, one, we had to be prepared. If we don't have discovery in this case, how can we possibly be prepared--prepared for this case.

And then on top of that, we also don't want to just say, okay, well let's just do it in February without--without knowing what's out there and then potentially delay it even further because now we're operating in the space where we have so many people and hands in the pots and now, we have to coordinate every single person's schedule to accommodate a trial that works for everybody.

And so that's the issue. Because, again, we requested discovery in this case all the way back in June. Just--just out of the interest of fairness and to present--prevent any delay potentially in this case. We didn't get it then. The government--the government wanted to put it in--into their--their trial procedural--

MJ: What--

ADC (LCDR MORGAN): --outline--

MJ: What--what were the--what were the discovery requirements by the government in June?

ADC (LCDR MORGAN): There were no requirements for them to do discovery, Your Honor, but, however, the government knew Seaman Copeland already had counsel in this case. We were already detailed to it.

MJ: So--so is the delay you're talking about fashioned upon a lack of giving you discovery that they were not required to give you?

ADC (LCDR MORGAN): No.

MJ: Then what is--what is the government delay you're talking about post-arraignment?

ADC (LCDR MORGAN): Well, so post-arraignment, we're--we're talking about the discovery because that shows the interest that the defense had.

MJ: Again, just--just so I'm clear, which--which discovery?

ADC (LCDR MORGAN): The--

MJ: The discovery you requested before they were required to give it to you?

ADC (LCDR MORGAN): Right. Because it shows the interest that the defense had to--to prevent any delay in this case.

And the reason why I'm bringing that up, Your Honor, is to specifically address your concerns about, well, this TMO, right? Both sides agreed to a trial date in June.

MJ: I guess--I guess the point I'm making is the government's under no obligation to provide discovery until they're required to provide discovery, and that's at least until charges are referred and there's been an arraignment.

And--and--and you're fashioning--your argument seems to be that--that you were forced to accept a slower process because they didn't do something they weren't required to do.

ADC (LCDR MORGAN): Well, that's part of what Article 10 looks at, Your Honor; is whether the delay is caused by the government, and the delay is. If--if they're not giving us--even after preferral, they didn't give us discovery until literally 22 days later. Like, we--we didn't get discovery at--before preferral when we requested it initially, even though the government wants to put that in their--their trial outline and their deadlines. They didn't even acknowledge it. Then they preferred the charges and still didn't

give us discovery up until the time, like, just a few days prior to the 32.

And so--right. And that's a good point, Your Honor. Like, at the end of the day, you know, we're talking about what the government was obligated to do. They also weren't prevented from providing us discovery either. And--and that--that goes to the analysis of the delay the government is causing to prevent the defense from being able to properly do the case in a timely fashion and why that shouldn't be attributable to--to the defense.

MJ: Have you ever--

ADC (LCDR MORGAN): And that's--that's that factor.

MJ: Have you ever requested a speedy trial from this court?

ADC (LCDR MORGAN): We requested a speedy trial twice of the government in this case.

MJ: All right. My question was much more specific. Have you ever requested a speedy trial from this court?

ADC (LCDR MORGAN): Not through a motion, no, Your Honor.

MJ: What about at arraignment?

ADC (LCDR MORGAN): No.

MJ: I mean, as I recall, at arraignment you deferred the entry of pleas, you deferred the entry of motions, you deferred the entry of forum--all in accordance with the TMO that I'd signed--the court had signed the day before.

So, you know, to the extent you thought the government was moving too slowly, could you not have brought that to the court's attention at that time.

ADC (LCDR MORGAN): Well, part--

MJ: And demanded a speedy trial and said not guilty, entered a forum and demand--demand a trial at that point?

ADC (LCDR MORGAN): That is true, Your Honor, but, again, that--that would also assume that--well, the defense does not have to be properly prepared or adequately prepared to represent their client, which is absurd and--and not reasonable.

And--and the reason why that would be the case if we did do that is based on the actions of the government, and that's the issue here.

MJ: Okay.

ADC (LCDR MORGAN): Because, again, we're talking about discovery that they could have given us but chose not to. And even on top of that, we're still operating in a--also a space--and I don't want to leave this to the wayside--the government knew the issues that we were having with even communicating with our client. That--so--and we did bring that to the court's attention; however, court said we don't have standing.

MJ: The--

ADC (LCDR MORGAN): So--

MJ: The--this court did not.

ADC (LCDR MORGAN): Right. This--this court did not.

MJ: During a 30a proceeding over which I presided--

ADC (LCDR MORGAN): Correct.

MJ: --I found that there was no standing, and--

ADC (LCDR MORGAN): Right.

MJ: --I believe that's the right law.

ADC (LCDR MORGAN): Right.

And--and so just--just bringing forth that point, Your Honor, that's to your point about, well, why didn't you bring it to a court. Well, we did for that. And--

MJ: Well, that was--that was a--that was a similar motion that you brought today about illegal pretrial confinement. And that 30a ruling was that it didn't have to do with speedy trial. It had to do with access to your client.

ADC (LCDR MORGAN): True. But it ties hand-in-hand, and it--and it's also referenced in the motion itself.

MJ: I understand.

ADC (LCDR MORGAN): Right, right? That we literally referenced that motion in the speedy trial motion because it goes hand-in-hand. It goes with being quality prepared.

And--and to the court's point, wanting us to kind of barrel roll the case that we have--we're not adequately prepared for. Like,

we literally could not even talk to Seaman Copeland in a space that was conducive to privileged communications, one on one, and securing attorney/client privilege up until the time of 6 October. 6 October when we got the one--the limited exception of being able to meet with him in a--in a--in a space that's not a room where you can't hear each other.

I mean, the OIC didn't even know about it, but, you know, it was signed by the CO and we--we were able to do that. But that was 6 October, Your Honor. Seaman Copeland went into confinement on 9 June. 9 June to 6 October, with us filing Article 138 motions to the command saying what--what--what the brig has is not accommodating or conducive to adequate attorney/client relationship or communications, then refusing to assist us by--you heard Commander Flanagan said the--the sole thing to fix this--the alternative remedy would be to just have Seaman Copeland transferred to the defense spaces to be able to meet with him.

But when we tried to do that, every single turn the command denied us. We--we raised that to the trial counsel. They did nothing to assist with that. We filed an Article 138 motion against--a request against the command and an actual 138 complaint against the command for not assisting us by bringing Seaman Copeland here to be able to meet with us. Our hands were tied, Your Honor. And that's the issue.

At every single point, big government present--prevented us from being able to know what evidence was even out there, prevented us from being able to speak to our client, and then want to take the advantage and say, well, even with us doing all of that, now we're gonna hold it against you for--for allowing--or request--or agreeing with June--a June deadline--or for trial. That's problematic.

And--and, again, I want to just preference six--6 October, Your Honor, was just days before the arraignment. So, when we're talking about scheduling TMOs and deadlines, you know, based on the court's rules and stuff like that, like, being able to even meet with our client in person in a space where we can talk to him just days before, that's unreasonable to expect us to come in there and say not guilty, let's move forward today.

Maybe we would have been able to do that if they complied with everything we requested, but they didn't. And it's the--it's the delay that they caused, and that's why the Article 10 looks specifically at government's actions in causing delay in the case.

And they can say, okay, well, you know, maybe we acted, you know, every so often, every--every other day or something like that. Some of--some of this stuff even raised that I kind of want to even highlight, Your Honor, aren't--aren't even attributable--like, it's not even actions by the government.

They talk about waiting for the autopsy from Dr. Rodic. Dr. Rodic, as we know from the--the--the motion to compel witnesses, which of course we'll talk about, you know, he's--he's the person that was a third party that did the second autopsy. That wasn't even secured by the government. That was secured by Resendiz's mother.

They talk about--they even had a portion in here talking about, well, the defense filed their initial discovery request, and they mentioned that back on the June 30 line in--in the spaces of this stuff, but, again, they--they mention the defense filed--submitted the initial discovery request as part of the reason for the delay. I mean, they include it in the timeline, but they didn't even address that. They--they didn't even respond to us. They didn't acknowledge the fact that we even sent it to them. They could have, but they didn't.

And so, these are all issues and--and they--and they just want to rely on the fact that, okay, well, defense didn't do this or they're--they're just requesting June, but it's because of all the delay that they caused, Your Honor. And that's the issue in this case with Article 10.

MJ: Thank you. I--I understand your argument.

Government, I want to give you the chance to respond because Commander Morgan had a lot to say there.

TC: Yes, Your Honor. I appreciate that.

The defense requested a speedy trial, and the government delivered. We brought this case to arraignment within 46 days under the 707 clock, in all told, 122 days. This is a complex murder investigation where the body was hidden in the woods. It was decomposed; required significant forensic testing, witness interviews, not to mention the fact that there were four other allegations from different victims pending against the accused.

The government moved as fast as it possibly could, not just with reasonable diligence to bring this case to trial. And we did so at their request.

The requirement of the government to provide discovery attaches at referral under R.C.M. 701; to provide discovery sooner, any more than we did--because we did provide discovery with respect to his confinement order and with respect to the Article 32 hearing in this case. Over 50 exhibits were provided at the Article 32 hearing.

They also had the opportunity to file a discovery request at the 32 hearing, which they did. The 32 officer ruled on that discovery request.

They had significant amount of evidence, not to mention access to their client which I'll get to in a minute, which would allow them to reasonably prepare for trial.

But, Your Honor, at this--at this stage, I'll proffer that there are thousands of pages of discovery that have been given over to the defense. To marshal that evidence and put it in a discoverable format would have impeded our ability to investigate the offenses at the same time and bring him to trial as fastly as possible.

We tried to balance the concerns of what is required under the rules with his demand for a speedy trial, and that's what we did. That is how we were able to bring this case to trial as fast as we did. And the decisions that we made were because of that.

We didn't violate any rules in doing so, and they have had ample time to prepare. It is now December. They've had months to review this evidence.

And as you know--as noted earlier, Your Honor, the investigation continues. They believe we've spoken with witnesses that we have not spoken with yet. Every day, as outlined in our motion and beyond, we have worked on this case to bring it to trial.

And frankly, we believe that the defense may have waived their speedy trial claim when they requested that trial not be held in February but in June, based on experts that have not yet been consulted or appointed. That didn't make sense to us.

Moreover, Your Honor, we asked to arraign the accused, and they asked for a delay until Wednesday of the--of that week for that

arraignment to happen. Had we arraigned him on Monday, which was our initial intent, we would have met 120 days without excludable delay. We brought this case to trial on time.

And moreover, Your Honor, I just wanted to speak briefly about the prejudice. There's no tangible prejudice to this case. As NMCCA held in *Castanedamanzo*, that--the NMCCA or the CAAF have never held that the fact of pretrial incarceration alone is prejudicial to a client.

And *Castanedamanzo* is unique. He was in pretrial confinement during the COVID epidemic, so it was actually worse than just solitary confinement. The certifications were that he was completely confined, and the court still did not find prejudice and they never have.

Talking about unable to communicate with their client, Your Honor, it's really an absurd proposition. As you heard from Commander Flanagan this morning, they offered them the no-contact booth, which has plexi--plexiglass and the ability to pass documents. Brig staff tested to see if you could hear outside of that room, and you cannot. It is like a tomb in there, Your Honor.

But more than that, they can make phone calls with their client. That has never been impeded. And that the trial counsel went out of their way to request from the brig, as outlined in our motion under Article 13, that they set up a contact visit with the

defense and their client just so--you know, to try to allow them to have that access. That was approved by the brig.

In fact, the government was under the impression that that was a standing approval. And if it wasn't a standing approval as it seems the defense is indicating now, they've never requested that again. That was on 6 October.

If their last decision to meet with their client on 6 October--the last time they met their client in person in a contact setting was in 6 October, that is their choice. We have not received a request to try to accommodates that again.

And, again, we were under the impression, reading that approval, that that was a standing approval, and I believe that it is.

And last, they've stated that the government was unreasonable and prejudiced their client because we're unwilling to move a max status alleged murder from the confinement--from confinement in the brig in Chesapeake where he is supervised 24/7 and bring him to Building A50--transport him a significant distance in a van with brig chasers from a command who've attended a brig chaser training. That is all; to A50 just so that they can meet with him when they have completely--they have a complete safe--safe way of doing that at the brig.

Just to bring him here, just to bring him back just so that they can meet with him in that capacity is a completely unreasonable proposition. There's no prejudice from our denial--the government's denial to do that.

Pending any questions, Your Honor, I think I've responded to everything the defense raised.

MJ: Thank you. No questions.

Commander Morgan, I'll give you the last word since you hold the burden here.

ADC (LCDR MORGAN): I appreciate that, Your Honor.

So just to address a few things, so we're not saying that we are still unable to meet with Seaman Copeland in a--in a space now. The--the only thing I raised about that is the fact that we--we mention that to the government back in June and now it wasn't until 6 October when that was resolved. That's--that's--so for clarity's sake.

MJ: I understand.

ADC (LCDR MORGAN): We're not saying it's an ongoing issue. The issue's been resolved. But the fact that it happened literally just days prior to arraignment where we were trying to even schedule the TMO, that's the issue.

One more thing, when we're talking about all the complexities of this, the complexities of that, and--and, okay, well,

we couldn't do this or else we wouldn't be able to investigate--the government has infinite resources.

Saying that because trying to get discovery to the defense counsel is gonna prevent them--and I assume NCIS--from being able to do a proper investigation--because it's not the trial counsel investigating--you know, that's absurd.

They can farm it out to whoever to do whatever. You know, they--they don't have no relationship--no attorney/client relationships to--to deal with. They're fungible. They--they can get whoever--whatever hands in the pot they can to--to get whatever discovery is out there to the defense counsel. So, I don't--I don't buy that.

Another thing is when we're talking about the complexity, yes, the--the allegations in this case are serious. But a lot of the stuff on that charge sheet was already substantially completed.

You look at the date of--of the allegations in--in some of the other charges--all the other charges really, all that stuff happened prior to Resendiz even going missing. All that--all those--all those cases were already substantially completed, Your Honor.

The only one that we can say probably wasn't was the one--the charge of Y.J., Jimenez, and that's because it was--it was

part of this investigation. They--they ended up finding her stuff through Copeland's phone and just reaching out to random people.

So--but everything else, Your Honor, was substantially completed. And when we're talking about the reasonableness of the delay, you gotta consider that, because it's not reasonable when you look at--at it in the grand scheme of things.

You know, we talked about what was done, what was not done. You look at the autopsy report. They said part of the reason for the delay was they were waiting for toxicology stuff to come back. The toxicology stuff came back--back in July.

And if they would have just met with the autopsy person like they said they did in the motion--they said they were meeting with the--with the coroner or the pathologist who did the--the initial autopsy several times. Well, he received that autopsy--that toxicology report in July of 2022--22 July.

They put in their request for excludable delay back in August, which is of course we know is later than 20--July 22--that they're still waiting to get this stuff. Talk to the people. NCIS was at the autopsy. They couldn't--they don't have to wait for all that stuff and have it--that was--that was done in July.

So, again, when we're talking about the reasonableness, you gotta consider all that; the totality of everything and how most of this stuff was substantially completed. And, honestly, everything

with Resendiz, NCIS had interviewed hundreds of people; had--had--did a bunch of scene documentations; had--had--you know, did all that stuff prior to Copeland even going into confinement.

And part--and part of the reason that we're looking at in the case that the government cited to--you know, part of the--part of the rationale they looked at in determining that it--that it was reasonable was that, yeah, all that stuff happened after he was placed into confinement.

Here, all that stuff happened before. Everything was done. There was only a few things, a few big investigative steps that hadn't been completed. And we know that didn't lead to anything because they didn't even charge an act for murder.

So, it's not reasonable, Your Honor, and--and we should win on Article 10 and 707 because, again, the convening authority didn't question the excludable delay request because we know something that had already been done is something that they said we need a delay for. If they would have just questioned, maybe they would have figured that out

MJ: I understand your argument.

I--I misspoke earlier and said you have the burden. You do not. The government's got the burden.

So, I will give you the last word if you have anything else to add, Commander Dempsey.

TC: Just to clarify one point, Your Honor. So, there was an autopsy conducted on June 10th when the body was recovered. That report was not completed until September.

Trial counsel leaned forward and reached out to the--to the person who had conducted an autopsy at the Norfolk Medical Examiner's Office and met with them on 29 July 2025. The investigation--or the autopsy was not complete. It required significant testing after just an observation of the body.

But based on what they were able to tell us in that interview--and you'll see in our log--we made immediate steps to begin to discuss how we were going to prefer charges given, especially that we could not identify a specific act at that time and the complications that that involved.

In an interest of meeting the speedy trial demands of the defense, when we could have, we believe, waited for additional evidence to maybe fill that gap, we decided to move forward with what we had before that autopsy was filed and prefer those charges.

MJ: Fair to say the other investigations there on the charge sheet, which--which the defense says were substantially complete, that--the--based on your 404(b) notice and--and your response to their motion, those--those investigations became relevant to the murder charges you eventually preferred?

TC: Yes, sir.

And just to--I guess the easiest way to say that is when a new allegation comes up, you know, you have to reevaluate all--all other ongoing investigations, right? And that's essentially what we were doing.

And even in those investigations, some significant steps had not been taken. For example, Richardson had never been subsequently interviewed based on what happened with her. And just several steps. It just required, again, reanalysis of essentially proof in those cases.

MJ: Okay. I understand.

TC: Yes, Your Honor.

MJ: You've given me a lot to consider. I will take all this under consideration and I'll issue a ruling on this motion in due course.

I'm ready to move to the next motion unless we need a health and comfort. We've been going about an hour. I'll--I'm good if the parties are good.

TC: Government's good to proceed, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. In that case let's take up appellate exhibit--Appellate Exhibit XXII, which is a motion for appropriate relief, change of venue.

No evidence to present on this motion from either party?

DC: No, Your Honor.

TC: No, Your Honor.

MJ: And does--does either party want to be heard on this, or you rest on your motion?

DC: Just briefly to address some of the things--

MJ: You do carry the burden, defense. I'll let you go first.

DC: Just--just briefly that--because I think that the defense has laid--laid out--and I just want to address the--the government concern about doing voir dire early might cause delay and the defense just disagrees there.

We're just talking about a few months. We will give the--the trial counsel--I mean, frankly, we could do forum selection, you know--we could probably provide forum selection tomorrow, Your Honor, that way they have plenty of time. The convening authority, when they're selecting members, availability is certainly one of the things that they can consider when they're--when they're selecting members is availability and when they're available. That's not--that's--that's actually one of the things that they should consider.

And if we do voir dire in March when we're already to scheduled to be in court, then, one, it will assist us in determining whether there is the prejudice that's outlined in these cases because we'll be able to actually talk to the prospective members about that.

And two, if we--if we are able to find, you know, eight members or--depending on if the convening order allows for alternates, we'll be able to--the court will be able to issue them an order to stop now looking--you know, watching the media. They'll--they'll be able to know now that--that they're a part of this and to stop--to stop looking at the, you know, comments and all the stuff that could cause prejudice. So that way we would actually know.

And then we would know if we can't. If we--if--like, there's just no way we're--we're not gonna be able to find eight members than haven't been prejudiced by the media, then we can move the trial to somewhere like Jacksonville where there has been significantly less media attention on this case.

MJ: So, if the concern is the pretrial publicity that members of the Hampton Roads Area--potential members of the Hampton Roads Area might have been exposed to, one, I think you concede that--that voir dire is a process by which that can be meted out and whether or not the actual members are prejudiced by--by their knowledge through media of what they think happened.

But, you know, unlike a civilian jurisdiction where the jury pool is, by law, required to come from the jurisdiction, what--what prevents the convening authority from--from thinking that himself and saying, you know what, I'm gonna pull members from Groton

or I'm gonna bring members from Newport or Jacksonville? What--what prevents him from doing that?

DC: Nothing. I mean, if--and if that's the remedy that the court wants, we just want to know now because what we don't want to do is, come June, get members in here and then they're--

MJ: Well--

DC: Yes.

MJ: Well, here's what I'll say is I--is it is no business of the court to tell the convening authority how to pick members. That is--that is a--a statutory authority he has under Article 25 and--and the court, unless you make a motion or--or carry the burden otherwise, I--I presume he will do that in accordance with the law and regulations.

I will say that part of the discussion we had in setting trial dates, I believe the dates initially offered to the court were for about a two-week trial and it was the court that pushed back and made the trial really the entire month of June. And I will just share with you the thought process was I thought voir dire would take a significant amount of time.

And so I think it is--so while I understand why a change in venue might--might seem desirable because you can negate the--the prejudice that might exist from members, I think that can be done by finding members who are not prejudiced either because through the

voir dire process we weed them out or because they come from places besides Hampton Roads, which is, again, in the province of the convening authority and I'm not gonna tell him how to do his business. But--but they know that too.

So, I--I think there's probably time during the long session of trial that we have--we've--we've scheduled, but I don't know.

DC: And I--and I disagree with you, Your Honor, that there's enough time in that three-week period. And our concern is, is that a continuance in this case would be catastrophic, right? I mean, the government has quite a number of experts. We have a quite a number of experts. And then finding another day where all--everyone is available, I fear that it would lead to a continuance to like December or something like that.

And so doing voir dire in March would just alleviate that concern. It would just save us--

MJ: So, are--are you--are you no longer arguing for a venue change to Jacksonville or somewhere else and instead arguing that we change the trial schedule to--to conduct--to bifurcate the voir dire process from the trial? Is that--is that--are you abandoning your--

DC: I'm not abandoning it. The case law seems to not avail itself to me--

MJ: Okay.

DC: --in the way that I would like it to. So, it's just that I don't have a great argument even though I do think that would be--

MJ: I understand.

DC: --an appropriate remedy, the courts don't seem to agree with me, and so this is an alternate remedy.

And I'm not abandoning it because it's possible that we do voir dire and we realize that that is the only--that is the only remedy, because that's where we learn about--I mean, that's what the case law tells us; is that--that's when we learn if there is the kind of prejudice because of the publicity.

MJ: I understand. Thank you for your--for your comments.

Government, why don't we just do voir dire in March?

TC: Your Honor, for the reasons that we laid out in our motion, I think it interjects too much unpredictability in selecting members and then three months later expecting them to be available, be able to forecast what sort of issues they might have encountered from the time they were voir dired three months earlier to the time of trial.

Talking to folks or to--to members, you know, right before trial occurs, we get the--the latest and greatest of what's going on in their lives and the information they have that may or may not affect the--the fairness of the trial, so...

MJ: What about the concern that the defense has that we get to June, we get to trial, and we simply go through a couple weeks of

voir dire and can't seat eight--eight members because of knowledge about the case?

TC: Your Honor, I--

MJ: Or just, you know, implied bias?

TC: Right. Your Honor, I think those concerns would--I mean, if that happens, which the government does not think will happen, it would still--we'd still run into that issue in March, and we just have three months of voir dire until we get the panel.

But the--the nice thing about, you know, the amount of time that Your Honor has blocked off for trial in June, the convening authority can still, you know, supply--you know, detail new members to the court-martial and we can just cut into the trial date.

MJ: You do agree with the court's assessment that he's not bound to the folks that he can reach out and touch with his hands? I mean, he--he--there's no--there's no requirement that he pick people from Hampton Roads, correct?

TC: That's correct, Your Honor.

MJ: I mean, indeed, he can certainly pick from--it's Commander, Navy Region Mid-Atlantic so he can seemingly pick from the entire Mid-Atlantic Region.

TC: Yes, Your Honor.

MJ: Fair to say?

TC: Yes, Your Honor.

MJ: And probably beyond that through agreements with other commanders.

TC: Yes, Your Honor.

MJ: Okay. Anything else to add?

TC: No, Your Honor.

MJ: Last word.

DC: Again, Your Honor, we're just talking about three months and then we would have time, because if we run into the situation that--that you just described in June and then we have to change venue. But if--in March that won't be a problem. Because if we can't, then we can change the venue.

I mean, we're in the military, people go on deployment, we prepare things three months in advance. I think that we could do something--I mean, that's just--it's barely even three months--March to--to June. Maybe it is three months. I'm very bad at days.

But--but if we realize that it's going to be an issue, I mean, we just--the OIC of the brig just testified that the media attention has been such that he's concerned for Copeland's safety in the brig because other prisoners might want to hurt him.

So, you know, these are the--the people who work at the brig are the same people; they're the--they're same military members that are potential members in--in Copeland's trial. And I would just--it steams conducive to, like, efficiency to figure that out in

March and not wait until June; because in March, then we have a remedy that we can do in advance of June and not cause any delay.

In June, if we run into the issue, sure, the convening authority can get new convening orders and, sure, at that time he can get new members, but it gets more and more dangerous that it could cause delay in a trial where the defense has, you know, demanded speedy trial and that the accused is in--in maximum confinement. And, you know, he won't be after--he won't be in maximum confinement no matter what happens after his trial.

MJ: I understand.

Okay. So given the fact that the--although the defense has not conceded their motion for a change of venue, given the fact that--that Commander Serfess has conceded that the law is not on her side, the court agrees, and so I'm gonna deny the motion for a change of venue.

And I'm also going to--and to the extent the request to do the voir dire in March is perhaps styled as an amendment--you know, request to amend the TMO, I'm gonna deny that as well. I find that the convening authority has the resources and the ability to throw members at this veneer and to impanel enough members in accordance with Article 25 where we can use voir dire as the appropriate process to determine whether or not there is any bias, actual or implied, from the members.

And to the extent we--we don't have a quorum after we go through the initial voir dire, I would expect the convening authority to be flexible and will require him to be in getting us new members and continually getting us new members from wherever he needs to get them in a timely fashion so that we can continue on the trial on--on time.

So--so I'm gonna deny your motion, and I would just urge the government to make sure the convening authority realizes that we're going to have to have a members panel and--and he's gonna have to be flexible in--in assigning them based on the criteria in Article 25, and I'll leave it at that. I trust the convening authority to do what he's empowered to do and what--what is statutorily required of him.

Parties understand my ruling?

TC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. Let's move to Appellate Exhibit XXX, which is the--everybody doing okay?

TC: Yes, Your Honor.

ADC (LCDR MORGAN): Yes, Your Honor.

MJ: Okay. Let's move to Appellate Exhibit XXX, which is the motion to produce witnesses.

Okay. Defense counsel, I think you've got the--the burden there. Again, no evidence to present; just--just argument?

ADC (LCDR MORGAN): Yes, Your Honor, just argument.

Just want touch base on one of the things that--I think it's pretty laid out why these people are relevant and necessary, but to the--to the--to the point about the--the hearsay argument the government raised for--give me one second, Your Honor.

MJ: Just to set the stage, you--you are asking for three witnesses.

ADC (LCDR MORGAN): Yes, Your Honor, just three.

MJ: That's Seaman Miguel, Mr. Teelez, and Dr. Rodic.

ADC (LCDR MORGAN): Correct, yes, Your Honor.

MJ: Rodic. Okay.

ADC (LCDR MORGAN): Yes.

MJ: Okay. Go ahead.

ADC (LCDR MORGAN): So--so talking about--and I want to address the hearsay argument for Brian Teelez Mendez because that--I think that was pretty much the only thing the government raised as to why he shouldn't be compelled.

But, you know, everything in that--in the text message--or the Instagram message that he received from Resendiz talking about what she was experiencing in her command and--and all that. It is admissible. It's not hearsay. Nothing in those messages are being

offered for the truth of the matter. It's only going to her state of mind and why she--why the defense's theory is that you know--

MJ: Is this the statement where she's making--remind the court. She's making statements or she's texting that something's--her work center's toxic or something like that?

ADC (LCDR MORGAN): Correct. You know--

MJ: So not offered for its truth; not show that the work center is actually toxic, but rather--

ADC (LCDR MORGAN): Correct.

MJ: --to show she thinks it is. That's how she feels.

ADC (LCDR MORGAN): Exactly. That's how she feels and that's what--you know, part of our theory is that she could have potentially committed suicide. And so, you know, we need to develop that theory.

I mean, there are--there's already statements out there that says she has, you know, potentially mental health issues and episodes. And--and whatchamacallit gives us that--Juanrogel Miguel. He--he's a--he is like a brother to her he says. I mean, he talks about the episodes that she experiences, the mental health issues that she's faced, potential mental health issues that caused her to actually need treatment. And--and on top of that, you have the text message or the Instagram messages--

MJ: How would he know that? Look—So--

ADC (LCDR MORGAN): How would who know?

MJ: So, I understand your argument about Mr. Teelez. We'll come back to that. When it comes to Seaman Miguel, what--what would he testify to?

ADC (LCDR MORGAN): He's gonna testify to the episodes that he's witnessed her have.

MJ: Okay. And why are those relevant?

ADC (LCDR MORGAN): Well--well, it's relevant because during the night she was with Seaman Copeland, she called, you know, her ex-boyfriend, Petty Officer Rich--

MJ: My understanding is the evidence suggests that those were panicked calls.

ADC (LCDR MORGAN): Right. Episodes.

MJ: Well--okay. We--we can call them episodes, but--but the description that--I mean, Petty Officer Rich describes is panicked, frantic--fair enough? Fair assessment?

Whether that's true or not, that's what the evidence seems to suggest for--for our purposes here.

ADC (LCDR MORGAN): Right. In addition to the fact that she's also, you know, reached out to somebody else and told them eff you.

MJ: I--I'm just trying to--at this point, I'm just trying to make sure we--that I understand your interpretation of that call.

ADC (LCDR MORGAN): Right.

MJ: And Petty Officer Rich seems to suggest that it was frantic and panicked. Is that a fair assessment of his--of what he--

ADC (LCDR MORGAN): Correct.

MJ: --thought the call was?

ADC (LCDR MORGAN): Right.

MJ: So that's what the state of the evidence is.

ADC (LCDR MORGAN): That--that is true, but he also talked about episodes. He even mentioned episodes that she's had in the past.

MJ: Okay. So, again, let--why is that relevant?

I--I guess my point is why are--why are ep--and the point I'm getting at is, is Miguel's specific description of those episodes is quiet and not talking and he's gotta talk to bring her out of it, which is--seems to the court, dissimilar to what ET3 Rich is describing.

So, I note--you know, we can colloquially call them both episodes, but they don't seem to be similar. So, my question again is, why is what Seaman Miguel is gonna testify to relevant here?

ADC (LCDR MORGAN): Well, Your Honor, because that's exactly what the government is planning to use. Like, they're--they're planning to use evidence of the--the phone call, of course, to--to show that, you know, she was frantic, et cetera.

At the end of the day, just because she had one episode, you know that he's able to talk about from the bar that she had where she was--

MJ: So first off, I--you know, I think the government's point is he's a--he's a lay witness and so you and I--

ADC (LCDR MORGAN): Right.

MJ: --are--would be lay witnesses when it comes to episodes.

ADC (LCDR MORGAN): Correct.

MJ: So, you know, I--I'm not sure if he were to testify that we'd allow him to use the words "episode." So, he would be testifying about things he observed.

ADC (LCDR MORGAN): Correct.

MJ: Is a fair point?

ADC (LCDR MORGAN): Correct. And--and his personal knowledge about her mental health struggles.

MJ: Well, but how does he have that personal knowledge?

He--I guess my point is, does--where is that personal knowledge? What personal knowledge does he have?

ADC (LCDR MORGAN): He--he was--he was her best friend, Your Honor. He--he knows what she had--

MJ: Did he--did he--

ADC (LCDR MORGAN): --or where--where she was.

MJ: Okay. Explain that to me. What--what--what would he testify to about her mental health struggles? Would he testify what she told him, because that's--I mean, if that's offered for its truth that seems to be hearsay.

ADC (LCDR MORGAN): Give me one moment, Your Honor.

One moment, Your Honor.

MJ: Take your time.

ADC (LCDR MORGAN): Okay. So, Your Honor, a couple of things.

MJ: Okay.

ADC (LCDR MORGAN): So, you're right, right? So, part of what he's gonna talk about is specifically his observations, right? Observations in terms of what he has observed when she--when she has told--when she has told him that she has been experiencing a mental health issue.

And I--and I think that, you know, part--part of that is he's observed the--he's observed the--the actions that she had, and he's--he's gonna be able to tie that to just his personal knowledge of her background and kind of what she experienced.

And that--and the reason why that's relevant and necessary, Your Honor, is because the government has already kind of laid out there that what Petty Officer Rich is--is gonna be talking about is pretty much the episodes.

And so I know you--you want to push back on that and, you know, defense using that word "episodes," you know, in regards to what Petty Officer Rich is even gonna be talking about, but--but--but what he says is, yeah, she was frantic, she did all this, and he's gonna say, well, you know, based on his personal knowledge, part of the reason that causes these panic attacks or episodes, whichever word you want to throw out there, is potential sexual advances on her.

And when we're talking about personal knowledge of other people about these same supposed attacks or episodes--again, whatever you want to call it--he provides a complete opposite description of--of things that cause these panic attacks, if you want to call it that.

And--and it--it does not deal with--

MJ: So--so you're saying he would testify about his observations of what Resendiz is going through and then her reaction to that--her reaction to that.

ADC (LCDR MORGAN): Correct.

And then on top of that, he's also gonna be testifying about the interactions that he had with Resendiz about having to closely monitor her use of medication when it comes to potentially overdosing because of--because of her background and the issues that she's had with mental health.

Like, he specifically says that he had to take her medication and closely monitor her to--in order to avoid her overdosing. He can speak about that.

It doesn't take an expert to be able to talk about the actions that you have to take in order to keep a friend--one of your best friends, from overdosing, Your Honor. The reason why he had to do that is because of the potential--well, the mental health issues she was facing and the potential risk of suicide. I mean, that is--that is--that's it right there.

And, you know, preventing these witnesses and the government preventing us from calling these witnesses is gonna--is--is preventing the defense from putting forth a theory, and--and that's not--that's not--that's not right; that's not where we need to be in this situation. That's gonna--that's--that's gonna detrimentally--detrimentally harm the defense's case. And these witnesses are directly relevant and necessary.

And that, coupled with Brian Teelez Mendez's message that he received from Resendiz direct--

MJ: Is he--is he essentially a foundational witness to get in that text--that--that Instagram message; is that all?

ADC (LCDR MORGAN): He's--he is the only witness that can get in that--

MJ: But that's--that's the only thing he would testify to. He would--

ADC (LCDR MORGAN): Correct.

MJ: He would testify that this came from--

ADC (LCDR MORGAN): Correct.

MJ: --Resendiz.

ADC (LCDR MORGAN): And then we're--we're gonna introduce that--that statement itself in--in photo form.

MJ: Okay.

ADC (LCDR MORGAN): How he received it.

MJ: Now talk about Dr. Rodic.

ADC (LCDR MORGAN): Okay. Doc--so doctor--

MJ: If you have--do you have anything else for Dr. Rodic beyond what's in your motion?

ADC (LCDR MORGAN): Yes. And--and the--the only thing that I'd like to add is the government has kind of thrown out there that these--the--the notes from the recorded call or something like that--that's actually, from what we know, is appended to the report.

You know, they're saying that was laced with a bunch of errors or--or whatever. There's nothing from Dr. Rodic saying any specific thing in that is--is--is of error. That Dr. Rodic has not said or provided any--any written statements or anything saying,

yeah, these--this statement is erroneous, this statement is erroneous, this statement is erroneous.

All we know is that, hey, Dr. Rodict, who did an autopsy on Resendiz when there's only two that's been done is--is saying that there was no evidence of foul play and no evidence of strangulation. And that's in the report itself based on what we have. And so that's why that person's relevant and necessary.

MJ: Okay. Let me hear from the government. I'll let you pick which one you want to start with.

TC: Yes, Your Honor.

I have really nothing further to say on Seaman Miguel or Mr. Teelez. I--I will say--I guess I stand by that it's still inadmissible hearsay for Mr. Teelez and also, it's irrelevant.

MJ: Why is he--why--why for Teelez? I'm having a harder time--it doesn't sound like that evidence is offered for its truth. I mean, I think the statement says--

TC: I think it says my command is toxic.

MJ: Okay. But--but that's not--I think--I mean, I--okay. So--but I can give a limiting instruction and say that--that it's not--it's non-hearsay. It's not offered for its truth.

Is it really going to show that her command is toxic, because that almost doesn't matter. What matters is how she feels. So, her command could objectively be not toxic, and she could feel it

is toxic, but that goes to her state of mind which the defense is trying to explore as a possible alternative to a murder.

TC: Yes, Your Honor. I mean, I--I suppose you could say the--the--the car is red without it, like, affecting how I feel about the car. You know, that she's--you know, to the extent that she's making an observation about her command--

MJ: What if I--what if she said I think the car is red? Almost doesn't matter what color the car is; what matters is what she thinks. I think this is closer to I think the car is red than it is--because toxic is not objective, right?

I mean, because literally, if we want to get literally, the command is not toxic. It is not radiation. It is not nuclear spillage. It is not literally toxic.

So, it's necessarily subjective. So, it's necessarily point of view. So, it--it's non-hearsay.

TC: Yes, Your Honor.

Then I'll--I mean, the--the--

MJ: Okay.

TC: --the second part of my argument is that's just wholly irrelevant. There is--there is no--nothing--there is nothing--

MJ: That's--

TC: --there's no probative value--

MJ: Let--let's explore that for a second.

TC: --whatsoever.

MJ: Why is that--why is it not relevant?

TC: That her feelings about her command as it makes what fact of consequence more or less likely.

Defense--I mean, we'd be seeing--I mean, I--I--from what defense is arguing now is quite a sea change from this morning about, you know, the--you know, how Seaman Resendiz--or how Petty Officer Resendiz died so now we're advancing a--a theory of suicide despite all the arguments this morning about agents not having to suspect or, you know, have--you know, wanting to or needing to apprize petty officer--or excuse me, Seaman Copeland of murder this morning regardless.

MJ: The--and obviously defense can explore all the options.

TC: Yes, Your Honor.

But a--a flippant comment on Instagram and that--that is it. That is all this--that's all this witness is able to testify to. There's no context about what was said before, what was said after. But--but in a vacuum, what--how does that help the members whatsoever regarding whether or not Seaman Copeland murdered Petty Officer Resendiz on 29 May 2025?

MJ: Okay. I understand.

TC: Yes, Your Honor.

MJ: What about Seaman Miguel? So, I--if he's going to testify about his interactions with Resendiz in the days or weeks leading up to her disappearance and her episodes, to the extent the defense is arguing or advancing a theory of something besides murder, why is that not relevant?

TC: Well, to the extent we're asking another junior sailor to opine on the mental health of another junior sailor--

MJ: Well, maybe not opine and--and maybe that's where it would be restricted, but to the extent her behavior that he observes can be described, is that not relevant?

TC: Well, also--I think we're also getting a little--I think maybe defense maybe was a little bit liberal with the interpretation of the facts. I'm not quite--first, where--the evidence submitted to this court was the summary of NCIS's interview.

The idea that--for--there's no temporal proximity to my knowledge of, you know, days before she went missing. I mean, this is--you know, the government is only aware of some, you know--you know, some issues that--that she had in the past, you know, months earlier. You know, they're--they're referenced in our motion to suppress.

We're--the government was aware and witnesses were aware that at some point in the past that she had had these mental health issues, but I don't think that Seaman Miguel can, you know, say, you

know, a day before she went missing, this is what I observed or a week before.

So, I think to the extent, you know, his--he is relevant, there should be some sort of temporal proximity to the events in question.

But, again, it's still incredibly prejudicial. The--the type of testimony that we're asking of him I--I can't--I'm trying to think of a way that defense would ask these questions in a way that would not elicit him opining on--you know, as a--as a armchair mental health expert. You know, this--this is what I saw. This is the medication she was taking. It just--it's well outside the bounds of a layperson's opinion.

MJ: How would he know what medications she's taking?

TC: Exactly, Your Honor. So, the--

MJ: Unless she told him, which is hearsay.

TC: Yes, Your Honor.

MJ: Okay. Dr. Rodic.

TC: Dr. Rodic. Your Honor, I don't--I don't want to suppose, but I get the sense that defense may have not spoken to Dr. Rodic, and I would--the government, on several occasions, has spoken with Dr. Rodic, disclosed those conversations to defense.

The--the crux of--or the--what has happen--Dr. Rodic did a secondary autopsy of Petty Officer Resendiz 18 days after the Norfolk Medical Examiner conducted theirs.

There was significant degradation to the body over those 18 days. There was embalmment took place. A lot of factors which would make the second autopsy less reliable, and Dr. Rodic says that.

But at the--at the core of his determination about the cause of death it is consistent with Dr. Lameira; in that, you know, they're able to rule out certain mechanisms of death. One that can't be ruled out is asphyxiation/strangulation, what the government is--is moving forward--our theory of the case.

So there--there is--to the extent that, you know, Dr. Rodic's autopsy provides any additional probative value, it is cumulative with Dr. Lameira, who--you know, who--who did the closer in time autopsy and has a more full accounting of--of that examination.

I'll proffer to the court that that voice to text memo or the--the--the text that--that was, you know, provided to defense with the autopsy that Dr. Rodic concluded did not come with the autopsy. It was provided by--by the victim's family. It's my understanding it was an attempt to record, poorly, the conversation that the victim's mother had with Dr. Rodic after the autopsy.

But we've asked Dr. Rodic about his--his findings and, again, they are consistent with Dr. Lameira.

MJ: And so, to the extent they are consistent, you believe they're cumulative.

TC: Yes, Your Honor.

I mean, I--I--the thing the government's arguing is they're less probative because of the amount of time that elapsed between the two autopsies, but they are generally consistent.

MJ: Okay.

Defense, you bear the burden so I'm gonna give you the last word. In particular, I would like to discuss the--the--and I'll let you talk about whatever you want to, but I--I'd like to hear your thoughts on Dr. Rodic and whether or not he's cumulative.

ADC (LCDR MORGAN): Okay. I'll address that first because that's the court's concern.

Dr. Rodic is not cumulative. One manner, cause of death, undetermined; the other one's deferred. You know, specifically when it talks about what Dr. Rodic--

MJ: Well, what does "deferred" mean?

I think he explains in there what "deferred" means. It means I don't know.

ADC (LCDR MORGAN): Right.

MJ: And pending further examination which can't be done.

ADC (LCDR MORGAN): Right. Okay.

MJ: So, is that--is that functionally the equivalent of unknown?

ADC (LCDR MORGAN): I--I agree, Your Honor. He--he doesn't know what caused the death, you know, and--and to the government's point that he's cumulative, he does not opine the exact same thing as--as the first--

MJ: Okay. I'm gonna--

ADC (LCDR MORGAN): Yes, sir. And the reason--

MJ: I'm gonna--I'm gonna grant Dr. Rodic. The rule, to the extent it's cumulative, it's needless presentation of cumulative evidence in 403. I don't think it's needless. I don't think two doctors opining even similar things is necessarily cumulative.

I think the fact that one medical examiner even comes up with significant similar findings to another one makes a fact of consequence more or less probable. So, I--I think he's relevant. I don't think it's needlessly cumulative. Three or four medical examiners, maybe; but a second one I don't think is.

And I think he examined the body 18 days later. That's all explainable. So, to the extent the defense wants to explore things he might say that are slightly different or slightly--well, slightly different from what Dr. Lameira, I think it--the defense has the opportunity to do that. So, I'm gonna grant Dr. Rodic.

ADC (LCDR MORGAN): Thank you, Your Honor.

MJ: Go ahead. You--you can proceed with any other additional comments you have on Seaman Miguel and Mr. Teelez.

ADC (LCDR MORGAN): All right. Absolutely.

I'll--I'll start by making this point because government brought this up. This isn't a guilty plea here, okay? There is no direct evidence of murder in this case, period.

The--the defense making an argument earlier that the government had enough evidence to--

MJ: I--I--I understand--

ADC (LCDR MORGAN): --read him of his rights--

MJ: I understand the argument. I fully expect--

ADC (LCDR MORGAN): Right. I just want to make it clear--

MJ: No--

ADC (LCDR MORGAN): --for the record.

MJ: Well, and--and the court's certainly clear; that you are making arguments that--it's--it's not lost on the court that at this stage of the proceedings you make arguments that the government's evidence is overwhelming, and they should have warned him about things that they didn't warn him about.

I don't expect those are the arguments you make--you will make at trial; that the government's evidence is overwhelming. So, it is--it is part of the trial process and--and so the defense has

the full range of opportunities to explore a lot of different theories. And so, what you may argue at this stage of the proceedings doesn't bind you, doesn't bind the court, and certainly wouldn't go in front of the members about how you're gonna present your case.

So, you don't have to convince the court of that.

ADC (LCDR MORGAN): Okay. One of the questions the court asked the government was how--how would Miguel be able to know the medications but for her telling him. Well, there are other ways, Your Honor, and that's because he saw them. He specifically--

MJ: So, is that in evidence somewhere?

ADC (LCDR MORGAN): Yes. He specifically said I had to--and let me--let me--let me just pull it because it's Enclosure (E). It states he confirmed that the medications have to be closely monitored in order to avoid her from overdosing. He knows what--what she takes. He can see it. He has it.

MJ: But he didn't--well, so--I don't have that in front of me. It says--you know, I--and does it--is it relevant what medications she's taking?

ADC (LCDR MORGAN): It's--it's not necessarily relevant. So, what medications she's taking does not matter. The issue is the fact that he's saying that that action must be taken in order to keep her from overdosing. Overdosing is a direct act of suicide.

And when you couple that with the--the fact that he's saying that, you know, she has these mental health panic attacks or--or episodes or whatever--again, whatever you want to call it, mixed in with the fact that she sent Teelez Mendez a message on Instagram--the same month she went missing and ended up dead--that she had a toxic command culture and now--how it was impacting her; and that she felt, you know, like it was very toxic.

That coupled together is relevant and necessary why--why both of them need to be compelled here to speak.

I do want to make one more point, Your Honor, on that. Give me a second.

If--if--if--if the court does not compel Miguel to show that this episodes or panic attacks are caused by other things, the government should be prohibited from being able to bring in any testimony that this potential episode could have been caused by sexual misconduct through Rich because he specifically states that one of the things that, you know, could have potentially caused this episode or panic attack is--is acts of sexual misconduct or sexual advances.

MJ: Let me--let me ask the government.

ADC (LCDR MORGAN): And that's--

MJ: Is that part of the government's case? I'm not sure how it could be.

TC: No, Your Honor.

MJ: I'm not sure how that would be admissible.

ADC (LCDR MORGAN): It's in the 404(b).

TC: It's not in the 404(b), Your Honor.

MJ: Well, to the extent it's in the 404(b), the government has given me their answer.

ADC (LCDR MORGAN): Okay.

MJ: So, I mean, I will tell you that I'm not sure how that would be admissible evidence. I'm not sure how ET3 Rich's belief that her panic attacks are caused by unwanted sexual advances is--I don't know how he's competent to testify to that. And I don't know, to the extent he is, how it would be relevant to anything.

ADC (LCDR MORGAN): Okay.

MJ: I mean, government, do you agree?

TC: I agree, Your Honor.

And--and to the--well, I'll--if I may, to the--to the point about overdosing and--and things of that nature, I just want to draw the court's attention to Exhibit 52 of our 404(b) motion where the medical examiner, you know, had run a toxicology test and there were no--there's no signs of an overdose.

ADC (LCDR MORGAN): And--and, Your Honor, there doesn't have to be a sign of an overdose just to say that there are other ways that suicide could have been committed.

MJ: I understand.

ADC (LCDR MORGAN): You know, we're not saying that she took pills. I mean, I don't think the--

MJ: Your--your point is that--that Miguel would testify that he--that based off her behavior he was worried about her committing suicide.

ADC (LCDR MORGAN): Correct. Coupled with--

MJ: Okay. But how is that not a lay opinion? How is that not a lay opinion that he was worried she would commit suicide? And--and how is he--how is he competent to testify about something like that?

Again, he can--he might be able to testify about what he observed.

ADC (LCDR MORGAN): And that's the thing, Your Honor. The--the defense does not have to get to the opinion, Your Honor. It's just the act that she had to be observed to prevent overdosing. I mean, overdosing is pretty clear what that insinuates.

We don't have to say, okay, well--you know, well, what is your opinion about her ability to commit suicide based on whatever--whatever mental illness you think she may have. We're not trying to get that from Miguel. I don't think he can testify to it either.

MJ: Okay.

ADC (LCDR MORGAN): But what he can testify to is the fact that she had to be closely watched by him to prevent overdosing.

MJ: I understand.

ADC (LCDR MORGAN): A potential act of suicide.

MJ: Okay. I understand both parties' arguments. I'm gonna take Teelez and Miguel under consideration and I will get you a ruling in due course. I have to--you've given me a lot to think about and I'm gonna go back and reread the evidence presented along with your motions and--and I'll come out with a ruling in due course.

You want to take a break? We've got a few more to go. We've gone about two hours now. You want to take a health and comfort?

Let's take a health comfort. Let's come back at five after, so let's come back at 1605.

Court's in recess.

[The Article 39(a) session recessed at 1556, 10 December 2025.]

[The Article 39(a) session was called to order at 1611, 10 December 2025.]

MJ: This court-martial's once again called to order. All parties present when the court last recessed are once again present.

Okay. I think the next motion we'll take up is the defense motion to sever, which is Appellate Exhibit XXXVI.

Defense, you've got the--the burden. Any evidence to present on this motion?

ADC (LCDR MIHILL): Yes, Your Honor. If I may approach?

MJ: You may approach.

ADC (LCDR MIHILL): What I have has been marked previously as Appellate Exhibit XXXVII(a). It's an e-mail. The court reporter has a redacted version of this.

MJ: Okay.

ADC (LCDR MIHILL): And I'll--I'll touch on that in just a moment, Your Honor, but the motion to sever is based on the manifest injustice that'll occur if these offenses are tried together.

The defense recognizes the joinder of offenses is--is--is favored in the military system; however, in this case, we have a--we have a charging scheme which has taken offenses that were over a year old which were out of sight and out of mind, and we've now, in the--in the world of allegations of premeditated murder with Petty Officer Resendiz, we're now finding those--those allegations finding their way back onto the charge sheet.

Those allegations are supported by very little to no evidence, but what they are brought into and what they are charged in this court-martial for is for the government to be able to say things happened in these cases which weren't being prosecuted or being

adjudicated in any way; so therefore, Petty Officer Resendiz was strangled as a result of a premeditated murder in this case.

MJ: So, if that is--if that assertion is true, then this severance motion hinges on my ruling of the 404(b) motion. Because if--if--well, it doesn't hinge on that, but one of the factors in determining whether or not to sever a case is whether or not evidence of--of some of the offenses are admissible for evidence of--for the other offenses.

And so, if--if indeed the government has charged these other offenses so that they can use them--I guess my point is, why would the government need to charge these offenses if they can just admit them under 404(b)?

ADC (LCDR MIHILL): Defense position is that they--they--these offenses have been charged so that they can discuss and they can point to a--an escalation of force like Lieutenant Commander Dempsey mentioned earlier this morning.

MJ: But they could do that if I ruled on their 404(b) and severed the charges. If I ruled in the government's favor on their 404(b) motion--

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: --you know, in each and every instance where they do, they've requested 404(b), then all of that evidence--whether it comes

in at this trial substantively for the offenses charged or comes in as 404(b) would still be admissible.

So, I guess--back to my question--does--does your argument for severance hinge on whether or not I grant the 404(b) motion?

ADC (LCDR MIHILL): No, I would--I would say that it does not, Your Honor. The--these--

MJ: Well then let me--let me take you to task on that.

ADC (LCDR MIHILL): Okay.

MJ: So, if I--if I do rule in favor--if I rule in--in the government's favor and admit evidence for 404(b), then this evidence that--and I rule to sever the charges, then all the evidence of the other crimes--or at least the evidence I found admissible under 404(b)--would still be admissible in this court.

ADC (LCDR MIHILL): You would be in a situation like the case--like the case cited by the government in *Curtis*, where at that point the--the lesser offenses in that case were admissible as evidence of premeditation. So, you would be in a different--you would be--it would look different, Your Honor. Yes, I would agree with that assertion.

However, I don't think that anything that would be admissible in the alleged murder trial would then be de facto admissible to the alleged sex assault case.

MJ: Well, so--well, let me say this: If I were to grant your motion to sever the offenses, you--you would ask me to sever the non-premeditated murder case, correct?

You would--you--

ADC (LCDR MIHILL): That's--that's correct. That's correct.

MJ: Okay. So--

ADC (LCDR MIHILL): Sever--sever the charges--

MJ: So, whether--

ADC (LCDR MIHILL): --unrelated to A.R.

MJ: So--so whether or not the evidence of--related to premeditated murder can be used in a subsequent trial is some other judge's problem in that case, so--so it doesn't matter to me. But--but you--

ADC (LCDR MIHILL): I understand.

MJ: So--so I guess I--it still turns on the 404(b) issue.

ADC (LCDR MIHILL): I--I understand what the court's asking, Your Honor, and, yes, I think the 404(b) issue is--is a major issue in the case.

I--I don't think the government is going to get to a place where motive, intent, common scheme, plan is going to beget an instruction from the court. They're going to be allowed to introduce evidence admissible for each of the alleged offenses.

But what they have made very clear is, is that they are tying the--the alleged murder of Petty Officer Resendiz to things that happened in those cases. Those witnesses are gonna have to testify, and they're gonna have to necessarily draw inferences to get to a place--whereas we've pointed out, there's no direct evidence of what they want the court to find.

And that's--that's what we're saying requires severance. You're taking three--you're taking three allegations of sexual assault, standing by themselves they have very little support and were not being adjudicated and were not being--nothing was happening with those cases until--you can see from our supplement exhibit--June 5th when OSTC reached out and said, hey, I need information about these past cases.

To the defense's knowledge, that is the first time those allegations found their way into this case when there was--there--there was this alleged disappearance that happened. Everybody wants to say that they didn't believe that Seaman Copeland was involved, but it seems very clear that Seaman Copeland has only been--he's been the only suspect throughout all of this.

So, to that extent, those charges are now being brought onto this charge sheet to bolster the premeditated murder. The government is going to attempt to inextricably intertwine them in

order to make the argument that they are--about this escalation of force and this pattern of conduct.

MJ: Well, so--so to the extent they're intertwined--or to the extent the government attempts to intertwine them, it'll be because the court let's them. It'll be because the court has granted some portion of their motion for 404(b) and said that evidence of X, Y, and Z may be used to show motive, intent--whatever--for other offenses.

So--but to the extent the court doesn't grant that, then there's still the preference for all charges to be at the same court-martial. So, why can't a--why can't other measures short of severance cure that? Spillover instruction, compartmentalizing the government's case.

ADC (LCDR MIHILL): Yes, Your Honor. And I--and I think that that is--that is certainly a--that is certainly a viable option short of severance. But what Seaman Copeland is entitled to is the presumption of innocence for each of the alleged offenses.

And when the government gets into trying to tie them together, that is when that gets into a murky world of having to provide an instruction separating witness testimony on one offense and another offense. You get into a world where the court is then trying to parse things for the members, where severance eliminates that problem. I put that--I put that to the court first.

The second option that would be available to the court would to be--to bifurcate the presentation of that evidence, right? These are the offenses, these are the witnesses, these are the alleged sex assaults, this is the offenses related to Petty Officer Resendiz, this is the evidence related to Petty Officer Resendiz. You must use them and you must follow the military judge's instruction to not allow these to spill in over to that because Petty Officer--or excuse me, because Seaman Copeland is entitled the presumption of innocence on each and every charge and not to be blended together and convicted on a general criminal disposition, Your Honor.

So, to the extent the court feels a remedy short of severance would be more appropriate, then, yes, defense would--would concur that bifurcation would make a good alternate remedy for our--for our motion.

MJ: Okay. Thank you.

Government counsel, do you want to be heard on this?

ATC: I think our arg--argument as it's laid out in our--in our motion, Your Honor. We believe that there's no indication that the members will not be able to follow the military judge's limiting instruction should you grant the 404(b) motion in full or in part.

MJ: If I deny the 404(b) motion and I say none of it can--there's no--there's no mixture at all, all of the evidence of

each crime is independent and I don't find any--any 404(b) at all, should I still--should I sever then?

ATC: No, Your Honor.

MJ: Why not?

ATC: There's still a preference for joinder of all the offenses. And these offenses are not so far apart or so far afield that they shouldn't be tried together.

In fact, many of the same witnesses, while we may be able to bifurcate their testimony, would still need to be present for those hearings. It would just be for judicial economy that--to try them together.

MJ: And so, to the extent--you mentioned bifurcation and certainly I brought it up. I--I don't anticipate you know how you're gonna present your evidence at this point, but it seems to the court a logical--I mean, it--it doesn't seem--it seems very disjointed to have witnesses who did the search of, for instance, the barracks room or interviewed Seaman Copeland followed up by evidence of the sexual assault of S.S., for instance. I mean, it--it seems a logical way to do it would be to present all the evidence for each victim at a time.

ATC: Um-hmm.

MJ: What are your thoughts on that?

ATC: One moment, Your Honor.

MJ: That is the way the court's simply seen it done. I--you know, I'm not at a point at this stage--because I haven't ruled on the severance, I'm not at a point that--where I would order that, but I--I'm interested on the government's thoughts on whether that's what you're gonna do anyway, if you know at this stage.

ATC: Yes, your Honor. I think that was--that's generally our intent. I'll admit it is a little bit early. Certain--

MJ: Sure.

ATC: Certain specific witnesses like Special Agent Duffy who testified today, who was kind of a part of almost every charge on the charge sheet--

MJ: But she could--she could come back and forth, right?

ATC: She could--she could if--if the court ordered it, yes.

MJ: She--she could come and testify about her interactions for an allegation involving sexual assault, be cross-examined on it, go back and sit down.

ATC: Mm-hmm.

MJ: And then to the extent she has evidence on the murder, she can come back up and testify again on that.

ATC: Correct. Absolutely, yes, Your Honor.

MJ: So that's a--that's a remedy short of severance that would--

ATC: And--and I--

MJ: --at least allay some of the defense's fears.

ATC: Yes, Your Honor. And our intent is to present the case at least generally in that manner regardless, so, yeah.

MJ: Okay.

ATC: Whether it needs to be explicitly bifurcated, as you say, that is our general intent, yes.

MJ: I understand.

I--same question I asked the defense counsel: If--if I do rule at least in some regards that that evidence is admissible--again, much of the evidence you seek to admit under 404(b) is admissible against--you know, for it's--for--for charged offenses.

ATC: Mm-hmm.

MJ: To the extent I admit that evidence for another purpose--for instance, under 404(b) to show motive or intent or common plan or scheme--does that sort of decide the severance issue then?

ATC: I don't think it's necessary to decide the severance issue, Your Honor, but I think it certainly helps, especially under that first *Southworth* prong, yes, Your Honor.

MJ: And the other two prongs are looking--

ATC: They're--

MJ: --looking reversed.

ATC: --kind of retroactive, right. Yeah.

MJ: That it's what the appellate court looks at.

ATC: Right.

MJ: The only prong in front of me is how the evidence is presented in the court, correct?

ATC: Yes, Your Honor.

And as we outlined in our motion, you know, I'm not sure exactly why the defense admitted this exhibit just now but just to touch on it, these are both witnesses that were on the Truman that just got back from deployment just prior to this e-mail being sent. This is trial counsel seeking contact information for the two victims in cases that we were still investigating.

MJ: It may or may not have anything to do with--it may be simply a timing because they just got back from deployment on June 1st.

ATC: Yeah.

MJ: It may or may not have anything to do with the fact that Copeland was involved.

ATC: And frankly--frankly, I'm not sure, Your Honor.

MJ: Okay.

ATC: Bottom line though, the--even if these cases were tried independently, they're strong cases, but the overlap of the evidence

is--is significant and especially with the 404(b), Your Honor. That's--that's why we think that--

MJ: I understand.

ATC: --they should be joined.

MJ: Commander, I'll give you the last word.

ADC (LCDR MIHILL): A preference for joinder and a preference for judicial economy should not trump the constitutional right of the accused to have a fundamentally fair trial, Your Honor.

MJ: Understand. Thank you. And it certainly won't here.

I will take all of this under consideration and I'll issue a ruling in due course.

Next, Appellate Exhibit XXXVIII is a motion for failure to state an offense.

Commander Serfess, you're standing. I take it you're taking this for the defense?

DC: Yes, sir.

MJ: You have the burden?

DC: Yes, sir.

MJ: Do you have any additional evidence to present on this motion?

DC: No, sir.

MJ: Government, you don't have any evidence on this motion, do you?

ATC: No evidence, Your Honor.

MJ: Do you want to be heard?

DC: Just briefly to address some of the--the argument in the government's motion. So just a couple of things:

First, we--we know that a bill of particulars cannot fix a flawed specification. So, to--to the extent that the government asserts that that fixes it, it does not.

MJ: Well, tell me why it's flawed. Why is the specification flawed?

DC: Because it doesn't allege the act.

MJ: Why does it have to?

ADC: Be--why does it have to?

MJ: Why does it have to?

DC: I think that *Richard* stands for that. And I understand that in that case we're talking about, you know, an evaluation of a specification later because somebody was convicted of a lesser included offense to say that that act.

But in--but when you actually read the opinion, all of the words that they use, they're talking about the fact that the--the model specification and all the things that are required.

MJ: But--but it--I'll just point out in *Richard* they--they allege--they don't allege an act at all. They don't allege anything. They allege--I forget what the word is.

DC: Asphyxiation.

MJ: Asphyxiation. Which is a not an action at all. It is a lack of breathing for better term. It would be like--it would be as if you charged the person with bleeding to death. There's no causation there. So that--that was the issue I read in *Richard*.

But I'll--I'll be even more fundamental than that. Great respect I have for the United States Coast Guard Court of Criminal Appeals and certainly the judge who wrote that opinion, a former Chief Judge of the Navy-Marine Corps Court of Criminal Appeals.

But I think they go too far in saying--they don't go too far to--to advise trial counsel to follow the sample specifications and to follow the presidentially appointed or presidentially directed elements is--is always a good practice.

But the law doesn't require that. The law requires that the accused be put on notice and every element of the offense be alleged.

So which element of the offense has not been alleged in this specification?

DC: The act.

MJ: Where is the act an element of the offense?

What--where is--how is that an element of the offense?

DC: It has to be an act of the accused.

MJ: No, it doesn't. I mean, it does--I mean, you are citing the presidentially approved elements. That's not the law. The law is Article 118 of the UCMJ, and it doesn't specify in an Article 118 in the UCMJ says any person subject to this chapter who, without justification or excuse, unlawfully kills a human being when he has premeditated design to kill, period.

DC: Yes, Your Honor.

MJ: Where does the specification fail to allege those offenses--fail to allege those elements?

DC: I--I think there's a necessary implication that if someone kills somebody, they do it by an act. And--and just hear me out, Your Honor.

MJ: No, I--I--

DC: Yes.

MJ: I think you're making the government's argument. There's a necessary implication when somebody unlawfully kills someone, they do it by an act. Well, they have alleged that he unlawfully killed someone, so the act is necessarily implied which is all--all the--all the specification is required.

DC: And I disagree and I think that the court in *Richard* tells you why I disagree. I disagree for the same reasons that they do.

And just to address *Ray* because the--because the government sort of tries to use *Ray* to say that's not true. In *Ray*, also--I

mean, it's an Article 92 violation--but even there, they--they alleged an act.

The problem that we have right now, Your Honor, is that the government is--is trying to have their cake and eat it too, which is we don't--we don't have to say the act. We can just get to court and be like we don't know, you know, what he did but we know that he did--that he did something.

But we're gonna provide you this bill of particulars that we don't have to stick to and--and we don't have to prove beyond a reasonable doubt about strangulation; and yet, we're gonna use that to shoehorn 404(b) evidence but really under the guise of propensity evidence, which is that there's allegations of strangulation in the past.

The--the person who conducted the autopsy can't rule out strangulation. Okay. He strangled him, but we don't have to prove that beyond a reasonable doubt. So, you--you can believe that he did this or, you know, anything else. And that's--that's the problem.

MJ: Well, let me ask this: Do the members--are the members required to find that Seaman Copeland strangled Seaman Resendiz to find him guilty of this specification?

DC: No, Your Honor.

MJ: Then doesn't that answer whether or not this fails to state an offense or not?

DC: Because if they still have to find that it was an act of the accused and we need to be on notice of what that act was and we are not on notices of that.

MJ: I think you need to be on notice--well, one, I think you need to be on notice that he's alleged to have unlawfully killed someone; unlawfully killed Petty Officer Resendiz.

Now the President breaks that down and says an act; but to the extent that's required, then you're notice that he--he is required to have committed an act. In other words, couldn't be an accident. It couldn't have been--it couldn't have been something he didn't do.

But, you know, what--what about the *Elmore* case? Is it *Elmore*? Is that the--the Navy case?

DC: Yes, Your Honor.

MJ: Binding precedent?

DC: Yes, it's binding precedent. It doesn't say anything about the--the failure to state an offense. What it--it's not even talking about failure to state an offense. And in that, they allege more than the government did here because there they say an act of force or violence.

Also, on that very same charge sheet, he's charged with attempted murder where they are very specific about the act of what he did; stabbing her and throwing her over the--the side of a cliff.

So, to the--to the extent that *Elmore* says anything--and I don't think it does. I mean, if--there's--there's nothing in that opinion about the offense or whether or not it was sufficient. I mean, we can--we're like--

MJ: I think--I think--

DC: --all just assuming--

MJ: I think what the government's pointing out is that this is a no body offense. In *Elmore* they never found the body. They had no idea what the act that caused the death was, only that the circumstantial evidence led to the accused being the one to cause her death.

And so, I think the--the--the argument--and I'll let the government talk here in a second--I think that the proposition is that's all the accused has to be on notice for; that an act that he committed--any of them--caused the death of Resendiz. To the extent the bill of particulars gives you more than that I don't know that it's required.

DC: Well, I don't think the bill of particulars really gives us anything except for that they're going to try and shoehorn 404(b) evidence in as propensity evidence, because it doesn't fix the charge and they're--they say in there that this is like our theory but we will explore all the other options as well.

And so, for--again, all the--all the reasons in *Richard*, we--we disagree and we do not think that this states an offense.

MJ: I understand.

Government, you want to be heard?

ATC: Just briefly, Your Honor. But we concur with--with your last statement there that, you know, we don't believe we need to be as narrow as we have even been here.

You know, even under the President's directive we could have said "act or omission." We specifically chose the language "act," and we provided a bill of particulars to a specific act.

This is very unlike *Richard* where the involuntary manslaughter charge that the accused was ultimately convicted of could have been on such a wide variation of possibilities with this.

It was an infant that was asphyxiated in their crib. It could have been from neglect. It could have been from pressing her into the crib. It could have been from, you know, some other act and then placing her in the crib.

There was--and the government in that case was unwilling to allow the military judge to restrict them from--from saying that it could be any one of these things.

And I think the Coast Guard--their--their opinion is--is frankly just because they were unable to do a factual or legal sufficiency review effectively is how they felt because they did not

know how the members reached the verdict that they did because there was just so many possible ways that the--that the death could have occurred.

Here that is just completely not the case. It is--it is so much more like *Ray* where there might be a couple or a variety of different acts that resulted in CS3 A.R.'s death, but they are all an act of the accused. They are all an intentional act of the accused, and they are most likely strangulation which we intend to argue at trial.

The defense--we--we have stated an offense under the law and the defense is on proper notice to meet that offense, Your Honor.

MJ: Okay. Defense, I'll give you the last word.

DC: No, Your Honor, except for there is a wide variety of ways in which Petty Officer Resendiz could have died that don't involve an act of the accused. But I understand they have to--

MJ: Well and that--I mean, that's--

DC: --prove that it was an act of the accused.

MJ: I mean, that's certainly a defense.

DC: Yes, Your Honor.

MJ: That's--that's certainly a defense.

DC: Yes, Your Honor.

MJ: Okay. I understand.

Again, I will take this under advisement. I will issue a written ruling in due course. Thank you for the very cogent arguments.

Okay. Are we left with 412; is that it? Is that the only one we're still tracking?

TC: Yes, Your Honor.

MJ: Okay. Is there anything else we want to take up before we go into closed session?

TC: Not from the government, Your Honor.

MJ: Okay. So just--just for the parties' awareness, what I intend to do now is to go into closed session to hear the M.R.E. 412. We'll excuse the gallery and all persons not required to be in the courtroom for 412 will be asked to leave. I will ask the bailiff to post outside the courtroom and secure the courtroom while we conduct a 412 hearing.

And then once we open the court back up, we will, you know, recess for the evening. And I--I don't think there's anything else to take up, so that's why I want to make sure there's nothing to take up now before we--we kick everybody out, go into 412, and then we open back up only to recess.

So, nothing else to take up now? And if we need to have an 802 at the close of business today, we can do that; but otherwise, that's my intention going forward.

TC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. Mr. Bailiff, at this time I'm gonna close the court. Please escort all personnel outside and have them exit the courtroom and post up outside and make sure no one enters until such time as we tell you to come back in.

BAILIFF: Yes, Your Honor.

MJ: So, at this time all personnel who are--all--all members of the gallery and all other personnel exit the courtroom.

So--so supervisory counsel and--and the support staff for the counsel may remain; but otherwise, all--all other folks have to leave.

BAILIFF: Yes, Your Honor.

[The courtroom was closed pursuant to M.R.E. 412 at 1637, 10 December 2025.]

[The following pages, pages 299 to 307, are sealed pursuant to M.R.E. 412.]

**[END OF PAGE]**

[The courtroom reopened at 1646, 10 December 2025.]

MJ: Okay. Let the record reflect the bailiff and other members of the gallery have returned into the courtroom, and this court is once again in open session.

Okay. Counsel, is there anything else we need take up before we recess for the day?

I will note that I--you know, I've only ruled on a few of these motions so I have several answers to get to you, and I will endeavor to do that--I keep saying "in due course." I don't know what that means, but it means as soon as I can because I know that helps you in preparation.

Anything else we need to take up before the court recesses?

ATC: Not from the government, Your Honor.

DC: Not from the defense.

MJ: Very well.

Court's in recess.

[The Article 39(a) session recessed at 1646, 10 December 2025.]

**[END OF PAGE]**

[The Article 39(a) session was called to order at 1015, 5 March 2026.]

MJ: This Article 39(a) session's called to order. All parties present when the court last recessed are once again present.

Ms. Cheek has returned as the duty court reporter--as the court reporter and she has been previously sworn.

So, since the last session of court we had one R.C.M. 802 conference by way of a pretrial status conference on the 29th of January, 2026.

We discussed--we discussed the government provided pathologist. The defense indicated that they're not sure that the--that pathologist was available and that's something, actually, we'll take up this morning. I asked counsel to stay on top of that and then, you know, to--to find another pathologist if that guy didn't work.

The--we also discussed the trial dates and--and that with the many moving parts we'd like to make sure we maintain those trial dates so to raise issues early if they come up.

We talked about the next motions filing which, again, we're here today to discuss.

Do the parties agree with my summation of our pretrial status conference on the 29th of January 2026; anything to add?

TC: The government concurs; nothing to add.

DC: Defense concurs and has nothing to add.

MJ: Very well.

Also, since the last session of court there's been several appellate filings that I'll just append to the record at this point.

So Appellate Exhibit LXII is a sealing order I signed.

Appellate Exhibit LXIII was the defense notice of forum.

Appellate Exhibit LXIV was this court's ruling on the motion to compel production of expert consultants.

LXV was a ruling on the defense motion to compel witness production.

LXVI is a ruling on the defense motion to dismiss for failure to state an offense.

LXVII was my ruling on the defense motion to exclude evidence pursuant to M.R.E. 413.

Appellate Exhibit LXVIII was a ruling on defense motion to dismiss with prejudice for lack of speedy trial.

Appellate Exhibit LXIX is a ruling on the defense motion to suppress the search and seizure of the phone, the 3 and 6 January statements, and the search of the barracks room.

Appellate Exhibit LXX was a ruling on the defense motion in limine to exclude evidence pursuant to M.R.E. 404(b).

Appellate Exhibit LXXI is a ruling on the defense motion for appropriate relief to sever the charges.

Appellate Exhibit LXXII is a defense motion for appropriate relief to merge some unreasonably multiplied charges.

Appellate Exhibit LXXIII--appellate--I'm sorry. Appellate Exhibit LXXII is a defense motion for appropriate relief to merge multiple--unreasonably multiplied charges. We'll take that up this morning.

Appellate Exhibit LXXIII is a defense motion in limine regarding 412 evidence. We'll take that up this morning.

Appellate Exhibit LXXIV is the defense motion to reconsider the--an expert consultant in forensic pathology.

LXXV are some enclosures to that motion.

LXXV(a) are supplemental enclosures.

LXXVI, a defense motion to suppress the search of Seaman Copeland's cell phone. We'll take that up this morning.

And Appellate Exhibit LXXVII are enclosures to that.

Appellate Exhibit LXXVIII is the government's response to the defense motion to dismiss.

Appellate Exhibit LXXIX is the government response to the defense motion in limine for 412.

Appellate Exhibit LXXX is the VLC response to the defense motion in limine regarding M.R.E. 412.

Appellate Exhibit LXXXI is the government response to the defense motion to suppress.

Appellate Exhibit LXXXII is the government response to the defense motion to compel the pathologist.

And Appellate Exhibit LXXXIII, the enclosures to that response.

Those are all now appended to the record. I'll just note that Appellate Exhibits LXXIII, LXXIX, and LXXX I will sign a sealing order and have those--have those appellate exhibits sealed since they deal with Military Rule of Evidence 412 matters.

Do the parties agree with my summation of the--the appellate exhibits that have been submitted since the last court entered--last session of court and is there anything I'm missing?

TC: Government concurs, Your Honor; nothing to add.

DC: Defense concurs and has nothing to add.

MJ: Okay. So, first, let's take up the motion to suppress evidence derived from the search of the--the accused's cell phone. I have read your motion. I've read the government's response.

Defense counsel, who's--who's taking this for the defense?

ADC (LCDR MORGAN): I am, Your Honor.

MJ: Okay. So, couple questions.

ADC (LCDR MORGAN): Yes, Your Honor.

MJ: I see how the motion's styled, but what is it you're asking the court to do?

ADC (LCDR MORGAN): We're asking the court to rule on the--on the CASS, basically. Solely on the CASS. So, I want to make clear this is not the PASS. This isn't anything to deal with what we talked about previously. This--

MJ: Well, let me--okay. So, let me back up for a second. Is--is this a motion to reconsider?

ADC (LCDR MORGAN): No.

MJ: So--

ADC (LCDR MORGAN): Because the--the court--

MJ: Then let me ask this: In your motion--so--so the court has already--you filed a motion back in December, we had a motions hearing, and I made a ruling and--and you moved to suppress the evidence obtained from the search of the accused's cell phone. And now you are seeking the court, again, to suppress that evidence. And I--I think what your argument is, is that you're asking it for a different reason.

ADC (LCDR MORGAN): That is correct, Your Honor.

MJ: Okay.

ADC (LCDR MORGAN): And I think case law makes it perfectly clear that the--the specific manner and style or the purpose in which the--the defense has to object to the specific manner in which the evidence was collected, that's exactly what we're doing.

MJ: Are you filing this motion simply to preserve your objection?

ADC (LCDR MORGAN): Yes, Your Honor.

MJ: Well, let me ask this: Even if I agree with you, do you get the relief you seek?

I mean, you're--you're--the relief you seek is suppression of the evidence obtained, but this court ruled that--that the evidence obtained from the cell phone was based on the accused's consent to search. So, if the search authorization was invalid, does it even matter because I've already ruled that the accused consented to the search?

ADC (LCDR MORGAN): Well, for the purposes of--of preserving his rights, Your Honor, because we're not gonna waive the right that the CASS was invalid. And so, for that--for that purpose alone--

MJ: Well, we'll get to that.

Let me ask you first: Why did you include a section of good cause in your motion?

ADC (LCDR MORGAN): For the sole purpose that the--the--the argument wasn't raised at the initial motions hearing.

MJ: So, I mean, this court--and the government points this out--this court did rule on--on the--the search authorization. The court, in sort of a belt-and-suspenders approach, found that--that the accused consented to the search of his phone.

But even if he didn't consent to the search of the phone, the search was conducted pursuant to a valid CASS. That was the court's ruling, so--

ADC (LCDR MORGAN): Well, the court--

MJ: So, are you--are you seeking to have the court reconsider that portion of the ruling?

ADC (LCDR MORGAN): Well, in--specifically, Your Honor, in your ruling, you said that the defense does not contest the validity of the CASS and that--that was correct.

MJ: But--but--

ADC (LCDR MORGAN): But now we are.

MJ: Okay. But I--I guess that begs the question: Why didn't you--I mean, is it defense's contention that we're gonna piecemeal this? You--you--

ADC (LCDR MORGAN): No.

MJ: You've asked--you've asked the court to rule on a motion. You didn't like the answer, so you asked us to rule again--you asked the court to rule again for a different reason.

ADC (LCDR MORGAN): It's not that we didn't like the answer, Your Honor. I think it made perfectly clear in the good cause section of the motion is that we just didn't have the time to adequately prepare for that section of--

MJ: Well, but--but--

ADC (LCDR MORGAN): --the issue.

MJ: So, you--you noted the issue in your--in your motion. You--you--you pointed out that--and you called it "late discovery." You called it "late discovery."

ADC (LCDR MORGAN): And it was.

MJ: And it was. And so, it was only five days before the motions deadline, correct?

ADC (LCDR MORGAN): That's when we got it, Your Honor.

MJ: Okay. So, when was the motions deadline for this hearing?

ADC (LCDR MORGAN): The 18th of February.

MJ: So, could you not have just not filed your motion then and decided to file your motion to suppress for all the known reasons you might want to suppress his cell phone search and filed it on February 18th? Or--or even more, might even have filed it at this motions hearing but filed it at the next motions hearing we have scheduled in this case?

I guess my question is: If you knew this was out there and you weren't prepared to argue why the CASS--the search authorization was invalid, why file your motion at all and not just delay the motion to suppress the cell phone search until such time as you had time to prepare for it?

The--the motions deadline five days after you received the--the search authorization discovery was not the only motions

deadline in this case. You had one in February. You have another one in April.

So--so by failing to--but by deciding, making the choice to file a motion, haven't you foregone the other--the other arguments you might have for why the--the suppression--why the fruits of that--that search should be suppressed?

ADC (LCDR MORGAN): No, absolutely not, Your Honor.

MJ: Well, tell me why.

ADC (LCDR MORGAN): Well, because of the fact of late discovery. I mean, that--that is the situation.

MJ: But it was--it's not late discovery. It's--it's--it's three months before the next motions deadline. It's five months before the following deadline.

ADC (LCDR MORGAN): To your point, Your Honor, it--if we had waited, we'd be back here asking about the same thing here today. And the reason why is because the TMO specifically states that the parties must file all known issues at the time and that's exactly what we did.

MJ: But you're arguing today in this court that it's not a known issue.

ADC (LCDR MORGAN): It--

MJ: I mean, your argument today is we didn't have enough time to prepare five days ahead--we--we got this information five days

ahead of the motions deadline and so we didn't have enough time to formulate an argument against suppression of the--the--the fruits of the cell phone. We didn't have enough--so we put together--

ADC (LCDR MORGAN): Related to the CASS, Your Honor.

Be--because I want to make perfectly clear we had the pass, we had the interviews, we had everything that we argued initially during the first motions hearing. Everything we had, we had prior to that in ample time to be able to prepare and make an argument.

MJ: So--

ADC (LCDR MORGAN): For this CASS, we did not.

MJ: But now you put yourself in this position where--what if I agree with you? What's the remedy you seek? What--what--what if the court says, you know what, I believe everything you're saying about the search authorization, it's invalid, there was no probable cause, or the arguments--even if that's true, what remedy can this court grant without overturning its prior decision, which you have not asked the court to do? What remedy do you get?

ADC (LCDR MORGAN): I mean, the court can make its own decision when it comes to--

MJ: No, I'm--I'm asking specifically--

ADC (LCDR MORGAN): Right.

MJ: --what remedy do you get if I agree with you?

ADC (LCDR MORGAN): Well, if you agree with us, Your Honor, I mean, on the invalid--validity of the CASS, if it's invalid, it's invalid.

MJ: Okay. So--so what--okay. That--that's a--that's a ruling.

ADC (LCDR MORGAN): Right.

MJ: Now what's the remedy for that improper constitutional violation?

ADC (LCDR MORGAN): Well, if--if--if the court feels that it's invalid and based on the other arguments that the defense has made, if it wants to reconsider its own ruling then it can.

MJ: The court does not want to reconsider its own ruling because you haven't asked me to and I--I think it's right.

So--so I guess my point is you--you've raised sort of a nonjusticiable issue. You've pointed--you're arguing for the--you're asking the court to make a declaratory judgment that this CASS is invalid, but it doesn't get you any relief even if that's true. The court's already ruled that an exception to the CASS exists; that the accused consented. And a second exception to the exclusionary rule exists; in that, the evidence would have been inevitably discovered.

So even if the CASS is invalid, you've got the consent of the accused, which is an exception to a search authorization requirement, and you've got this court's ruling that the evidence would have been inevitably discovered, which, again, is an exception

to the exclusionary rule which would otherwise provide that evidence obtained in--through an invalid search warrant would be--would be admissible.

So where do you get--where do you get a remedy out of this?

ADC (LCDR MORGAN): Well, Your Honor, the--the main remedy in all of this is that the defense is not gonna waive a known right and that is arguing that the validity of the CASS is invalid.

And--and so, I mean, specifically in the good cause, *Blackburn* requires a particularized objection when it comes to Fourth Amendment issues, and that's exactly what we're doing by raising this issue with the validity of the CASS.

MJ: Okay. Government, do you want to be heard?

TC: No, Your Honor.

MJ: Okay. So, to the extent this is a motion to reconsider, it's denied. To the extent it's a motion to suppress the evidence obtained from the search of the accused's cell phone, that motion is denied.

The court finds that, one, to the extent it's a motion to reconsider, Navy-Marine Corps Trial Judiciary Uniform Rules of Practice require a motion to be--motion to reconsider to be filed within 14 days of the issuance of this ruling and your motion was not filed within that time frame.

But more than that, for a motion to be re--for a motion to reconsider, it must be based on either an intervening change in controlling law, which you have not cited, the availability of new evidence, or the need to correct clear error and prevent manifest injustice.

So, you--you've argued that it's the availability of new evidence; that the discovery of the command authorize--authorization for search and seizure was only discovered to you five days before the relevant deadline; and therefore, you didn't have time to formulate an argument.

But the court notes that you didn't need to file the motion at that point anyway. Instead, you chose to do this piecemeal litigation and file a motion and make several attacks on the evidence derived from the search of the accused's cell phone and forego an attack on the command authorization for search and seizure.

You could have filed your motion at this motions deadline and made a more fulsome argument based on all of the arguments you would make. You could have even waited until the next motions deadline. There's nothing inherently necessary to--or timeliness to file this motion even before the eve of trial.

So--so I don't find that the availability of new evidence requires this court to reconsider that.

And then finally, the need to correct clear error or prevent manifest injustice, I don't find that there is any; chiefly, because even if the court were to agree and find that the CASS was invalid--which the court does not, and the court did not in its previous ruling--there's--you would not get the relief you're seeking anyway because the court found that the accused consented to the search of his phone; that he did not revoke that consent; and that instead, the--the search was--was based on consent.

And then even if it wasn't based on consent and even if there was illegality in the search authorization, the court found, in Appellate Exhibit LXIX, that the doctrine of inevitable discovery applied. Specifically, that the court ruled--and I'll--I'll read from Appellate Exhibit LXIX--even if the accused's iPhone had never been seized and independent of the accused's 3 or 6 June 2025 NCIS interrogations, NCIS were taking investigatory steps that would have ultimately led to seizure and then search of the accused's iPhone 15 Pro Max.

On 4 June 2025, NCIS--NCIS obtained an order pursuant to 18 U.S.C. Section 2703(d) for T-Mobile records pertaining to both CS3 A.R. and the accused's cell phone accounts. Those records would have provided device locations and revealed that the accused contacted CS3 A.R. a total of five times between 1902 and 1904 on 1 June 2025, after she had been missing for over two days.

Also on 4 June 2025, license plate reader queries on two vehicles that the accused had been known to borrow revealed that one of those vehicles belonging to Airman Calisse, was captured on Hampton Boulevard in Norfolk in the early morning hours of 2 June 2025.

Airman Calisse told investigators that the accused borrowed his car on the night of 1 June but did not return it to base until 2 June, making AR Calisse late for work.

This evidence suggests at least that the accused contacted or attempted to contact CS3 A.R. via his cell phone after he--after she had been reported missing and more than two days after anyone had seen her; and mere hours later, had driven off base in a borrowed car to an unknown location.

This evidence alone, regardless of any statements the accused made during his 3 or 6 June interviews, regardless of any information found in--subsequent would have made the accused's cell phone extremely relevant and given NCIS probable cause to seek a search authorization.

NCIS also conducted an examination in the hallway and stairwell closest to the accused's barracks room in the X-2 barracks on 4 June. Multiple areas of reddish-brown staining were observed in the stairwell. Subsequent DNA testing revealed that the reddish-brown substance matched CS3 A.R.'s DNA.

These forensic findings coupled with the knowledge that the accused and CS3 A.R. were texting back and forth on 28 May 2025 at the very least, which he indicated in his 1 June interview with NCIS, would have given NCIS probable cause to search the accused's phone since it was capable of storing communications between him and CS3 A.R. as well as photographs and geolocation data related to her disappearance.

So, because the court finds that the accused consented to the search of his cell phone and that the information on his cell phone would have been inevitably discovered regardless of any illegality of a search authorization, there is no clear injustice or manifest need to reconsider my ruling on the search authorization. So, the defense motion is denied.

Any questions about that ruling?

TC: Not from the government, Your Honor.

ADC (LCDR MORGAN): No, Your Honor.

MJ: Very well.

Okay. Let's take up the next motion, which is a motion for unreasonable multiplication of charges.

Defense, I believe you have the burden?

DC: Yes, Your Honor.

The only thing that we have to add is just in response to the government's response, where they say just merge for sentencing,

but I think the case of *Porath*, which is a new NMCCA case and is the reason that I filed the--the--the motion in the first place, it seems pretty clear that that's what the court did in this case. And NMCCA said that was an abuse of discretion and they should have been merged for findings.

So, any concern about the difference in the sentencing for, you know, strangulation versus a push could be taken care of with a variance instruction, Your Honor.

MJ: Give me--what were the factual scenario in *Porath*?

DC: Almost exactly the same. It was a chokehold, strangulation, and pushing. And then if you read the--the specification as merged in the--the case, it even very much says--I think it says chokehold and pushing in the--in the thing; commit a violent offense against Ms. A.R.E. by unlawfully placing A.R.E. in a chokehold and unlawfully pushing A.R.E.

So, it's--it's very similar into almost the exact same kinds of assaults and a merging for findings that--exactly like the defense is requesting in this case.

MJ: What was *Porath* charged with?

DC: A chokehold, strangulation, and pushing. Assault con--it was a 120b--128b.

MJ: Okay. Government?

TC: Yes, Your Honor.

We stated in our motion that strangulation and a violent assault, as we've charged in this case, are separate and distinct acts; specifically, as they played out here, where the accused pushed the victim onto a couch and then proceeded to strangle her.

We believe that they should be separated for merits but then merged for sentencing, Your Honor.

MJ: Do you want to comment on the *Porath* case?

TC: I believe, Your Honor, that the chokehold that they're referencing there was not a strangulation as we have here. A chokehold would be a form of a violent assault. So, they're separate and distinct criminal acts.

MJ: Defense, I'll give you the last word. The government points out or argues that--that this is not, you know, the blow-by-blow that we typically see charged as a single offense but these are two distinct criminal acts; in fact, two distinct ways of committing a violation of Article 128b with two different sentencing schemes. The President has given a different sentencing schemes for--for each of those two different types of 128b offenses.

So how does that square with your--

DC: Again, it--again, I think it's directly on point with the *Porath* case. And, again, a variance instruction will--it is a blow-by-blow. It is--it is the same assault. And just like it--just

like the court says in *Porath*, someone should not be convicted for two offenses for the same fight with the same person in the same interaction, Your Honor.

MJ: Do you have this--if--if I missed it--okay.

DC: Yes, Your Honor. I believe I cited it in my motion.

MJ: I've got it, yeah.

DC: Okay.

MJ: Okay. The court will take this into consideration, and I'll issue a ruling in due course.

TC: Thank you, Your Honor.

DC: Thanks, Your Honor.

MJ: All right. The next motion is the motion to reconsider the expert pathologist. So, I get--I get to hear from each of you.

Okay. Defense counsel--

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: --you have the burden.

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): Good morning.

MJ: Good morning.

ADC (LCDR MIHILL): I can address the timeliness piece first because I think the court probably wants to hear that. Now this is

premised on the availability of new evidence and to prevent a manifest injustice.

MJ: The court--court agrees. It looks like you did not know that the--the substitute that the defense had provided was not available until well after the filing deadline for a motion to reconsider my ruling on your expert consultant.

ADC (LCDR MIHILL): Yes, Your Honor. The defense found out on February 8th that Dr. Lew was now being assigned and that was--if we consider that the date, then within the 14 days--

MJ: Okay.

ADC (LCDR MIHILL): --to file this motion.

MJ: Okay.

ADC (LCDR MIHILL): So that leaves us in a place now where we're--where we're dealing with an issue of fundamental fairness and the--and the perception thereof. And I know that we've argued about this before, but I want to just talk about where we are at now.

The government took steps to procure an adequate substitute in this case. No dispute that they tried to consult for a military expert; no dispute that they--that they went out and got a list.

At the last hearing I characterized that as a "Google list." That was incorrect. That list was provided by Dr. Lindsey Thomas to the government. We asked for that information in discovery. We didn't get it there, but we got it in response in this

filing, so we have that now. So, it was not a Google list, but a list nonetheless from somebody else that was not the government.

And now we have a situation where Dr. Matshes, the one that the court said is the--is the answer to this problem, is not available for trial. That--that--that is where we are at on the government side of things.

Now, how we got to Dr. Lew, who is now being offered as the adequate substitute, I would point the court towards Enclosure (I) at page 14. In there, the same firm that Dr. Matshes owns, informed the government counsel, we are going to assign Dr. Lew. And as far as I know, they're not the person that does that, right?

MJ: Well, but the convening authority did too.

ADC (LCDR MIHILL): Understand--

MJ: So, do I--let me ask this--and maybe you'll--maybe the question will answer itself: Do I care about how the sausage is made? I mean, do I care how the expert was found?

The question for the court is whether or not the expert is an adequate substitute. The expert, Dr. Lew, has been assigned by the convening authority, which is--which is within his authority to do. If--if he picked her name out of hat, if he pulled it from a Google search, if he got it because the firm that he--that employs the person he otherwise picked said this is a good substitute, does that matter to me?

Because the convening authority's picked this person, so it seems to me the only question I care about is whether or not it's an adequate substitute.

ADC (LCDR MIHILL): I think it is--it's an essential piece of why we end up with this person, right? Because we're--we're in a place where initially this adequate substitute only came into the picture when trial counsel said, hey, this person is nec--a person is necessary for this; however, this one is too expensive. And that--that came from trial counsel. That never came from the convening authority.

The rule dictates that the convening authority is the one that says, hey, go see if you can find an expert. In that case, the prosecutors are the one that said, hey, you should find a different person.

So that's step one; we have the prosecutors deciding this person doesn't fit. Now we have--we've gone through motions litigation on this, we've come to a person that--that the trial counsel has found that says, okay, this--this is a good fit. It's not--they said, convening authority, this is a good fit.

We have no discovery. We have no anything about what was considered. We have no comparison. We have no idea if the convening authority ever even considered whether or not it's an adequate substitute. We--we have the--we have--

MJ: Except for his--except for his letter detailing her.

ADC (LCDR MIHILL): Correct, Your Honor, yes. He--

MJ: I mean, do I--do I need to get in mind--get in the mind of the convening authority and make sure he thought about all the things he needs to think about, or--or can I--can I presume some regularity there and assume that--that he's talking to his--his--his staff judge advocate, he's talking to trial counsel, and he is following recommendations base--and, you know, he--you know, do--should I presume that the convening authority is not--not following the rule and following the law?

ADC (LCDR MIHILL): I understand that that presumption is available to the court. I would caution against that in this situation. We have trial counsel who are selecting the people that the defense is going to work with in this case.

The defense has put out a person. That--that person, as we have gone through the list that the government counsel has provided us, our requested expert is a recommendation from one of their people. It's not like she's some out-of-the-box, crazy person.

MJ: Well, and I don't think the government's saying that. I think the government's saying she's twice as expensive. And--and so is that not something the government can consider?

ADC (LCDR MIHILL): Then we can consider the issued resolved, Your Honor, because Dr. Banerjee is going to--the government has

endorsed 30 house of pretrial consultation at $600 an hour. Our contention is, is that Dr. Lew's not an adequate substitute. I have an expert, Dr. Banerjee, who will do 30 hours of pretrial consultation--

MJ: But--

ADC (LCDR MIHILL): --at $600 an hour.

MJ: But her--her in-court fee is twice as much.

ADC (LCDR MIHILL): The government hasn't endorsed that. We haven't asked for it yet. We--

MJ: Well, you--well, you have asked for it and this court ordered it. And just to be clear so that--I mean, the motion you filed in this court last time was for an expert pathologist for pretrial consultation--

ADC (LCDR MIHILL): Yes.

MJ: --and trial.

ADC (LCDR MIHILL): Yes.

MJ: And the court granted that motion without any equivocation. So--so the court has granted in-person trial expertise in the form of a pathologist. So--so the court--the court--and I understand the logistics behind paying and--and only, you know, paying her in piecemeal and only--only paying the expert for the pretrial consultation now, but--but I will require the government to pay for travel and expenses for in-court because that's what I ruled.

So--so I think the government can consider how much it's gonna cost in court because I've ruled that that person's gotta be here for it.

ADC (LCDR MIHILL): And I--and I believe the convening authority is the correct person to make that assessment, not the people that are prosecuting.

MJ: Okay.

ADC (LCDR MIHILL): So, essentially--

MJ: Who's got the burden in this case?

ADC (LCDR MIHILL): We have the burden, Your Honor.

MJ: What evidence do you have that the convening authority did not consider those things?

ADC (LCDR MIHILL): There is no--there's nothing that's been provided to us in discovery despite our request for what kind of communications have transpired; that request has been denied. That's why I note that we didn't get this information--

MJ: So, you--well you--you--

ADC (LCDR MIHILL): --until--

MJ: I did see in discovery--

ADC (LCDR MIHILL): --we filed this motion.

MJ: I did see in the discovery there was a--there was an endorsement from the trial counsel--

ADC (LCDR MIHILL): We have that.

MJ: --to the convening authority.

ADC (LCDR MIHILL): We have that, Your Honor.

MJ: So that sounds like communications between the trial counsel and the convening authority.

ADC (LCDR MIHILL): Understood.

MJ: If the convening authority's answer was simply yes, it sounds good, what--what response would you expect from him other than a signature saying appoint this person?

Would you expect e-mails back and discussion, a dialogue? I mean, maybe that didn't happen because he was perfectly satisfied with the letter, they sent saying Dr. Lew is an adequate substitute.

ADC (LCDR MIHILL): If the--

MJ: And with the CV attached which the--I mean, again, you're--you're asking the court to find facts that aren't there. You're asking the court to find some nefarious part on the part of the trial counsel or the convening authority in not doing their homework and researching that Dr. Lew is inadequate.

ADC (LCDR MIHILL): Yes, Your Honor. I understand that. We--and we've asked for communications. We've asked for those things, so presumably they don't exist, right? And I can't provide the court obviously what--what we don't have.

My--my--my contention is, is that the rule permits the convening authority to say--to direct the trial counsel to go find an

adequate substitute. The rule does not presume that the special trial counsel is gonna say, hey, we need one but this one's too expensive.

And that--that's our contention there; is that the--the direction to find an adequate substitute--which they did. They found--they went to the military, they made a list, they got Dr. Matshes and none of that has worked out.

So now we're at the place where now we've--now we're assigning the--the firm that Dr. Matshes works for is now assigning a different person to this, who has made no--there is no presumption of regularity that they are considering whether it's an adequate substitute or not. They're saying you can't have Dr. Matshes, but you can have this person.

MJ: So--so is she not an adequate substitute? Kind of--

ADC (LCDR MIHILL): And that would--

MJ: --meat--meat of the--the question here--

ADC (LCDR MIHILL): And that would be--

MJ: --is why is she not an adequate substitute?

ADC (LCDR MIHILL): That would be where we turn on next, Your Honor. This--this person's CV--I understand that she's been doing this for a very long time. A cursory search of the internet shows that there was conflict when she was in the Miami-Dade office. The

exact quote was, she took a Michelin star restaurant and ran it like a broke-down McDonald's or words to that effect.

The only time that I've been able to find where she's testified on behalf of the defense or in a defense setting is for a corrections officer who was on trial for a prisoner injury of being scalded in the shower, and she found that that was just an accident.

So, the only--the only things that we can find on this person are these controversial things that surround her. CV aside, I understand that, but what I--where we are in this case is that the government is gonna show up with Dr. Lameira. Dr. Lameira from the Norfolk Medical Examiner's Office. Go ahead and do all the research you want. There is nothing out there. She is not--she is above reproach.

The defense is simply asking for somebody who does not have the same sort of shadows over their--over their career. Dr. Banerjee does not have those shadows.

Now, the government can go through all these hoops and they can say, yep, you can work with Dr. Lew. The government is then in a position where they can come in here and--and impeach that person. I'm not saying that they would--

MJ: Why--why--

ADC (LCDR MIHILL): I'm not saying that they would--

MJ: Why do you think this court would allow that?

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 5 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 5 of 25; Record of Proceedings (Transcript Page 335); and Article 30a Preliminary Hearing (through Transcript Certification).



# RECORD OF PROCEEDINGS

ADC (LCDR MIHILL): I'm not saying that they would, Your Honor. I'm just saying that it's--

MJ: I mean, do--do you think that I would allow the government to--to provide an expert for your use and then use anything--I mean, certainly, they can--they can cross-examine the government--your expert about her findings and about her research and about the things that their expert may disagree with.

But this court wouldn't allow them to attack her credentials because they provided her to you.

ADC (LCDR MIHILL): I understand that Your Honor, and that--and counsel doesn't ever presume to know exactly what the court would do. My job is to be here representing--

MJ: Oh, I understand.

ADC (LCDR MIHILL): --Seaman Copeland.

So, we have that out there and then as I--as I point to in our motion, presumption of regularity. All it takes is a Google search for one of these names to show up and for these things to--these things to be available on somebody's phone; anybody who's sitting here in the courtroom.

What the defense is merely asking is that we've been through the hoops of the adequate substitute. We are still at a place where the person the government is providing is not comparable to the expert that they have, Dr. Lameira--who is above reproach.

There's nothing out there. I cannot find anything bad about Dr. Lameira.

We are simply asking for an expert who--even within the government's provided materials, is coming recommended by the same people that they're trying to put in our case.

Seaman Copeland is on trial for essentially his life at this point, and he deserves to have the same level of experts that the government is going to bring to trial against him. And that's what we're asking for.

MJ: How long has Dr. Lameira been a forensic psychologist for the City of Norfolk?

ADC (LCDR MIHILL): I--I've requested her CV, and I--I have not gotten it from her yet--an updated CV.

MJ: Government, how long has--how long has Dr. Lameira been a pathologist?

TC: I'd say like--Your Honor, I'm guesstimating, but I want to say between 10 and 15 years.

MJ: Okay. Anything further? I'm gonna--I'll give you the last word, but I want to hear from the government.

And--and let me start with, how long has Dr. Lew been a pathologist?

TC: I think 36 years if I did my math correctly, sir.

MJ: What was her last job?

TC: She was the Chief Medical Examiner for Miami-Dade County.

MJ: Is Miami-Dade County bigger than Norfolk?

TC: Yes, Your Honor.

MJ: So--okay. I'll let you be heard.

TC: Pending your questions, Your Honor.

MJ: I'd like to hear why you believe she's an adequate substitute.

TC: Yes, Your Honor.

Despite--I think defense's last comment was--I think they concede--CV aside, I think we all acknowledge that her--her CV is more than adequate for her to meet the needs of defense. And we cite in our motion, you know--you know, CAAF's direction in these circumstances; are the defense receives the basic tools.

And the government submits in this case, based on her CV, which apparently nobody contests, defense has been provided more than the basic tools to meet their need.

I think what we're arguing about here is not adequate. We're talking--or adequacy but preference. Defense clearly prefers one pathologist, and they have the mechanisms by which to--to obtain that pathologist.

But what the government's burden is and what this court has ordered is for us to find an adequate substitute. And Dr. Lew,

through not only her education but her professional experience, is more than adequate to serve defense's needs in this case.

Yeah. Your Honor, again, you know, she--the pathologist for a major U.S. city. And to the extent the court, you know, clicked on any of the links defense provided in their--their motion, it appears that the--first off, the--you know, members are not--we shouldn't presume members are going to disregard the court's instructions not to do their own research; but to the extent that they do, they would find a human resources matter from a couple years ago. There's nothing in that specific article that attacks her credentials or--or ability to perform her duties, Your Honor.

MJ: You wouldn't seek to--even with the court's admonition you wouldn't seek to undermine her credibility by pointing out her human resources failures?

TC: Sir, I'm not even sure I'd know how, but, no, Your Honor.

MJ: Okay.

Defense, I'll give you the last word.

ADC (LCDR MIHILL): We--we--just so we're clear, we're not gonna concede the CV. The CV's written by the individual. So, for--to the extent that that matters, we're--we're not conceding that point, Your Honor.

What we're asking for is simply an expert on par with what the government's going to bring to trial. If we can find it in five

minutes, the cases--the case we have--we're gonna have members; obviously, there's media attention on the case; these things can be brought quickly to attention. They can be out and in--they can be out in no time.

What we're asking for is to protect Seaman Copeland's rights and provide him an expert who is above reproach to the same extent that the government has an expert who is above reproach.

MJ: Okay. I've heard the arguments of the parties. I will issue a ruling in--I'll take it under consideration. I'll issue a ruling in due course.

ADC (LCDR MIHILL): Understood, Your Honor. Thank you.

MJ: Okay.

All right. At this point, is there anything else we need to take up in open court before we close for the M.R.E. 412 hearing?

TC: No, Your Honor.

MJ: And is victim's legal counsel present? Is that Commander Kim?

VLC (LCDR KIM): Yes, Your Honor.

MJ: Okay. At this time, I'm going to order the court closed to spectators, and I'm gonna ask the bailiff to escort everyone out and post up outside so only court staff and supervisory counsel shall remain.

This hearing's closed in accordance with M.R.--Military Rule of Evidence 412.

[The courtroom was closed pursuant to M.R.E. 412 at 1051, 5 March 2026.]

[The following pages, pages 343 to 351, are sealed pursuant to M.R.E. 412.]

**[END OF PAGE]**

[The courtroom reopened at 1101, 5 March 2026.]

MJ: Bailiff, you can let everyone back in.

BAILIFF: There is nobody else.

MJ: Return to your position.

BAILIFF: Yes, sir.

MJ: The bailiff and any spectators that remain have returned to the courtroom, and this court is now once again open session--in open session.

Counsel, I've heard all motions. I--I owe you rulings on I think three of them, and I will get those to you in due course.

Do the parties have any other additional matters to take up before we recess?

TC: Not from the government, Your Honor.

DC: Not from the defense, Your Honor.

MJ: Okay. Let me just--before we recess, let me just make sure I'm--I want to see what's next.

DC: And--and I may have lied. We're--we're waiting on a response from the government about another issue; and if it doesn't go our way, we will be filing a motion and it--it may be out of turn because it's something that we need to take up sooner rather than later.

MJ: Do you want to give the court a preview on what that is?

DC: Yes. We're--we're having an issue--another issue with the brig. I--I don't know if you remember, but there was a 30a where we talked about some situations at the brig. That was resolved outside of the court because the--the commanding officer of the brig gave us an exception to policy where we could have contact visits with our client.

Since then, there have been some, like, disciplinary stuff about, like, disrespect, so nothing violent or nothing like that. But, in turn, the OIC of the--the local brig has removed Seaman Copeland's privilege to have in-person contact meetings with his defense team.

And this is becoming an issue right now because we have experts that need to evaluate our client. They cannot do it in the--the glass room.

So, we are trying to resolve the issue outside of the court by having him brought to A-50 and just conducting those evaluations here in this building, but we just--we haven't gotten a response from the convening authority. And so, you know, if the convening authority says, no, we can't do that, we are going to file with the--with the court.

And I'm gonna--I will file it soon but--hopefully, very soon, and that way we can resolve it, you know, maybe out of turn with the motions hearings or something.

MJ: Okay.

Government, I assume you're working this closely?

TC: Yes, we are, Your Honor.

MJ: I'm not gonna rule because no one's asked me to, but it seems very reasonable what the defense is asking for.

TC: Yes, Your Honor. I appreciate that.

MJ: I'm sure the brig OIC would hate to testify in person at this court.

TC: Yes, sir.

MJ: Neither would the convening authority.

TC: Okay. Understood. Yes, Your Honor.

MJ: Okay.

Okay. Next, we have a pretrial status conference on 2 April, and then next set of motions are due on 8 April, with responses on the 15th of the April. And then we have another Article 39(a) session on 23 April.

Everything--does that sound right to everybody? Everybody tracking?

And, again, if you need to file a motion out of turn because of a expedited matter, we can do so.

Okay. Commander Kim?

VLC (LCDR KIM): Your Honor, just one note: I will be TDY for the next motions hearing, so I may request to be present telephonically or through VTC.

MJ: Understand.

Okay. If there's nothing else to take up, the court's in recess.

[The Article 39(a) session recessed at 1105, 5 March 2026.]

**[END OF PAGE]**

[The Article 39(a) session was called to order at 1011, 30 April 2026.]

MJ: This Article 39(a) session is called to order. All parties present when the court last recessed are once again present.

We are here this morning to go over some motions filed by the parties which we'll get to in just a second. But I just want to sum up the pretrial status conference we had back on April 2nd. There was an R.C.M. 802 conference held in chambers. The parties--both government counsel were present. I don't believe all defense counsel were present. I think that's--I think Commander Morgan and Commander Mihill were present. I think Commander Serfess was not there.

Is that correct?

DC: That's correct. I was in another trial.

MJ: That's what I thought.

At that--at that pretrial status conference, we just discussed the venue and building--Building A-50 is--is--for the record, a rainstorm caused some catastrophic flooding in courtroom one, which is the only courtroom in this building that--that can house a general court-martial, so there was some concern that it would not be ready by the time of trial.

So, the government was--indicated that they're exploring other options. We discussed that. I said I didn't think that was

necessary because I thought courtroom one would--would be ready. I was proven correct. There's a courtroom going--we are presently in courtroom two for the record. There is a court-martial going on in courtroom one, and they've done significant renovations to it so it will be ready for trial, I think.

Lieutenant Commander Kim, also present at the 802 conference, discussed his client CSSN S.S. and her desire to testify remotely or via VTC because of a recent medical issue. He's not making a motion, but he just wanted to put on the record. Obviously, in-person testimony is required absent some extraordinary circumstances.

But the government also indicated at that, that their toxicology expert was unavailable for trial so they're working on getting a new one. And then, again, we went over the TMO dates and deadlines and that everyone was tracking.

Everyone agree with my summation of the R.C.M. 802 conference?

TC: Your Honor, I believe the government also mentioned that we would be giving four--additional 404(b) notice.

MJ: That is correct.

TC: But nothing else to add, Your Honor.

MJ: Okay. And I think we're gonna take that up this morning, correct?

TC: That's correct, Your Honor.

MJ: Okay.

DC: The defense concurs and has nothing to add, Your Honor.

MJ: Okay. So, with that, let me just update the appellate record since we last came on the record.

So Appellate Exhibit LXXXIV is a--this court's ruling on the defense motion to reconsider a motion to compel an expert pathologist. That's appended to the record.

LXXXV was a ruling on a defense motion for appropriate relief regarding merging unreasonably multiplied charges.

Appellate Exhibit LXXXVI was a ruling on the defense motion in limine for admissibility of evidence pursuant to M.R.E. 412. That was placed under--that's appended to the record and placed under seal.

Appellate Exhibit LXXXVII is that sealing order.

Appellate Exhibit LXXXVIII is a defense motion for appropriate relief, interference with rights to counsel.

Enclosure--LXXXIX are--are enclosures to that.

Appellate Exhibit XC is the government's response to that motion.

Appellate Exhibit XCI are the enclosures to that motion.

Appellate Exhibit XCII is my ruling with regards to the defense motion for appropriate relief regarding a private meeting with defense team. Those are all appended to the record.

Appellate Exhibit XC--Exhibit XCIII is a defense motion to amend the trial management order.

Appellate Exhibit XCIV is a government motion in limine.

Appellate Exhibit XCV are Enclosures (1) through (22) of that government motion in limine.

Appellate Exhibit XCVI is a defense motion in limine to exclude evidence pursuant to 404(b).

Appellate Exhibit XCVII is the enclosures to that.

Appellate Exhibit XCVIII is a defense motion for appropriate relief to compel mental health discovery under M.R.E. 513.

Appellate Exhibit XCIX are the enclosures to that.

Appellate Exhibit XCIX(a) are supplemental enclosures to that.

Appellate Exhibit C is the government response to the motion in limine for 404(b).

And CI is the enclosures to that.

Appellate Exhibit CII is a defense response to the government motion on preliminary ruling on admissibility of evidence.

Appellate Exhibit CIII are the enclosures to that defense response.

Appellate Exhibit CIV is a government response to the defense motion for--to compel mental health discovery.

Enclosure (1) to that is Appellate Exhibit CV.

And then also appended to the record is Appellate Exhibit CV(a) which is a government response--which is a supplement that was sent in an e-mail this morning--a supplemental response from the government on that--their defense motion for appropriate relief on mental health discovery.

Those are all appended to the record.

So, we're gonna take up Appellate Exhibits XCIV and on this morning.

Government?

TC: Yes, Your Honor.

I--I believe it was yesterday afternoon I think the government submitted an additional enclosure for the motion in--in limine.

MJ: I did see that. I did not--and the court will consider that. I'm not gonna have that remarked as that was already an enclosure to a previous appellate exhibit. I think it's Appellate Exhibit LXII.

TC: Yes, Your Honor.

MJ: So, the court will consider that. But, for the record, that's I think Enclosure (61) to Appellate Exhibit LXII; was you submitted that matter as part of your--your response to one of the motions we're talking about today, correct?

TC: Yes, Your Honor.

MJ: Okay. Okay. That said, I think what I want to do is just start with the first one in order, which is the government's motion in limine to preadmit--not to preadmit--for a preliminary ruling on admissibility.

So, government, I think you have the burden here; is that correct?

TC: That's correct, Your Honor.

MJ: Do you have any additional evidence you wish to present?

TC: Your Honor, aside from what was mentioned in the e-mail yesterday, no, Your Honor.

MJ: Okay. So, we're not--we're not--we're not calling witnesses and doing anything like that?

TC: No, sir.

MJ: Okay.

Okay. Defense, let me ask you this: Do you oppose each one of these--it doesn't look like you oppose each one of these. You just want foundation laid and subject to cross-examination.

DC: That's correct at least for some of them. I mean, obviously, we will--we will object to the alleged excited utterances from C.R. and the--the excited utterances from S.R. But as far as the Y.J. statements and then the text messages from PSSN GordilloCruz, as long as the foundation, like, you know, laid for those, we understand the exception they're getting to, but we absolutely object to the forfeiture by wrongdoing.

MJ: Okay. Well let--we'll--let's take those each in turn then.

So, government, let's talk about the text messages from ABHAN C.R. sent to CSSN Cuestabravo immediately after she was assaulted by the accused and while under the stress of the event.

ATC: Yes, sir.

MJ: Okay.

ATC: So, she alleges she was assaulted at approximately 02.

MJ: Well, let me ask, what--is it the text messages in--was it Appellate Exhibit XCV that you intend to introduce?

ATC: Yes, sir, that's correct. I--I--at least testimony as to what the content of those messages--yeah--

MJ: Okay.

ATC: --can make.

MJ: So--and so--so you seek to admit that evidence. Why is it relevant?

ATC: It's relevant, Your Honor, to establish that this event did happen. Essentially, she's the only witness to this misconduct other than of course the accused, so it corroborates her story--you know, her--her report, Your Honor, and just helps establish also the timeline.

MJ: Okay. So, defense, what's--your objection is hearsay?

DC: Yes, Your Honor.

MJ: Okay. So, let me ask this: Which of those statements are offered as an assertion of a fact that is either true or not? So I guess what I'm asking is, which of these are actually even hearsay statements?

DC: I mean, I really had--

MJ: You've jumped up very quickly, Commander Serfess.

DC: Well, yes, Your Honor, because I--because I'm the one making the objection.

MJ: Fair enough.

DC: And I have to tell you something that happened to me, it's that. So, the fact that something bad happened to her is being used for the truth of the matter asserted and, therefore, hearsay.

MJ: So--so perhaps--okay. I really have to tell you something that happened to me sounds like her intent to do something which sounds a lot like a then existing mental state. So maybe it's hearsay, but it seems like there's an exception for that.

DC: That's correct on the first--but the first sentence injunction with "it's bad" implies that something bad happened to me.

MJ: I agree "it's bad" is a--offered for its truth, so you would need an exception for that and--I guess what I'm saying is, you--you want to admit this under excited utterance.

ATC: Yes, Your Honor.

MJ: There may be other exceptions. But without the witness on the stand to--to express how excited she was, the--the stress of the event, I--I can't tell you my ruling on this. I mean, I think this is--this is one of those that you will play out in trial, and I can tell you, look, some--some of this is clearly exception. The "I really have to tell you something that happened to me" sounds like her then existing mental state. It's not offered for--I mean, it's offered for its truth that she really does have to tell you something, but that's not--that's--that's her intent. That's then existing mental state.

So, as you go through the rest of the--the rest of her text, I--I think you almost have to take it line by line. And so I--I'm not ready to say I'm gonna admit all of this today. I think you got to present that at trial in front of the members.

And then to the extent government--defense, you have specific objections to specific lines, specific--I mean, it's each statement is gonna come in or not.

ATC: Yes, sir.

MJ: So, it can't just be the whole thing. Does that make sense?

ATC: No, I'm tracking, sir.

MJ: Okay.

ATC: I understand that.

MJ: Okay. Let's--let's move on to the next series of statements, and those are statements made by S.R. in the presence of Taylor and Monaghan.

ATC: Yes, sir.

MJ: Okay. Again, I guess the issue I have is I don't have her testimony telling me how excited she was.

ATC: Yes, sir.

MJ: So, without that here, I'm not ready to rule on admissibility.

ATC: Okay.

MJ: It's not ripe until she's subject to cross-examination, perhaps voir dire. I mean, we may do that outside the presence of the members. Because if--if the argument is excited utterance--and I don't know exactly what the statement is you're trying to get in. It sounds like it's something like you strangled me.

ATC: Yes, sir.

MJ: So that--that would certainly be offered for its truth to prove that in fact he did strangle her, so--so it's hearsay and--

ATC: Yes, sir.

MJ: --you would have to find an exception for it. And without her testifying--you're--you're asserting that it's excited utterance but without her to--to lay the foundation for that here, I can't rule on its admissibility. So, we'll just have to do that at trial.

ATC: Yes, sir.

MJ: Okay. And I'm just going off the--the numerals here, so (c) is Y.J.'s request for accused to stop.

And, defense, you're just asserting that that's--you just need her subject to cross-examination and--

DC: That's correct, Your Honor.

MJ: --and foundation.

Okay. I would just note I--you know, commands aren't generally hearsay, because it's not offered for its truth. It's not a--it's just--it's not an asserted fact; a propositional fact but--okay. So, we can do that at trial.

The text messages that he arrived back at his barracks. Again, presence sense impression--

ATC: Yes, sir.

MJ: --but I think you gotta lay the foundation for that in front of the members. It doesn't sound like the defense has a real objection to that. But if you do at trial, you can make one.

Okay. Let's talk about the statements by CS3 A.R.

ATC: Yes, sir.

MJ: In Subparagraph (e) of Appellate Exhibit XC--is that 1(e)? 2(e)? In Subparagraph 1(e) of Appellate Exhibit XCIV, you seek to admit various statements of CS3 A.R. I--so I don't know what those statements are.

TC: Yes, sir. So, it's in Paragraph 8 of our fact section I layout just three sets of statements, sir. So, there's a text message, "fuck you," to ET3--I'm sorry--AT3 Gillespie. There's a call for help to AT3 Rich at 2:14 in the morning.

MJ: Well, that's in Paragraph 1(f), right?

ATC: In that--separately we're seeking them, but that is an excited utterance, sir.

MJ: Okay.

ATC: But also, just as a--as forfeiture by wrongdoing, maybe under a broader umbrella.

MJ: Okay. And what was the third category?

ATC: And the third is she exchanged some text messages with a friend of hers that she had spent the day with. So, 28 May she went shopping at Target.

MJ: So, you want--again, every single line of those text messages?

ATC: Yes, sir.

MJ: Okay. So why are they relevant?

ATC: They're relevant to show her state of mind that day, sir, and her intention in meeting with Copeland that evening.

MJ: Okay. So, I--I've looked through some of those text messages. Some of them clearly aren't being offered for the truth. There's one text message that says she really had to go to the bathroom.

ATC: Yes, sir.

MJ: I--I can't imagine you're offering to show that she really did have to go to the bathroom.

ATC: Yes, sir. So, I'll--maybe I'll scale it back. Not every single text message that day we intend to admit but the text messages in line of what I said, sir, as far as establishing what she had done that day and that she was meeting with Copeland that evening. As well as while she's with Copeland, she's sending messages about cooking tacos.

MJ: So, let me ask this: Does it matter if any of that stuff is true?

I--except for the intention stuff.

ATC: I think it--it does matter if it's true, sir, just to establish what happened that day.

And--and to be clear, sir, a declarant witness's prior statement that we're offering as forfeiture by wrongdoing is--is an exception from the rule against hearsay. So, we're not--

MJ: Yeah, I'll be honest. I don't think you have that.

ATC: Okay.

MJ: And I'll let you convince me otherwise and I'll certainly hear from the defense, but I--forfeiture by wrongdoing requires evidence that the person whom it's offered against caused the--the person to be unable to testify in order not to have them testify.

Now, the government certainly has evidence--and it'll be for the trier of fact to determine whether it's beyond a reasonable doubt; but certainly, the government certainly can put forward evidence that--that the accused may have been responsible for A.R.'s death, but I don't see any evidence that--that relates--that that death was caused in order so that she would not testify against him.

I mean, you could argue he did it because he was angry with her, he was mad at her, he didn't like her--I don't know. But I don't see--I--at least from the court's perspective, I don't see any evidence that--that there's an indication that he--he caused her absence--in this case death--so that she wouldn't testify against him. I just don't see that evidence. So--so point that out for me.

ATC: Yes, sir. So, I--I think the exhibit I provided yesterday, sir, shows that his Google search history in the--in just merely days prior to this event.

So, obviously, he had the two pending reported investigations against him. We have the situation with Y.J. where he's pulled off of her by his two friends. That day--later that day, after he I'm sure sleeps at some period of time, he's Googling what can NCIS get off of my phone, what does an NCIS investigation look like, can NCIS recover deleted voice app messages.

MJ: When--when did those--when did the time stamps of those occur?

ATC: That afternoon at--approximately 1300 that afternoon, sir.

MJ: What day?

ATC: The 25th of May.

MJ: Okay. That's--that's before he met with--

ATC: Yes, sir. So--

MJ: --with A.R.

ATC: --when he meets with A.R. and there's some event that occurs, he knows what--that NCIS is already possibly investigating him for three offenses, it's fresh on his mind, it's just a few days prior that NCIS can get evidence. He knows--he's not gonna let someone intervene this time like they did with Y.J.

MJ: I'm just saying that's--that's a big leap. I mean, it--it--it--I mean, there are a host of other reasons--again, assuming you got the evidence to show that--that--that Seaman Copeland's responsible for this death at all, there's a big leap to say the death was caused so that she won't testify against me.

ATC: Well--well, can I ask you, sir, why else would he have killed her?

MJ: Well, I--I mean--

ATC: If not to prevent her from reporting something, why would he have done it?

MJ: I mean, that--so I'm not gonna get into speculation, but--but murders happen all the time that don't revolve around witness intimidation.

ATC: But not murders where there's a call for help ten minutes prior.

MJ: I don't find the exception is met here.

ATC: Understood, Your Honor.

MJ: Now that said, I'm not sure much of what you're seeking is hearsay to begin with.

ATC: Yes, sir.

MJ: So, I--I guess I'm--I'm confused about why the government's going down a route--a very difficult route to prove forfeiture by

wrongdoing when much of the testimony that you--much of the statements you seek to elicit are not hearsay at all.

ATC: Yes, sir, I understand.

MJ: I mean, I--I don't--again, we don't have ET3 Rich here to testify, so I don't know what he would say he heard on that phone call. But the proffer from the government is something like come get me.

ATC: Yes, sir.

MJ: Or I need your help or--

ATC: Yes, sir. It's--it's an approximately two-minute call where all she can repeat is I need you to pick me up as soon as possible. And he says I'll be there in ten minutes when Copeland or another male picks up the phone.

She then only says one other thing which is "I love you" before hanging up.

MJ: Okay.

ATC: She's never heard from again.

MJ: So, I--I think you gotta put Petty Officer Rich on the stand and--and we can do that outside the presence of the members to see, but it--it--at this point, based on the evidence I have, I don't--I don't see a forfeiture by wrongdoing.

ATC: Yes, sir. Understood.

MJ: I'm not saying it's not admissible otherwise. It might be. I--but--

ATC: And I--I appreciate--

MJ: And the defense can certainly articulate any objections they have when we do that.

ATC: Yes, sir. And I appreciate exploring other avenues for the text messages to Garcia-Barrera as well.

MJ: And the same--it's the same with the text messages.

ATC: Yes, sir.

MJ: Because, again, I'm not sure a lot of what's being offered there is offered for truth. I'm not sure a lot of it is--a lot of it may be--a lot of it may be 803--I think it's 803(2). I just don't see forfeiture by wrongdoing.

ATC: Yes, sir.

MJ: Okay.

ATC: I think the next set was Rich's--the phone call as an excited utterance which I think you addressed, sir.

MJ: Yeah. I--again, I think we need to--if you want to--and, again, I don't know if it's an excited utterance because I don't know what he can describe on--I don't know how--you haven't laid the foundation for it.

ATC: Yes, sir.

MJ: So, at this point, I'm not ready to rule on the admissibility of really any of this stuff.

ATC: Yes, sir.

MJ: Does that make sense?

ATC: Yes, sir.

MJ: Okay. Defense, anything to add?

DC: No, Your Honor.

MJ: I--I--I'm just gonna--I guess what I'm doing is I am reserving my ruling on this motion until we actually have the witnesses at trial.

Again, it doesn't sound like defense is objecting or--or has a real objection to Subparagraph (c) and (d), which are Y.J.'s "stop" and the text messages between GordilloCruz and his--and somebody from back home.

ATC: Yes, Your Honor. And I'll just say for the record for this call for ET3 Rich, if we're not able to admit it as exception to hearsay, we do at least intend to admit it as its effect on ET3 Rich.

MJ: Understand. And--

ATC: Yeah.

MJ: --the--okay.

ATC: Yes, sir.

MJ: We'll take that up in due course during the trial and the defense can make any objections they have at that time.

ATC: Yes, sir.

MJ: Okay. So--so I'm gonna reserve ruling on--on the motion. Well, I'm not gonna rule on any admissibility at this point because I just don't have the evidence.

ATC: Okay.

MJ: But I've given you some thoughts.

ATC: There is one last piece, sir, about the mental health evidence that the defense was seeking to admit, sir.

MJ: Well, that's a different motion, right?

ATC: Okay. Yes, sir. Well, it's--

DC: No, no, no. It's the last paragraph of this motion because the government--

MJ: Yeah. Yes, you're right. Different mental health.

DC: Yes.

ATC: Oh, yes, sir.

MJ: We'll take--there's a 513 motion that you've also filed. That's what I was thinking when you said mental health. But you're talking about the suicidal ideations or whatever you want to call them that--that you seek to get into. I think--

DC: Yes.

MJ: --the government's--the defense's response is that's not ripe yet, and I think that's right. I don't know what the defense is gonna present. I would just remind everybody about Military Rule of

Evidence 404(a)--not just bravo, alpha. There's certain ways to present evidence of character or pertinent traits and you've got to follow those rules.

ATC: Yes, sir. I mean, so what we're concerned with is that in opening statements they're gonna get up and make a statement that she was suicidal that day. And once that bell is rung, it's gonna be very difficult to un-ring.

And they have, in our opinion, no verifiable evidence to support that claim. No admissible evidence to support that claim. So that's what we struggle with is we want to get ahead of that bell being rung, sir.

MJ: Defense, you want to be heard?

DC: The defense--we accept that risk. So, if we say something in opening statement that doesn't come out--we have a reasonable belief that it will come out. If we say that, I mean, the--the government doesn't know what we're gonna say in opening statement. And if we say something and that evidence doesn't come out, then the government will be free in closing to be like that never happened.

MJ: Government, I'll give you the last word.

TC: Yes, sir. And just one moment, sir.

Yes, sir. I think what our--again, our concern is the same but maybe, perhaps, prior to openings we could raise this objection again, give the defense maybe more time to develop that evidence, but

we'd like a good faith proffer of what that evidence will be before they utter those statements in open court.

MJ: Defense, go ahead.

DC: No, Your Honor. I mean, the defense doesn't have to proffer what their evidence will be before we--

MJ: If any, right?

DC: --before opening--exactly.

MJ: Defense has no obligation to put on any evidence. And I think Commander Serfess's point is well taken; that if--if they promise something in opening that they cannot deliver because either the court excludes it or because the evidence just isn't there, then--then that is grounds for closing argument.

TC: Understand the court's position, sir.

But I believe that is all we have in our motion, sir. The--the only thing I would ask and flag for the court is we may file a motion to reconsider the production of at least one witness, Mr. Miguel, who is going to testify to her--A.R.'s episodes and personal observations of how she behaves during an episode as not relevant.

For context, Mr. Miguel is currently incarcerated so his production for trial has become a little bit more complicated.

MJ: And as we talk about--I just remind the parties the rules of evidence still apply.

ATC: Yes, sir.

MJ: So, to the extent the defense seeks to get into any past behavior or traits or character of--of A.R., M.R.E. 404 applies. The rules against hearsay apply with all the exception.

So, because I don't know what that evidence is and I don't know what the defense seeks to admit, it's hard for me to categorically exclude entire defense. And as the defense points out, you know, suicide--to the extent they have evidence that could lead the trier of fact to believe that A.R. committed suicide and to the extent it's admissible under the rules of evidence, it is a complete defense to the charge of murder.

So, I'm not gonna forestall that without knowing what that evidence is, and--and I don't know what that evidence is because nobody's presented it to me yet.

ATC: Yes, sir. And I would caveat that the complete defense case law provided by the defense is a--you know, obviously, a constitutional right to complete defense and could overcome evidentiary rule.

MJ: All I'm saying is, if the--if, under the rules of evidence, the defense can--can put forward evidence that--that A.R.'s death occurred some other way besides being murdered by the accused, which is what you've charged him with, then that's a defense to murder.

ATC: Um-hmm.

MJ: So, I'm not gonna forestall that without knowing what evidence it is they seek to admit and they don't have to seek to--they don't have to tell me ahead of time.

ATC: Understood, Your Honor. And it just comes back to our main concern about an opening statement, sir.

MJ: Okay. Commander Mayo, it sounds like you have something to say.

TC: I'm sorry, sir. And I--and I don't--I don't mean to--

MJ: No, I understand.

TC: I think the--the purpose of this motion is defense has highlighted certain--it is not that the government is trying to foreclose the option of a defense and--and that avenue for them, but they have highlighted certain pieces of evidence that they seek to use to establish that defense, and they've noticed that through their request to produce certain witnesses.

And so, it's the government's position that through those witnesses there is no admissible evidence. We're not saying that defense has to tell us the entirety of--of how they intend to present that--that defense, but these pieces that they've given us notice of, there is no path to success for them on those pieces and they should not be allowed to say in opening that this--you know, that this defense when the underpinnings of that defense are inadmissible. That's not a good faith basis to be able to say that in opening.

MJ: It--it--I understand the--but--but I don't know all the defense's case and neither do you and--and maybe there is an angle that you haven't thought of or that the court is not aware of that--that they're going to look at. And so, if they stand up in opening and promise something to the members that they can't deliver, then that's grounds for closing.

TC: Yes, Your Honor. I mean, that--but in--in this--in this specific case it goes beyond that. It's not just it's a--it's a whoopsie in front of the members. This is something so incredibly prejudicial to--to the government's case and--and inadmissible--the factual underpinnings of which--that's why we filed this motion; to have defense at least articulate if we intend to call these witnesses, which is the only evidence that is in--that would form the basis for this defense, to at least say this is how--this is our good faith basis that we're gonna get in this evidence.

MJ: Do you want the court to require the defense to tell you what witnesses they're gonna call and what their defense is gonna be?

TC: As it pertains to the folks that they have requested the government produce, and they've given this court notice that they--their intention of calling these witnesses. They're--the basis for which that they requested these folks be produced at trial signals an intention to this court that they intend to call them and elicit evidence from them.

MJ: So--so I'm not--I'm not gonna--without a request, I'm not gonna revisit my decision to produce witnesses. But I can tell you the court made that decision based on the proffer from the--the evidence produced. And--and so I ruled that their production was required. So, I'm not gonna reconsider that unless I get a formal request to do that.

TC: Yes, Your Honor. And I believe that your--your--your ruling though was that we will touch the admissibility of that at a later date.

MJ: Well, I--I--the witnesses I approved for the defense, there was some portion of their testimony that the court found would be admissible. Whether it's the portion that the defense really wants, I don't know; and whether it's the portion that you're so concerned about, I don't know.

So, I'm gonna--the--the--your motion to exclude the evidence that the defense wants to present or might present is just not ripe yet, because I don't know what it is and we'll take it up at trial.

TC: Yes, Your Honor.

MJ: Okay.

Okay. So that does it for Appellate Exhibit XCIV.

Next was a--was a defense motion in limine to exclude evidence pursuant to 404(b). Any particular--this was--well, who's arguing this for the defense? Is it Commander Serfess?

DC: Yes, Your Honor.

MJ: Okay. What is it you're seeking to exclude?

DC: Well, it--it appears, based on the government's response, that they are not--we haven't got--so we never got a 404(b) notice after the 802 conference where the government said they were gonna provide us 404(b) notice.

MJ: Okay.

DC: And so as to prevent doing a lot of things on the 2nd of June, I filed the motion. And then it seems like that the government is saying, no, they're not gonna elicit this testimony unless the defense puts on character for peacefulness. And so, I suspect that we can take that up whenever--if that does happen.

MJ: Okay.

DC: And if there is any other 404(b) evidence, that the defense is not on notice of it at this time.

MJ: So, government, you do--you did not notice the 404(b); you do not intend to offer this evidence in your case in chief but you--

ATC: That's correct.

MJ: --reserve the right to--to--should--my understanding of your response is that should the defense offer character for peacefulness evidence; you would want to rebut that. Okay.

ATC: Yes, sir. And we made the decision that instead of going down the 404(b) route--

MJ: Again, I would just remind you to look at 404(a) and the manner of proving reputation or character evidence under 405.

ATC: Um-hmm.

MJ: I'm not sure specific instances of conduct are--would be admissible.

ATC: Okay. Yes, sir. Thank you.

MJ: But if you think I'm wrong or want to articulate why that is, you can. But I don't need to decide anything right now but it sounds like there's no--this has been mooted because the government did not provide 404(b) notice and should--should you desire to put this in in rebuttal, we'll take it up at that point.

ATC: Yeah, I appreciate that, sir. I think that's appropriate.

MJ: Okay. So--so Appellate Exhibit XCVI is mooted then.

Okay. I think the only--the only motion we have left is Appellate Exhibit XCVIII, which is the defense's motion for appropriate relief to compel mental health discovery.

Is that correct? Do we have anything else left?

ATC: No, that's it, Your Honor.

MJ: Okay. Because we're getting into mental health discovery, pursuant to Military Rule of Evidence 513, it requires a closed session hearing.

Do the parties agree?

TC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. Mr. Bailiff, at this time, I'm gonna close the courtroom. I ask all spectators to leave the courtroom.

And, bailiff, you--if you would stand outside the court. Don't let anyone in until we come get you and tell you that this court is open again.

BAILIFF: Yes, sir.

MJ: Okay. Everyone please leave.

ATC: Your Honor, does VLC stay if it's not his client?

MJ: He's gotta go too.

And so, Commander Kim is also exiting since he is not the VLC for Y.J.

ATC: Yes, sir.

[The courtroom was closed pursuant to M.R.E. 513 at 1042, 30 April 2026.]

[The following pages, pages 385 to 396, are sealed pursuant to M.R.E. 513.]

**[END OF PAGE]**

[The courtroom reopened at 1055, 30 April 2026.]

MJ: The bailiff and the spectators are reentering the court.

This court is once again in open session.

Okay. Counsel, is there anything to take up before we recess?

TC: Not from the government, Your Honor.

DC: Not from the defense, Your Honor.

MJ: Okay. As we discussed, the court's in recess until 1000 Monday morning, May 4th, where we will take up the 513 issue.

Court's in recess.

[The Article 39(a) session recessed at 1056, 30 April 2026.]

**[END OF PAGE]**

[The Article 39(a) session was called to order at 0904, 5 June 2026.]

MJ: This Article 39(a) session is called to order. All parties present when the court last recessed are once again present.

So, we're here this morning to take up the business of an Article 13 motion filed by the defense. And just by--by way of background, to clean up the record here, the defense initially filed an Article 13 motion back in November--26 November. That was appended to the record at Appellate Exhibit VI.

The government responded on 5 December in Appellate Exhibit XLVIII.

And we initially took up this matter in a 39(a) session on 10 December 2025. I reserved or deferred ruling on that motion until it was ripe and said--you know, the defense is asking for relief from illegal pretrial confinement and that relief is only granted if we get to sentencing. So, I deferred ruling until such time as it was ripe.

Since that time, the court has been made aware that the--the parties have entered into a plea agreement; whereby, the accused has agreed to plead guilty to some of the offenses on the charge sheet. That plea agreement has been marked as Appellate Exhibit CVII, and that's now appended to the record.

So, we're not gonna take up the accused's pleas today or the--or discuss the plea agreement today. We'll do that on Monday at

our regularly scheduled session of court. But in anticipation of the accused's guilty plea and then sentencing, the defense has filed a supplement to their Article 13 motion to sort of update the court on the conditions of confinement since that initial filing in November until today.

So that supplement to the defense's motion is at Appellate Exhibit VI(a) and that was filed on 21 May of this year. That's now appended to the record.

Appellate Exhibit VII(a) are enclosures to that motion.

The government responded on the 29th of May with Appellate Exhibit XLVIII, and they attached additional enclosures at Appellate Exhibit XLIX(a) and those are all appended to the record.

So, with that said, defense counsel, I believe you have the burden.

ADC (LCDR MIHILL): Yes, we do, Your Honor.

MJ: Do you have any additional evidence to present on the motion beyond what was submitted in your two lengthy enclosures?

ADC (LCDR MIHILL): Nothing additional, Your Honor.

MJ: Okay. One second.

Government, I understand you may have additional evidence to present on the motion?

ATC: Yes, sir. We'd like to--it would be Enclosure (15) to Appellate Exhibit XLIX.

MJ: Okay. Or to Appellate Exhibit XLIX(a)?

ATC: I think--no, I think it would be probably XLIX(c), sir, because there's--

MJ: Okay. So--so if you'll approach the court reporter with that document and we'll have that marked as the next appellate exhibit in the XLIX series.

ATC: Yes, sir.

MJ: Thank you.

And I--and the court's received a copy as well.

Okay. Commander Mihill, are you arguing this motion for the defense?

ADC (LCDR MIHILL): I am, Your Honor.

MJ: All right. You may proceed.

ADC (LCDR MIHILL): Permission to enter the well?

MJ: You may.

ADC (LCDR MIHILL): Thank you, Your Honor.

Let me just start out by thanking the court for giving us the opportunity to be heard this morning. It's much appreciated by the defense.

I also do want to point out that given the procedural posture of the case and the fact that the intention is for Seaman Copeland to plead guilty next week, we would like just the court to focus on the circumstances of his confinement and not the

circumstances surrounding the case. Those are two separate things, and the illegal pretrial punishment that we're talking about here is separate and aside from the merits of the case.

MJ: Let me just make sure I understand--and I'll let you talk, but I want to make sure I understand the relief you're asking for.

So, parties agree and it's black letter law the accused gets day-for-day for the time he's been in pretrial confinement, and I think that count is about 365 by Monday.

Is that right?

ATC: Yes, sir. We did put in our motion 366, but I believe it's 365, sir.

MJ: I--I guess it depends on when trial ends; whether it ends on Monday or Tuesday.

ADC (LCDR MIHILL): Correct, Your Honor.

MJ: And you're asking for three-for-one credit. Is--is--is that three-for-one in addition to the *Allen* credit, or is it a total of three-for-one?

ADC (LCDR MIHILL): In addition to the *Allen* credit, Your Honor.

MJ: So--

ADC (LCDR MIHILL): So, the 366 is--is going to happen.

MJ: So, 366 and then--

ADC (LCDR MIHILL): 1,000--

MJ: --a thousand and something.

ADC (LCDR MIHILL): 1,098, yes, Your Honor.

MJ: So--okay. So essentially four years.

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): And the rationale behind that is--is purely the facts--

MJ: And let me--let me.

ADC (LCDR MIHILL): Yeah.

MJ: Three years of illegal pretrial confinement credit to go on top of the one year or so--

ADC (LCDR MIHILL): Correct.

MJ: --of--of *Allen* credit he'll receive.

ADC (LCDR MIHILL): Correct, Your Honor.

MJ: I understand.

ADC (LCDR MIHILL): And we're not here--we're not arguing intent to punish. In the--in the government's motion--and I'll talk about that a little bit--they--the crux of this argument is that the totality of circumstances here suggests conditions of confinement which are entirely too restrictive to ensure the accused's participation at trial, which is the intent of pretrial confinement.

Now the court has already heard from Commander Flanagan down at the brig that when--now CS3 Copeland entered the brig he was never going to be able to find a way out of maximum custody status.

That is--that is clear, that's within the record, and we--we don't need to--we don't need to talk about that any further.

But the problem that we have here is that it's not just--as the government cites to *Mosby* in their--in their motion--it's not just a confinement at a maximum custody status, which, by all the evidence in front of the court, is solitary confinement.

What it is, is this is--this is a motion that is supported by evidence. This is a motion that's supported by--by instances where CS3 Copeland now has--has had impacts on his ability to work on his defense. He's had impacts on his mental health. Each of these things. He's had his liberty restricted to the point of being in his cell 22 hours a day.

MJ: Let me ask you a question there and I'm getting ahead of myself here, but--but part of my colloquy with the accused on Monday will reflect--will ask questions; have you had enough time and opportunity to discuss this case with your defense counsel.

You--you're not arguing this Article 13 motion that that's not true, correct?

ADC (LCDR MIHILL): That's correct, Your Honor. And I was gonna get to that in a little bit, but we also understand the court's ruling regarding the Sixth Amendment and the interference with the right to counsel.

Respectfully, having conducted--conducted the defense in this case, perhaps it has--just hasn't risen to the interference that the court believes is there, but I will tell you that it is--it has been to the detriment of the ability to prepare a defense, right?

We're talking about time that has been spent filing motions, time that's been spent asking for discovery, time that's been spent--all of these things where the intent of pretrial confinement is to ensure that somebody who's a flight risk doesn't go somewhere and they show up for trial.

MJ: Certainly, if the accused was--if an accused was not in pretrial confinement, his access to defense counsel's easier.

ADC (LCDR MIHILL): Correct, Your Honor.

So--and that's where we are with the--with the Sixth Amendment piece of this. The--we understand the court's ruling. Respectfully, there has been a detriment to it there.

MJ: Okay.

ADC (LCDR MIHILL): That is something different than what was alleged in *Mosby*. In *Mosby*, it was just, Your Honor, he's--he's been in maximum custody so that is illegal pretrial--pretrial punishment. That's not what we have here, all right? We have--we have impact here.

What else do we have? Now--now we initially filed this in November seeking relief then, and I will note that the court says

that the issue wasn't ripe at that point. I understand the court's position with that, but Seaman--excuse me--CS3 Copeland has now been living in the same conditions since that period of time. He's been in maximum custody that entire time.

So, to the extent that the issue we believed was ripe then, we believed it--relief was available then, and we've just continued down this path of maximum custody for maximum custody's sake.

Now, the government did provide, for the first time, in their response to our supplement--we've--we've had a standing discovery request out for all brig things since we filed this motion in November, and we got these override documents--excuse me--reclassification documents only in response to our supplement that we filed in this case.

And I'll point to the fact that January 2026 of this year, Commander Flanagan is overriding the point system. He's keeping CS3 Copeland in maximum custody, solitary confinement still.

In February, there is a disciplinary review--

MJ: Is he--is he acting--is he acting ultra vires-ly when he does that? I mean, is he acting without authority when he does that, or does he have—

ADC (LCDR MIHILL): He--

MJ: --the authority--does the SECNAV manual give him authority to override the point system?

ADC (LCDR MIHILL): The--the--

MJ: Does he have the discretion to do that in other words?

ADC (LCDR MIHILL): I think that "discretion" is a--is a challenging word there, Your Honor, because what he made clear in his testimony back in November--December, excuse me, was that nothing that could happen would ever allow Seaman Copeland--CS3 Copeland to come out of maximum custody based on the charges on the charge sheet. That's not an exercise of discretion. That's an arbitrary application of a policy--and we're gonna talk about it in a few minutes--that other courts in this circuit, Coast Guard circuit, have found to be--

MJ: Yeah. So--I'm--I don't want to--I may be misremembering this, but my understanding of his quote was something like--and as I think about this, I'll go back and pull up the audio--but my understanding is he--he said I--I can't imagine or I don't think. It was a reflection of his own authority and that--that--his own opinion, which is what I'm asking is, is does the SECNAV manual give him the discretion to--I mean, the--you're not alleging that he acted outside of his authority in overriding the point system. In other words, the point system is all that matters and the CO or the OIC of the brig has no authority to--to change that.

ADC (LCDR MIHILL): That is not what we're arguing.

MJ: Okay.

ADC (LCDR MIHILL): We're arguing that he's not--he's--

MJ: So, he had the authority to do it, but you think he's inflexible.

ADC (LCDR MIHILL): That is correct, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): He's--he's not exercising discretion. He's exercising an arbitrary application of policy based on a charge sheet written by somebody else, where he is just taking it in. He's not privy to discovery. He's not privy to any other information other than this is why this person is confined; this is what they are suspected of.

Now, Commander Flanagan clearly believes that everybody who comes into his brig is a safety risk. And--and while I understand that his--his duty is the safety and security of a facility, CS3 Copeland hasn't demonstrated any threat at all during this entire time to the safety or security of that facility or any other inmate while he's been there.

Now, the government has provided reclassification documents for March and for April. I will point out that in March there was a disciplinary report. There's been a couple disciplinary reports now. Those disciplinary reports that are before the court clearly state on them that these disciplinary reports demonstrates CS3 Copeland's

frustration and that he has demonstrated no aggression. That is what the documents say.

Now, based on those disciplinary reports, his point system goes up and he doesn't have to--you know, then the--then the brig CO doesn't have to override it. So be it. I will point out that there's still no threat to safety. There's no threat to safety of an inmate, no threat to safety of a guard.

Seaman Copeland--he punched a wall. He may have hurt himself. I--it's unclear to me how--perhaps prevention of injury, some other sort of handling would have been appropriate.

But you'll see too that in those enclosures in March, while there was enough points, Commander Flanagan still went ahead and checked the override box. Now I'm sure the government will say that's just an oversight. To me that says Commander Flanagan does not care what the points say. He is exercising an arbitrary application of policy. There is no individualized determination as to why that custody classification is still required. There is no--there is no leeway. There is no wiggle room. There is not discretion. He's not exercising discretion. He's just saying this is the way I'm doing it.

MJ: You used the term though "individualized determination." Where does that come from?

ADC (LCDR MIHILL): That comes from *King*. It's a CAAF case from 2005, Your Honor. It's cited in our initial--in our initial brief and that--

MJ: And in *King*, the issue was a sailor or a Marine I think was in max custody and he had a roommate. And then when the roommate was convicted and went into posttrial, they could no longer keep him in to this--in the same room, so they just moved him for convenience to a six-by-six windowless cell, harsh conditions, and the court found all the max custody fine except for that. And it seems to me that the court's ruling was based on the fact that--that they did--that the brig did that for convenience without looking at *King* at all.

I think what the government would argue in this case is they're absolutely looking at Copeland. They're looking at the charge sheet, which is--which is, under *Mosby*, a permissible thing to look at.

ADC (LCDR MIHILL): Agreed; to a certain extent, Your Honor.

MJ: Okay.

ADC (LCDR MIHILL): When--when--when the brig OIC says that I get charge sheets that have UCMJ violations on them and then I take that person based on that UCMJ alleged violation--to which the accused remains presumed innocent until he gets to trial--and he says they go to maximum custody. That--that--while I understand that

is--that is just a--that is his--his own strict policy that he's instituted.

What *King* says is that at some point we have to look at the reason why behind it, and there is no why for Commander Flanagan. The why is I read the charge sheet, I watched the news--he did testify to that. He says that I'm scared for CS3 Copeland's safety. There's no evidence of any threat to his safety. He says that he's--he's worried that some other inmates might want to help--might want to hurt him. There's no evidence to suggest that.

What you have is an OIC operating on gut speculation and an arbitrary policy applied to CS3 Copeland and anybody else that comes into the brig that has a serious charge on the charge sheet.

The purpose behind pretrial confinement, the existence, essentially, of Naval Consolidated Brig Chesapeake is to hold pretrial confinees. They--they are not there to be punished before trial. CS3 Copeland has been in solitary confinement for 300 and what will be 66 days on Tuesday.

I want to turn to the first supplement now that--that they--that the government provided to you, which was four pages of Commander Flanagan responded to the defense motion.

Now, he--I mean, he's been a merits witness on this issue, and it's kind of unclear to me why he would need to be a party to all the filings other than the court's rulings; but, because he put that

out there and because the--it's before the court now, I think it's--it's insightful and to the mindset behind this individual, right?

He--he talks in there about the exceptions to policy that he's gone ahead and made. Well, he--he seems to misapprehend the fact that the court ordered those things to happen. The court ordered for face-to-face meetings to happen. That's not something that--that he--he goes in there to say that we are welcome that he facilitated that.

He--he's exhibited a disdain for the defense; not just in this case but in other cases, and it's in the supplement that you have. He is--he's--he goes on to say in there that he's not sure about the judge's authority to do things.

Now, all of these things offer some insight into the person who is supposed to be exercising discretion. This is a person who says, in his supplement, that this other attorney lied to my staff three times. So that attorney's lying. He says the brig guards don't try to overhear things, which means two paralegals and Seaman--

MJ: Just--I want to be clear for the record here, he's not accusing any of these attorneys of lying. That's a separate case.

ADC (LCDR MIHILL): That is a separate case, that's correct, Your Honor.

But what he does go on to make is assertions throughout his response to our motion that we have got it wrong; that we are making false claims; and, de facto, he's--he's insinuating through trial counsel and now in front of the court in this supplement, that we are doing something inappropriate. And that's simply not the case.

We are exercising--attempting to exercise CS3 Copeland's constitutional rights to be treated like a human being before he gets to trial.

MJ: Well, I--for the record, I--the court doesn't find anything inappropriate at all in what you're doing.

ADC (LCDR MIHILL): I understand, Your Honor.

MJ: I understand you're filing motions and--and you're representing your client. So, I--I have read that supplement and I--I take it for what it's worth.

ADC (LCDR MIHILL): I understand, Your Honor.

But what it does demonstrate is it demonstrates a commanding officer down at that Naval Consolidated Brig Chesapeake, who thinks that everyone is wrong but him.

I don't know what more we can provide the court as insight into Commander Flanagan's thought process. I understand that he--he hinges much of what he does on--on the SECNAV, but that SECNAV is just to back up his gut because that's all it is.

There's no evidence of a threat to safety. There's no evidence of a threat to brig staff. None of that. There's--there's simply no evidence to suggest that solitary confinement for over a year is an appropriate course of action here.

Now, he also goes on to talk about in there the court cases. He--he spends four pages talking about the defense motion and all the research he put into that, but we know--everybody in this courtroom knows about two other court cases that have talked about the arbitrary application of this brig's policy. And that policy didn't change. It's been highlighted three times.

He hasn't--he has never taken any steps to change, to amend, to seek guidance on that policy. Nothing has changed. We brought this to the court's attention and to his attention back in November and December, nothing changed.

What changed was we start to enforce little things. Now--now we're disrespectful. Now we got a reason to keep you in maximum custody status. Instead of fixing the problem, instead of taking an arbitrary policy and make it comport with the spirit of the law, we just found ways to justify our actions. And that is simply not the way that this is supposed to work, Your Honor.

The--the--this brig OIC, he--he talks about how in one of the cases he thinks the prosecutors botched it up. In the other

case, which he doesn't even know the name of, the inmate was still there when he was the OIC of the brig.

The policy is exactly the same. Nothing has changed. Two different brig COs have done the exact same thing and they're getting the exact same result.

You have CS3 Copeland who--sure, he's frustrated after that amount of time. I get it. I understand it. But what we have here is a totality of circumstances that suggest that these conditions are unduly harsh. That is the *Contreras* and *Hancock* line of cases that followed--they're NMCCA cases from 2011. Conditions that are unduly harsh, they--they constitute illegal pretrial punishment, right?

Here we have--we have--well maybe not rising to the level of interference with his Sixth Amendment right, we certainly have a detriment to his Sixth Amendment right to consult with counsel to prepare a defense.

We have--we have legal documents that were confiscated out of his cell because they weren't stored correctly. We have--we have a chilling effect on the accused from speaking to his counsel, whether it be in the brig, whether it be in the PTC room. This table--this spot right here is where--where CS3 Copeland feels comfortable talking and being completely open with us.

We have instances of brig guards telling people that they need to overhear what's going on in privileged conversations. We

have all of these things that suggest that there's not much of a presumption of innocence left for CS3 Copeland.

I get it. He's gonna plead guilty. That doesn't let us go back and say, see, we were right all along. That's not how this works. He does not forfeit the presumption of innocence until he comes in here, until this court comes to a resolution on this case.

There is a policy in place that puts CS3 Copeland in solitary confinement for the last 366 days, Your Honor. There is no evidence to suggest that he's a threat to anybody else. There's nothing at all to suggest that he needs to be locked down in his cell 22 hours a day.

Now, I mean, after next week, CS3 Copeland's gonna go to Leavenworth and probably within, you know--referring to the SECNAV manual that the--that the OIC so happily hangs his hat on--probably within about a week or so after being at Leavenworth, CS3 Copeland will end up being medium classification, general population inmate.

We're--we're here, Your Honor--we're here to talk about treating somebody like a human. That's what we're here to talk about. That's what we're asking for. He has not been treated like a human. He's been subject to an arbitrary and inflexible policy at the hands of a brig who doesn't presume anybody innocent. They just read what's on the charge sheet.

That constitutes illegal pretrial punishment. All of the facts and circumstances surrounding it constitute illegal pretrial punishment. And that is why we request the relief of 1,098 days, three-for-one credit for his time served, Your Honor.

Barring--barring any questions.

MJ: Thank you.

Government, would you like to be heard?

ATC: Good morning, Your Honor.

Just to address a few points the defense made, sir.

MJ: Want to take the podium or are you comfortable there?

ATC: I'm comfortable here, but I'm happy to go to the podium, sir.

MJ: Go ahead.

ATC: It appears that the defense is requesting a general blanket policy for all pretrial confinements. No matter what the allegation's coming in, no matter what your behavior in the brig. If the CNA board finds that you should be reduced from max custody classification, you should be reduced from max custody classification. And that's not what the SECNAV instruction says, and that's not what the law says. And to say that that is the case is a dangerous policy.

We have a violent offender here, sir, and 11-month ramp up with multiple allegations of strangulation that ended in an alleged murder, the accused found himself in pretrial confinement.

Commander Flanagan is charged with keeping the brig safe, and he has done everything in his power to continue to balance that consideration with the individual rights of the accused. He has been as flexible as possible.

He allows him out of the brig as much as he can while in max custody classification. He's allowed contact visits with his counsel at least early on. Although that--although, that was later rescinded only due to the conduct of the accused.

And while it is true that he overrode the CNA board's classification for a period of time, several months, ultimately, the disciplinary behavior of the accused resulted in that override being unnecessary.

Frankly, I believe that that proves that Commander Flanagan's institution of keeping him in max custody was appropriate and correct.

Moreover, Your Honor, Enclosure (15), which I provided with you this morning, provides an objective insight that--that affirms that Commander Flanagan's read on the accused has been correct. In Enclosure (15), page 6, Copeland has weaknesses in the area of

attention, inhibitory control and impulsivity, and an awareness of the impact of his behavior on others and on outcomes.

The SECNAV instruction, Your Honor, says that the--that the--one of the criteria that the--that Commander Flanagan can consider in overriding the CNA board's classification is a low tolerance of frustration. That's exactly what that describes.

Not only did he see that himself, but he is--that has objectively been demonstrated through this--the clinical observation of the accused.

But there are other facts as well. Assaultive behavior--he's been punching the wall. He's been injuring himself. Disruptive behavior--there's at least two disciplinary reports of him being insubordinate with brig staff. And then, of course, the serious military criminal record, whether it's convicted or alleged.

And last, emotional or mental instability. I think that's also been demonstrated in the material that we've provided to you, sir, in addition to this clinical evaluation.

All five of those factors, sir, give Commander Flanagan a basis to override the CNA board's classification, and he's done so.

I would like to correct one point I made in our motion, Your Honor, which is I said, you know, *United States versus Mosby* is binding law. It's not particularly binding, right? It's just a--but it's extremely persuasive.

In *United States versus Mosby*, while the record is fairly thin, the only fact considered by the CAAF, essentially, was that the accused had demonstrated a high level of frustration in murdering his five-year-old daughter.

That was enough for solitary confinement. Conditions of that solitary confinement, I don't know, right, because the records do not demonstrate that. But I can't imagine it's any worse than what we see here with--with Copeland. In fact, I think Copeland's situation is probably more flexible.

But unlike *Mosby*, this is several victims that have--he has demonstrated violent impulsive behavior--several adult victims.

With that in mind, Your Honor, we just ask that you find just one-for-one credit under *Allen*.

Pending any questions, sir.

MJ: Defense, you got the burden, so I'll give you the last word.

ADC (LCDR MIHILL): Yes, Your Honor. If I may?

MJ: You may.

ADC (LCDR MIHILL): The--the other document that the--that the government is referencing is a sentencing exhibit that was--that was provided to the court. That sentencing exhibit, just so we're clear on what that does, that is a--that was an analysis done by a professional irrespective of the allegations in the case. It was

done and conducted not about the charges. It was conducted not about anything but the cognitive ability and the executive functioning of the accused.

Now, sure, maybe this would have been instructive to--to Commander Flanagan; however, we provided this document to the government yesterday. So, this doesn't support anything that's within this motion. Commander Flanagan didn't rely on this document. Commander Flanagan's not a mental health provider.

The--the extent that we're using this to supplement a policy that's been in place for however long now--

MJ: Let me--let me ask a question: You started off your argument by--so illegal pretrial confinement article--Article 13 is really kind of two prongs; intent to punish or unduly harsh conditions.

ADC (LCDR MIHILL): Yes.

MJ: You started off your argument by--by acknowledging that--that you do not find and then you haven't--you haven't alleged an intent to punish.

Is that correct?

ADC (LCDR MIHILL): The conditions themselves taken in totality suggest an intent to punish. We are not--and that is where we are hanging our--our argument, Your Honor.

MJ: So, the conditions--I guess my question is, if you don't think it's an intents to punish, does the intent of Commander Flanagan in carrying out--carrying out his actions or imposing the punish--imposing the conditions of confinement that he has, does that matter or should the court look only at the conditions of confinement and not--do I care about the reasons behind them?

ADC (LCDR MIHILL): It is--it is certainly possible to punish without an intent to punish. The facts and the circumstances that surround the--the pretrial incarceration here--

MJ: Well let me ask--let me stop you there. Does that violate Article 13?

ADC (LCDR MIHILL): Yes, Your Honor.

MJ: I mean, to the extent that punishment is happening without the intent to happen, does that--does that matter?

ADC (LCDR MIHILL): Yes, Your Honor. That--that is--that is *Hancock* and *Contreras;* those--

MJ: Okay.

ADC (LCDR MIHILL): --those two cases. The--the--in those instances, the--the circumstances surrounding the incarceration were such that--while there may not have been a specific thought formulated about I'm going to punish this person, the circumstances surrounding it certainly made it a punishment before we ever got to trial.

So, this document, Your Honor, doesn't--doesn't support Commander Flanagan. He doesn't know about it. He probably doesn't even know it exists. If he did, he would probably write a supplement and send it in so he can tell us how the defense got it wrong.

But for those reasons, Your Honor, we would ask that you--you consider and grant our request for relief.

MJ: Okay. Thank you.

I appreciate the--the well-written and thought-out briefs from both parties. So, I will take this under consideration, and I will issue a ruling in due course, certainly prior to announcing sentencing should we get there on Monday.

Anything else to take up before the court recesses?

ATC: Not from the government, Your Honor; although, we would request an 802 at some point today.

MJ: Let's--

DC: That's what I was gonna say too.

MJ: Let's do that right after this in--in chambers with the--

DC: Yes, Your Honor.

MJ: --with the counsel.

Okay. You submitted the--the specification for the LIO. I'll just--I'll just put that on the record on Monday, but I've got that.

DC: Yes, Your Honor. I--yes. And she--and the court reporter already marked it as the next appellate exhibit.

MJ: I did see that. We'll just--we'll just take that up on Monday.

Okay. So, court's in recess until Monday at 0900.

[The Article 39(a) session recessed at 0934, 5 June 2026.]

**[END OF PAGE]**

[The Article 39(a) session was called to order at 0922, 8 June 2026.]

MJ: This Article 39(a) session is called to order. All parties present when the court last recessed are once again present.

The business of the court-martial today is to take up a plea agreement reached by the government and Petty Officer Copeland. That plea agreement is marked as Appellate Exhibit CVII and--and has been appended to the record.

Prior to coming on the record today and--and following Friday's Article 39(a) hearing, we had a brief R.C.M. 802 conference in my chambers with all counsel present--the accused was not present--where we just discussed the logistics for today's hearing and discussed in general terms the--the evidence the parties intended to present in presentencing.

Do both parties concur with my summation of the R.C.M. 802 hearing or have anything to add?

TC: Concur, Your Honor; nothing to add.

DC: Your Honor, just to add that the defense also discussed that we objected to the--the broadcast of this hearing.

MJ: Thank you for reminding me.

So, I did order, based on the--the public's right to a public trial and the accused's right to a public trial and the expected attendance of today's hearing, I found courtroom one, here in Building A50, was not large enough to hold a reasonable number of

spectators we might have so I did authorize placement of a remote viewing room that is being closed-circuit television fed to that room where there are additional spectators watching.

And the government--the defense, did object to that, but I found it appropriate under R.C.M. 806.

Any questions about my ruling there?

TC: Not from the government, Your Honor.

DC: No, Your Honor.

MJ: Okay. Thank you.

Okay. Good morning, Petty Officer Copeland.

And I do appreciate the military courtesy, but you can remain seated during this unless I ask you to stand.

ACC: Yes, sir.

MJ: Back at your arraignment in October, I advised you of your forum rights and you elected to defer selection of forum.

Do you remember that?

ACC: Yes, Your Honor.

MJ: At your arraignment, I explained that the choices of forum you have for this general court-martial; that you could be tried by a court composed of eight members and after empanelment the number could be reduced to no fewer than six members; and that you could request that those members be officer members or at least one-third enlisted members.

Do you remember that discussion?

ACC: Yes, Your Honor.

MJ: I also informed you that you could be tried by military judge alone.

Do you need me to go over those choices again or discuss that with you any more?

ACC: No, Your Honor.

MJ: Okay. Do you understand the difference between a trial before members and a trial before military judge alone?

ACC: Yes, Your Honor.

MJ: Do you understand the choices that you have?

ACC: Yes, Your Honor.

MJ: By what type of court do you wish to be tried?

ACC: Military judge, Your Honor.

MJ: Very well.

Beyond the plea agreement, is there a written request for military judge alone?

DC: No, Your Honor.

MJ: Okay. Does the accused have a copy of Appellate Exhibit CVII in front of him?

DC: Yes, Your Honor.

MJ: So, Petty Officer Copeland, Appellate Exhibit CVII is your plea agreement with the government. We're gonna go over that plea

agreement in much greater detail here in a little bit; but for now, I want you to take a look at page 16 of that agreement.

Is that your signature on page 16?

ACC: Yes, sir, Your Honor.

MJ: Now take a look at Paragraph 8(b) on page 11. In that paragraph you agree to request trial by military judge alone.

Is that correct?

ACC: Yes, Your Honor.

MJ: And to waive a trial by members, including enlisted members?

ACC: Yes, Your Honor.

MJ: Okay. At the time you signed this agreement, did you know that I would be the military judge in your case?

ACC: Yes, Your Honor.

MJ: Okay. Is your request a voluntary one? By that, I mean are you making this request of your own free will?

ACC: Yes, Your Honor.

MJ: If I approve your request for trial by me alone, you give up the right to be tried by a court composed of members.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Do you still wish to be tried by me alone?

ACC: Yes, sir, Your Honor.

MJ: Very well. Your request is approved. This court is assembled.

Okay. Petty Officer Copeland, in a few moments I will ask your defense counsel to enter your plea. Certain motions--I advise you that certain motions must be made before your plea is entered or else you waive the right to make them. Therefore, motions to dismiss or to grant other appropriate relief should be made at this time.

As you know, your counsel has filed several motions in this case, and we have litigated those motions over three separate motions hearings. And I have ruled on many of those motions, and those rulings are appended to this record.

And there's still one motion that's outstanding, so pending before the court, and that is the motion pursuant to Article 13 for relief of pretrial confinement. And your--your counsel has preserved that motion, and I will rule on that motion at the appropriate time.

But that said, defense counsel, do you have any more motions to file before entry of plea?

DC: No, Your Honor.

MJ: Accused and defense counsel, please rise.

[The accused and his counsel did as directed.]

MJ: CS3 Jermiah T. Copeland, your defense counsel will speak for you.

How do you plead?

DC: **To Charge I and all Specifications thereunder:** **Not Guilty;**

**To Charge II and the Sole Specification:** **Guilty;**

**To Charge III, Specification 1:** **Guilty;**
**To Specification 2:** **Not Guilty;**
**To Charge III:** **Guilty;**

**To Charge IV, Specification 1:** **Guilty;**
**To Specification 2:** **Guilty;**
**To Specification 3:** **Not Guilty;**
**To Charge IV:** **Guilty;**

**To Charge V and all specifications thereunder:** **Not Guilty;**

**To Charge VI, Specification 1:** **Guilty;**
**To Specification 2:** **Not Guilty;**
**To Charge VI:** **Guilty;**

**To Charge VII and the Sole Specification:** **Not Guilty, but guilty to the lesser included offense of unpremeditated murder.**

MJ: And to Charge VII, did you say?

DC: **To Charge VII:** **Guilty.**

MJ: Very well. You may be seated. Thank you. I understand your pleas.

[The accused and his counsel did as directed.]

MJ: Petty Officer Copeland, your counsel has entered a plea of guilty for you to the Sole Specification of Charge II, alleging aggravated assault in violation of Article 128 of the UCMJ.

Specification 1 of Charge III, alleging indecent recording in violation of Article 120c of the UCMJ.

To Specifications 1 and 2 of Charge IV, alleging obstruction of justice in violation of Article 131b of the UCMJ.

To Specification 1 of Charge VI, alleging false official statement in violation of Article 107 of the UCMJ.

And to the lesser included offense of the Sole Specification of Charge VII, alleging unpremeditated or intentional murder in violation of Article 118(a)(2) of the UCMJ.

Your counsel has also submitted, pursuant to Rule for Court-Martial 910, the specification of the lesser included offense for Charge VII, a violation of Article 118(a)(2) of the UCMJ, and that specification is appended to the record at Appellate Exhibit CX.

Trial counsel, you agree that the specification in Appellate Exhibit CX is the correct specification for the LIO of Charge VII that the accused is pleading guilty to?

ATC: Yes, Your Honor.

MJ: Very well.

Petty Officer Copeland, I cannot accept your plea of guilty unless you understand its meaning and effect. I'm gonna discuss your plea of guilty with you. You may consult with your defense counsel prior to answering my questions. You may ask me questions at any time.

A plea of guilty is equivalent to a conviction and is the strongest form of proof known to the law. On your plea alone and without receiving any evidence, this court can find you guilty of the offenses to which you've pled guilty.

Your plea will not be accepted unless you realize that by your plea you admit every act or omission and element of the offense to which you have pled guilty and that you are pleading guilty because you are--you actually are guilty.

If you do not believe you're guilty, then you should not plead guilty for any reason.

Do you understand what I've said so far?

ACC: Yes, sir, Your Honor.

MJ: By your plea of guilty you have three important rights, but you have these rights solely with respect to the offenses to which you're pleading guilty.

First, you give up the right against self-incrimination. That is, the right to say nothing at all.

Second, you give up the right to a trial of the facts by this court. That is, your right to have this court-martial decide whether or not you are guilty based on evidence the prosecution would have to present and on any evidence that you may introduce.

Third, you give up the right to be confronted by and to cross-examine any witnesses called against you.

Do you have any questions about these rights?

ACC: No, sir, Your Honor.

MJ: Do you understand that by pleading guilty you no longer have these rights with respect to the offenses you're pleading guilty to?

ACC: Yes, sir, Your Honor.

MJ: If you continues with your guilty plea, you will be placed under oath and I will place--and I will question you to determine whether you are guilty. Anything you tell me may be used against you in presentencing--in the presentencing portion of this trial.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: If you tell me anything that's untrue, your statements may be used against you later for charges of perjury or making false statements.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Your plea of guilty to a lesser included offense may also be used to establish certain elements of the charged offense if the government decides to proceed on the charged offense.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Trial counsel, please place the accused under oath.

ATC: Yes, sir.

[The accused was sworn.]

MJ: Is there a stipulation of fact?

ATC: Yes, Your Honor.

MJ: Commander Serfess, does the accused have a copy of the stipulation of fact?

DC: Yes, sir.

MJ: Petty Officer Copeland, I have here Prosecution Exhibit 1 for identification, a stipulation of fact.

Did you sign this document?

ACC: Yes, sir, Your Honor.

MJ: Did you read it thoroughly before you signed it?

ACC: Yes, sir, Your Honor.

MJ: Counsel for both sides, did you also sign the stipulation, and you agree to its terms?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, a stipulation of fact is an agreement among the trial counsel--the prosecutors--your defense counsel, and you that the contents of the stipulation are true and, if entered into evidence, are uncontradicted in this case--or uncontradicted facts in this case.

No one can be forced to enter into a stipulation, so you should do so only if you truly want to do so.

Do you understand this?

ACC: Yes, sir, Your Honor.

MJ: Are you voluntarily entering into this stipulation because you believe it's in your best interest to do so?

ACC: Yes, sir, Your Honor.

MJ: If I admit the stipulation into evidence, it'll be used in two ways:

First, I will use it to determine if you're guilty of the offenses to which you're pleading guilty; and second, I will use it to determine an appropriate sentence for you.

Do counsel also agree to these uses?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: And, Petty Officer Copeland, do you agree to these uses?

ACC: Yes, sir, Your Honor.

MJ: Okay. A stipulation of fact ordinarily can't be contradicted. If it should be contradicted after I've accepted your guilty plea, I will reopen this inquiry. You should, therefore, let me know if there's anything you disagree with or feel is untrue.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Petty Officer Copeland, again, have you read that stipulation of fact?

ACC: Yes, sir.

MJ: And you've thoroughly discussed it with your defense counsel?

ACC: Yes, sir.

MJ: Is everything in the stipulation true?

ACC: Yes, sir.

MJ: Is there anything in the stipulation that you do not wish to admit is true?

ACC: No, sir.

MJ: Do you agree under oath that the matters contained in the stipulation are true and correct to the best of your knowledge and belief?

ACC: Yes, sir.

MJ: Defense counsel, any objection to Prosecution Exhibit 1 for identification?

DC: No, Your Honor.

MJ: Very well.

Prosecution Exhibit 1 for identification is admitted into evidence subject to my acceptance of the accused's guilty plea.

Okay. Petty Officer Copeland, at this time, I'm gonna explain to you the elements of the offenses to which you've pled

guilty. By "elements," I mean those facts which the prosecution would have to prove beyond a reasonable doubt before you could be found guilty if you had pled not guilty.

When I state each element, ask yourself two things: First, is the element true; and second, do you wish to admit that it's true.

After I list the elements for each offense, be prepared to talk to me about the facts regarding that offense.

Does the accused have a copy of the charge sheet and the stipulation of fact in front of him?

DC: Yes, Your Honor.

MJ: Okay. So first, Petty Officer Copeland, just some preliminary questions:

Are you currently on active duty in the United States Navy?

ACC: Yes, sir, Your Honor.

MJ: On 24 July 2024, were you a member of the U.S. Navy on active duty?

ACC: Yes, sir, Your Honor.

MJ: Have you been discharged or released from active duty since that date--since the 24th of July 2024?

ACC: No, sir, Your Honor.

MJ: So, in each specification on the charge sheet, is your name, rank, rate, unit, and branch of service correctly stated and spelled?

ACC: Yes, sir, Your Honor.

MJ: Okay.

Okay. So, for the sake of clarity and continuity, rather than go in the order that the charges are listed on the charge sheet, we're gonna group the charges you're pleading guilty to by victim. So, we'll begin with the Sole Specification of Charge VII. So please take a look at the Sole Specification of Charge VII.

Okay. There in Charge VII, you have pled guilty to a lesser included offense of unpremeditated murder, in violation of Article 118(a)(2) of the UCMJ.

The offense charged, which was premeditated murder, and the lesser included offense of unpremeditated murder differ in that the offense charged requires an element that you murdered CS3 A.R. with premeditation; where as, the lesser offense of unpremeditated murder does not include such an element.

The specification you are pleading guilty to is reflected in Appellate Exhibit CX that we just discussed.

The elements of the lesser included offense to which you're pleading guilty are as follows:

One, that CS3 A.R., United States Navy, is dead.

Two, that her death resulted from the intentional act of you on or about 29 May 2025, at or near Norfolk, Virginia.

Three, that the killing of CS3 A.R., USN, by you was unlawful.

And four, that at the time of the killing, you had the intent to kill or inflict great bodily harm upon CS3 A.R.

I'm gonna give you some definitions that apply to this specification.

The killing of a human being is unlawful when done without legal justification or excuse.

"Great bodily harm" means serious injury. Great bodily harm does not mean minor injuries, such as a black eye or bloody nose, but it does mean fractured or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and other serious bodily injuries.

The intent to kill or inflict great bodily harm does not have to exist for any measurable or particular time before the act which causes the death. All that is required is that it exists at the time of the act which caused the death.

Although you may have had the intent to kill her in great--inflict great bodily harm, voluntary intoxication by itself is not a defense to unpremeditated murder. Voluntary intoxication standing alone will not reduce unpremeditated murder to a lesser degree of unlawful killing.

Do you understand the elements and definitions as I've read them to you?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about them?

ACC: No, sir, Your Honor.

MJ: Do you understand that your plea of guilty admits that these elements accurately describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Petty Officer Copeland, I want you to tell me in your own words why you're guilty of this offense.

ACC: I killed CS3 A.R. by strangling her on 29 May 2025.

MJ: Okay. I'm gonna ask you a few questions about that.

ACC: Yes, sir.

MJ: So, you--you believe and admit that A.R. is dead?

ACC: Yes, sir, Your Honor.

MJ: And was A.R.'s death caused by an act that you committed?

ACC: Yes, sir, Your Honor.

MJ: And what was that act?

ACC: By strangling her with my hands, Your Honor.

MJ: Did you use both hands?

ACC: Yes, sir, Your Honor.

MJ: Describe for me how that happened.

ACC: CS3 A.R. came to my barracks to hang out. While we were hanging out, we started drinking alcohol. CS3 A.R. and I were hanging out in my barracks room on the couch. While we were having--while we were on the couch, we started kissing each other, and there was a bright flash on my cell phone. CS3 A.R. became very upset and she saw the flash and started freaking out.

She started making a lot of noise, and I wanted her to be quiet and calm down. I was concerned that my roommates would wake up and assume something had went wrong.

To try to--to try and make her be quiet I put my hands over CS3 A.R.'s mouth which was unsuccessful at keep--at keeping her quiet. She continued to make lots of noise. While I was attempting to put my hands over her mouth, she tripped and fell onto the floor.

While she was on the floor, I got on top of her and strangled her with two of my hands. I had both hands around her neck strangling her until she stopped moving and making noise. I knew she had died when she stopped moving and became unresponsive.

MJ: When you placed your hands around her neck while you're on top of her, you--she--she was laying on the floor, and you were on top of her; is that correct?

ACC: Yes, sir, Your Honor.

MJ: And you had both hands around her neck?

ACC: Yes, sir, Your Honor.

MJ: What were you intending to do when you were strangling her?

Let me ask you this: Did you intend to at least inflict great bodily harm?

ACC: Yes, sir, Your Honor.

MJ: And that was to--to make her stop talking, to calm her down, to stop her from moving?

ACC: Yes, sir, Your Honor.

MJ: You agree that placing your hands around her neck and strangling her, you intended to inflict great bodily harm when you were doing that?

ACC: Yes, sir, Your Honor.

MJ: Was it a freely made decision on your part to strangle CS3 A.R.?

ACC: Yes, sir, Your Honor.

MJ: Did anybody force or coerce you into--into killing her?

ACC: No, sir, Your Honor.

MJ: Do you believe you were acting in self-defense or defending another?

ACC: No, sir, Your Honor.

MJ: Do you believe at the time that you killed her you had any legal justification or authorization for killing her?

ACC: No, sir, Your Honor.

MJ: Could you have avoided killing her if you'd wanted to?

ACC: Yes, sir, Your Honor.

MJ: And how could you have done that?

ACC: By not doing what I did.

MJ: When did you form the intent to inflict great bodily harm?

ACC: I intended to inflict harm on her to get her to be quiet.

MJ: So, at some point between your unsuccessful attempts to cover her mouth and her falling onto the floor, intent formed in your mind that you've got to put your hands around her neck and inflict great bodily harm to make her stop?

ACC: Yes, sir, Your Honor.

MJ: And you were able to carry out this plan?

ACC: Yes, sir, Your Honor.

MJ: And so, you did actually--you did actually kill A.R. when you intended to inflict great bodily harm; is that correct?

ACC: Yes, sir, Your Honor.

MJ: And finally, do you believe you had any legal justification or excuse for your actions?

ACC: No, sir, Your Honor.

MJ: Do counsel for either side believe further inquiry is required?

Hold on. There is.

Where did this occur?

ACC: In my barracks room.

MJ: And where is your barracks room? Is it in Norfolk, Virginia?

ACC: Yes, sir.

MJ: And did this occur on--what date did this occur on?

ACC: The 29th.

MJ: On 29 May 2025?

ACC: Yes, sir.

MJ: Very well.

Counsel agree--do counsel require--believe any further inquiry is required on this specification?

ATC: Sir, maybe just ask if he could define strangulation and ask if this meets the standard for that.

I guess the government has concerns about why strangulation might lead to grievous bodily harm or great bodily harm, sir.

MJ: I want to read for you the--the definition of strangulation.

Strangulation means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of blood of a person by applying pressure to the throat or neck regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractive--or protractively injure the alleged victim.

So, I just gave you the definition of strangulation. Is that what you did to CS3 A.R.?

ACC: Yes, sir, Your Honor.

MJ: By placing both hands around her neck, you're--you impeded her normal breathing or circulation of blood flow; is that correct?

ACC: Yes, sir, Your Honor.

MJ: And when you did that, again, you did that with the intent to inflict great bodily harm; is that correct?

ACC: Yes, sir, Your Honor.

MJ: In my definition that I gave you of strangulation, it indicates that great bodily harm could flow from that.

Do you agree?

ACC: Yes, sir, Your Honor.

MJ: Very well.

Government, any further questions you think the court needs to ask?

ATC: No, Your Honor. I appreciate that. Thank you.

MJ: Defense counsel, any--any further questions--

DC: No, Your Honor.

MJ: --for this inquiry?

Very well.

Let's now move on to Specification 1 of Charge VI.

So, in Specification 1 of Charge VI, you're pleading guilty to false official statement, a violation of Article 107 of the UCMJ. The elements of that offense are that:

One, on or about 1 June 2025, at or near Norfolk, Virginia, you made to Special Agent Jessica Gokey, Naval Criminal Investigative Service, a certain official statement; that is, that you had returned CS3 A.R., United States Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect.

Two, that such statement was totally false.

Three, that you knew it to be false at the time you made it.

And four, that the false statement was made with the intent to deceive.

I'm gonna give you some definitions that apply to this specification.

A statement may be made orally, in writing, or both and include records, returns, regulations, orders or other documents.

A statement is official when the maker is either acting in the line of duty or the statement bears a clear and direct relationship to the maker's official duties or where the receiver is either a military member carrying out a military duty when the statement is made or a civilian necessarily performing a military function when the statement is made.

The rank or status of the person intended to be deceived is immaterial. The government may be the victim of this offense.

Intent to deceive simply means to purposely mislead, to treat, to trick another, or to cause another to believe as true that which is false.

It is not necessary that the false statement be material to the issue at inquiry. The expectation of material gain is not an expectation--not an element of this offense.

Petty Officer Copeland, do you understand the elements and definitions as I've read them to you?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about any of them?

ACC: No, sir, Your Honor.

MJ: Do you understand that your plea of guilty, again, admits that these elements correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: So, again, tell me in your own words why you're guilty of this offense.

ACC: On--on 1 June 2025, Special Agent Gokey came to my barracks room and asked me where CS3 A.R. was. I told her that I took CS3 A.R. back to my room--or back to her room.

When I told Special Agent Gokey that, I knew it was false because I did not take CS3 A.R. back to her room--back to her barracks room. I knew CS3 A.R.--I knew where CS3 A.R. was and told Special Agent Gokey something that was false.

MJ: Okay. So, your--your statement then pertained to an investigation into the location of CS3 A.R.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: And this was done by an NCIS--the question was posed to you by an NCIS special agent?

ACC: Yes, sir, Your Honor.

MJ: Did she show you her badge or her credentials?

ACC: Yes, sir, Your Honor.

MJ: So, you knew she was acting in an official capacity?

ACC: Yes, sir, Your Honor.

MJ: And you would agree that the--her investigation was into--an official Navy investigation, correct?

ACC: Yes, sir, Your Honor.

MJ: When she came to talk to you, you--you--you were a sailor, correct?

ACC: Yes, sir, Your Honor.

MJ: You were acting in your official capacity in answering questions posed by a law enforcement officer; is that correct?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that your statement was made to a person who, in receiving it--in this case Special Agent Gokey--was discharging the functions of her particular office?

ACC: Yes, sir, Your Honor.

MJ: And so, was she conducting an investigation into the disappearance of CS3 A.R. at this time?

ACC: Yes, sir, Your Honor.

MJ: Were you advised of any rights under Article 31 during this questioning?

ACC: No, sir, Your Honor.

MJ: Okay. What about your statement was untruthful?

ACC: I told Special Agent Gokey I took CS3 R. back to her barracks room the morning of 29 May of 2025, but I did not do that.

MJ: You did not do that. What did you do instead?

Or how--why is that a false statement?

ACC: I knew I did not take CS3 A.R. back to her barracks room when I said I did.

MJ: Okay. But I--I guess I'm asking what--what is false about that statement?

ACC: I never took her to her barracks room.

MJ: Okay. You did not take her to her barracks room.

ACC: Yes, Your Honor.

MJ: What did you do instead?

ACC: I--I told her I--I took her back to her barracks room to NCIS.

MJ: I understand.

Did you intend to deceive Special Agent Gokey when you made that statement?

ACC: Yes, sir, Your Honor.

MJ: Did you make the false statement voluntarily?

ACC: Yes, sir, Your Honor.

MJ: No one coerced you to make that false statement?

ACC: Yes, sir, Your Honor.

MJ: Do you have any legal justification or excuse for making the false statement?

ACC: No, sir, Your Honor.

MJ: Anyone coerce you into making this statement?

ACC: No, sir, Your Honor.

MJ: Could you have made a truthful statement if you'd wanted to?

ACC: Yes, sir, Your Honor.

MJ: You could have--you could have told the truth, correct?

ACC: Yes, sir.

MJ: Do counsel believe any further inquiry is required for this offense?

ATC: No further inquiry, Your Honor.

MJ: Defense?

DC: No, Your Honor.

MJ: Court agrees.

Okay. Now let's take a look at--and I know I'm jumping around here on the charge sheet--Specification 2 of Charge IV.

In Specification 2 of Charge IV, you--you have pleaded guilty to obstruction of justice by wrongfully concealing the dead body of CS3 A.R., United States Navy, with the intent to impede the due administration of justice, which is a violation of Article 131(b) of the UCMJ. The elements of that offense are:

That one, on or about 2 June 2025, at or nor--at or near Norfolk, Virginia--I'm gonna go back to this previous specification just for a second.

Again, I'm--I'm gonna direct your attention to the false official statement you just--we just talked about.

Where were you at when you made that false statement?

ACC: In my barracks, Your Honor.

MJ: And is that in Norfolk, Virginia?

ACC: Yes, sir, Your Honor.

MJ: And you told me at the beginning you made that false statement on 1 June 2025, correct?

ACC: Yes, sir, Your Honor.

MJ: Very well. Thank you.

ACC: Thank you.

MJ: All right. Let's turn back to Specification 2--Specification 2 under Charge IV. The elements of that offense are:

That on or about 2 June 2025, at or near Norfolk, Virginia, you wrongfully did a certain act; that is, conceal the dead body of CS3 A.R., United States Navy.

Two, that you did so in the case of *United States versus CS3 Jermiah T. Copeland*, you, against whom you had reason to believe there were or would be criminal or disciplinary proceedings pending.

Three, that the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

I'm gonna give you some definitions that apply to this offense.

"Wrongfully" means without legal justification or excuse. You must have had the specific intent to impede the due administration of justice, but there need not have been an actual obstruction of justice.

The term "criminal proceedings" includes lawful searches, criminal investigations conducted by the police or command authorities, Article 15 nonjudicial punishment proceedings, Article 32 investigations, courts-martial, state or federal criminal trials.

It's not necessary that charges be pending or even that an investigation be underway. You need not have known that charges have been brought, or proceedings begun; however, you must have had reason to believe there were or would be criminal proceedings against you or that some law enforcement official or the military would be investigating the case of CS3 Copeland.

Asking that one not reveal a report that an offense occurred is not an obstruction of justice unless you knew or had reason to believe that there were or would be criminal proceedings pending and your acts were done with the intent to obstruct justice.

If you advised a potential witness of his legal right to remain silent, merely informed the witness about possible self-incrimination that would not amount to a specific intent to impede the due administration of justice.

However, if this advice was given for a corrupt purpose; such as, the desire to protect yourself or others from prospective witnesses' possible damaging statements, you had a corrupt motive and you had a specific intent to impede the due administration of justice.

So, some questions about this offense:

Do you understand the elements and definitions as I've read them to you, Petty Officer Copeland?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about any of them?

ACC: No, sir, Your Honor.

MJ: Do you understand your plea of guilty, again, admits the elements accurately describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: So, again, tell me in your own words why you're guilty of this offense.

ACC: On the 2nd of June 2025, I hid CS3 A.R.'s body. I did so because I needed to move her body from my barracks room. I have roommates and suite mates, and the police had already come to my room asking about CS3 A.R.

And I knew people were looking for her and if I--if she was found in my closet, I would be in trouble. I knew there would be criminal proceedings pending. I was UA, and I knew I was getting NJP'd. I knew people were looking for CS3 A.R. I hid her body to

impede the administration of justice and prevent myself from getting charges.

MJ: Okay. So, you--you previously--we talked about killing CS3 A.R. You previously admitted to murdering CS3 A.R.

So sometime after that murder you hid her body in your barracks room?

ACC: Yes, sir, Your Honor.

MJ: And then on the 2nd of June, you're saying that you then moved her body to a different location. Where did you move her to?

ACC: At the Broad Creek Neighborhood in Norfolk.

MJ: And when you did this, you indicated it was because you believed people were investigating where she was and--and your involvement in perhaps her disappearance.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: So, you had reason to believe that there was an investigation pending against you?

ACC: Yes, sir, Your Honor.

MJ: And in fact, you--you mentioned you were already UA at the time, so you knew that--that there was--there were criminal proceedings pending against you.

ACC: Yes, sir, Your Honor.

MJ: Do you have any legal justification or excuse for concealing CS3 A.R.'s body?

ACC: No, sir, Your Honor.

MJ: Were you authorized by anyone to conceal her body?

ACC: No, sir, Your Honor.

MJ: Could you have avoided concealing her dead body if you'd wanted to?

ACC: Yes, sir, Your Honor.

MJ: Do you believe concealing the dead body of CS3 A.R. on 2 June 2025 in Norfolk, Virginia, was wrongful?

ACC: Yes, sir, Your Honor.

MJ: So, at the time, did you believe that you were the subject of a criminal investigation or proceeding?

ACC: Yes, sir, Your Honor.

MJ: And why is that?

ACC: People had come to my room to talk to me about CS3 A.R.

MJ: It says in your stipulation of fact you had--this is Paragraph 32 of your stipulation of fact. You had reason to believe there would be criminal proceedings pending because you were aware that CS3 A.R. was declared missing and law enforcement was looking for her. And then because you thought criminal proceedings would be pending, you concealed her body.

Is that all true?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 33 of your stipulation of fact says that because you believed there would be criminal proceedings, you--you hid her body because you thought criminal proceedings would be pending against you because you knew you had murdered CS3 A.R. and her deceased body was in your barracks room.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: It goes on to say that you hid her body in a suitcase and put the suitcase inside your closet. And then on 2 June, you transported that suitcase, as you've mentioned here, from your barracks room to a wooded area near Cary Avenue in Norfolk, Virginia.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: And your purpose in concealing the body was to impede justice?

ACC: Yes, sir, Your Honor.

MJ: Because you--you thought criminal proceedings would be pending against you.

ACC: Yes, sir, Your Honor.

MJ: Did you specifically intend to impede or obstruct the due administration of justice?

ACC: Yes, sir, Your Honor.

MJ: And that's by hiding evidence?

ACC: Yes, sir, Your Honor.

MJ: In fact, the evidence in this case was CS3 A.R.'s body?

ACC: Yes, sir, Your Honor.

MJ: Do counsel believe any further inquiry is required?

TC: No, Your Honor.

DC: No, Your Honor.

MJ: Very well.

Okay. Let's turn to the Sole Specification of Charge II. In--in the Sole Specification of Charge II, Petty Officer Copeland, you pleaded guilty to aggravated assault, strangulation, upon ABHAN C.R., United States Navy, by committing assault upon her by unlawfully strangling her with your hand, in violation of Article 128 of the UCMJ. The elements of that offense are:

That, one, on or about 24 July 2024, on board USS Harry Truman, CVN-75, you committed an assault against ABHAN C.R., United States Navy.

Two, that you did so by strangling her with your hand.

And three, that the strangulation was done with unlawful force or violence.

I'm gonna give you some definitions that apply.

An assault in which bodily harm is inflicted is called "a battery."

A battery is an unlawful infliction of bodily harm to another made with force or violence by an intentional act or omission.

"Bodily harm" means an offensive touching of another, however slight.

An infliction of bodily harm is unlawful if done without legal justification or excuse and without the lawful consent of the victim.

The term "strangulation" means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck regardless of whether that conduct results in any visible injury or whether there is intent to kill or protractedly injure the victim.

So, with regards to this specification, do you understand the elements and definitions as I've read them to you, Petty Officer Copeland?

ACC: Yes, sir, Your Honor.

MJ: Do you--do you have any questions about any of them?

ACC: No, sir, Your Honor.

MJ: Do you understand your plea of guilty admits that these elements accurately describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: So, again, tell me in your own words why you're guilty of this offense.

ACC: ABHAN C.R. and I were talking on the fantail. I put my hands around her neck and squeezed, cutting off the circulation and breathing. She did not consent.

MJ: So--ask a few questions about that: On 24 July 2024, on Harry Truman, did you--did you commit an assault upon a--ABHAN C.R.?

ACC: Yes, sir, Your Honor.

MJ: And you just told me that you did this by strangling her?

ACC: Yes, sir, Your Honor.

MJ: Did you strangle her with your hands?

ACC: Yes, sir, Your Honor.

MJ: Both hands? One hand?

ACC: Both hands, Your Honor.

MJ: So, you placed both hands around her neck?

ACC: Yes, sir, Your Honor.

MJ: I gave you the definition of strangling--or strangulation. Did what you do with your hands meet that definition?

ACC: Yes, sir, Your Honor.

MJ: And by that, I mean you--did you--was this accidental? Reckless? Was it intentional?

ACC: Intentional, Your Honor.

MJ: So, you--you agree that on the 24th of July 2024, on board Harry Truman, you intentionally placed your hands around her neck to impede her normal breathing or--or circulation of blood?

ACC: Yes, sir, Your Honor.

MJ: You applied enough pressure to the throat or neck to do that?

ACC: Yes, sir, Your Honor.

MJ: You told me that she did not consent to this; is that correct?

ACC: Yes, sir, Your Honor.

MJ: Do you have any legal justification or authorization to do this?

ACC: No, sir, Your Honor.

MJ: How much pressure did you apply to her neck?

ACC: Enough to impede her circulation.

MJ: How do you know that?

ACC: Because she stopped breathing for a second.

MJ: Okay. And you--you watched her stop breathing?

ACC: Yes, sir, Your Honor.

MJ: Okay. Were you acting in self-defense when you did this bodily harm to ABHAN C.R.?

ACC: No, sir, Your Honor.

MJ: And any legal--any legal justification or excuse for strangling her?

ACC: No, sir, Your Honor.

MJ: You told me this was intentional, correct?

ACC: Yes, sir, Your Honor.

MJ: Anybody force you or coerce you into committing the strangulation?

ACC: No, sir, Your Honor.

MJ: Could you have avoided committing the strangulation if you'd wanted to?

ACC: Yes, sir, Your Honor.

MJ: You simply could have just not done it, correct?

ACC: Yes, sir.

MJ: And you admit your--your actions were unlawful?

ACC: Yes, sir.

MJ: And do you believe you committed the strangulation with unlawful force or violence?

ACC: Yes, sir.

MJ: And how so?

ACC: Because I used enough force to stop her from breathing. She did not consent.

MJ: And you--you agree that's force or violence, correct?

ACC: Yes, sir.

MJ: Do counsel believe any further inquiry is required for this offense?

ATC: No, Your Honor.

MJ: Defense counsel?

DC: No, Your Honor.

MJ: Very well.

Let's move to the sole--or I'm sorry--Specification 1 of Charge III.

There you have, Petty Officer Copeland, pleaded guilty to recording the private area of CSSSN--CSSN S.S., United States Navy, a violation of Article 120c of the UCMJ. The elements of that offense are:

That, one, that you did, on or about 4 November 2024, on board USS Harry Truman, CVN-75, without legal justification or lawful--lawful authorization, knowingly record the private area of CSS -- CSSN S.S.

DC: It wasn't on board.

MJ: Thank you very much. No, you're correct. I'm looking at the wrong element.

That you did on board--that you did, on or about 4 November 2024, at or near Oslo, Norway, without legal justification or lawful authorization, knowingly record the private area of CSS--CSSN S.S., USN.

That said recording was without CSSN's consent.

And that the recording was made under the circumstances in which CSSN S.S. had a reasonable expectation of privacy.

And that your conduct was wrongful.

I'll give you some definitions that apply to this offense.

"Wrongful" means without legal justification or lawful authorization.

An act is done knowingly when it is done intentionally and on purpose.

An act is--an act done as a result of mistake or action is not done knowingly.

"Private area" means the naked or underwear clad genitalia, anus, buttocks, or female areola or nipple.

Under circumstances in which that other person has a reasonable expectation of privacy or reasonable expectation of privacy means, (a), circumstances in which a reasonable person would believe that he or she could disrobe in privacy without being concerned that an image of a private area of the person was being captured; or (b), circumstances in which a reasonable person would

believe that a private area of the person would not be visible to the public.

Do you understand the elements and definitions as I've read them to you, Petty Officer Copeland?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about them?

ACC: No, sir, Your Honor.

MJ: Do you understand that your plea of guilty admits that these elements accurately describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: So, again, tell me in your own words why you're guilty of this offense.

ACC: On the 4th of November 2024, I was at a bar with CSSN S.S. We went to the bathroom to have sex. We had sex. Her pants were down. She had an expect--expectation of privacy. I recorded her with my phone from behind. She did not know I was recording her.

MJ: You guys said you were at a bar. Where was this bar?

ACC: In Oslo.

MJ: Oslo, Norway?

ACC: Yes, sir.

MJ: And so, you were both assigned to Harry Truman and Harry Truman pulled in for a port visit or something in Oslo, Norway?

ACC: Yes, sir.

MJ: How did you accomplish this--so you told me that you were having sex in the bathroom and you recorded her. Was this a video recording?

ACC: Yes, sir, with my phone.

MJ: So, you accomplished this with a--with a--like a cell phone camera?

ACC: Yes, sir, Your Honor.

MJ: So where exactly--when you say in a bathroom, this was a private stall or a private bathroom?

ACC: Yes, sir.

MJ: I--I don't need you to be too graphic, but what was visible during this recording?

ACC: Her butt.

MJ: Her--her--her buttocks. Was it naked or underwear clad?

ACC: Naked.

MJ: Okay. So, you agree--I gave you the term of private area. You would agree that her naked buttocks is the private area as I've defined that term for you?

ACC: Yes, sir, Your Honor.

MJ: And you told me you did this recording intentionally; is that correct?

ACC: Yes, sir, Your Honor.

MJ: Did she know she was being recorded?

ACC: No, sir, Your Honor.

MJ: So, she didn't consent to it then?

ACC: No, sir.

MJ: How do you know this?

ACC: She didn't know I was recording while we were having sex.

MJ: Would you agree that--that CSS--SN was in a place where she could disrobe in private where she wouldn't be concerned that her private area would be seen?

ACC: Yes, sir, Your Honor.

MJ: And why do you believe that?

ACC: Because we were in a--because we were in the bathroom and we were having sex and she did not know I was recording. She had no reason to believe that she would be recorded or seen by anyone else in the bathroom.

MJ: Because that's not--you typically don't film in the bathroom, correct?

ACC: Yes, sir.

MJ: You don't record people in the bathroom.

ACC: Yes, sir.

MJ: Do you believe a reasonable person knowing all the facts and circumstances would agree that a person could disrobe in private without being concerned that someone would see their private area in this bathroom in Oslo, Norway?

ACC: Yes, sir.

MJ: Do you have any legal justification or excuse for your actions?

ACC: No, sir, Your Honor.

MJ: Could you have avoided recording CSSN S.S.'s private area if you wanted to do so?

ACC: Yes, sir, Your Honor.

MJ: You simply could have kept your phone away, correct?

ACC: Yes, sir, Your Honor.

MJ: Do counsel believe any further inquiry is necessary?

TC: Your Honor, just one discrepancy with this specification and we noticed a discrepancy with the last specification as well. With this one, just that the plea agreement references on board Harry S. Truman, but this--the actual charge itself does say Oslo, Norway. So, we can pen and ink that. I just want to make sure it's not a misunderstanding by the parties.

MJ: No. I--I think--I think everyone understands that this was Oslo, Norway. We will--if we need to pen and ink the plea agreement when we get there, we can do that.

ATC: Okay. Yes, sir.

MJ: Defense counsel, any concern with that?

DC: No, Your Honor. It was not on board the ship. It was in Norway.

MJ: Right. It was in a bar in Oslo.

DC: Yes, Your Honor.

MJ: Understand.

ATC: And then with respect to the last specification, sir, this--the charge, the stipulation of fact, and the plea agreement all say it was strangulation with one hand, but I believe he said two hands. I'm not sure if that discrepancy should be noted for the record as well.

MJ: And that was--okay.

I mean, any further questions about this specification?

ATC: Not about this specification, sir. Sorry, I just want to bring that up.

MJ: Okay.

DC: Not about this specification.

MJ: Okay. Petty Officer Copeland, I want to draw your attention back to the specification we talked about a minute ago where you admitted to strangling ABHAN C.R.

Do you--do you recall that discussion we just had a second ago?

ACC: Yes, sir, Your Honor.

MJ: What the trial counsel is telling me is that your stipulation of fact and the charges indicate that you're charged with pleading with--strangling her with one hand, but you told me it was two hands.

You strangled her with at least one hand, correct?

ACC: Yes, sir, Your Honor.

MJ: Government, you satisfied?

ATC: Yes, sir.

MJ: Okay.

Okay. At this point, I want to move to--back to Charge IV and Specification 1 of Charge IV.

Petty Officer Copeland, there you--you pleaded guilty to obstruction of justice by wrongfully hiding your cellular phone with the intent to impede the due administration of justice in the case of *U.S. v. CS3 Jermiah Copeland*, which is a violation of Article 131b. The elements of that offense are:

That on or about 5 November 2024, at or near Oslo, Norway, you wrongfully did a certain act; that is, hide your cellular phone.

Two, that you did so in the case of yourself against whom you had reason to believe there were or would be criminal or disciplinary proceedings pending.

Three, that the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

So, a few minutes--moments ago when we talked about the previous obstruction of justice charges, I gave you a bunch of definitions that apply to obstruction of justice.

Do you need me to go over those definitions again? They're the same ones that I talked about before.

ACC: No, sir, Your Honor.

MJ: Okay. So, do those elements that I just read to you and the definitions that I read to you earlier about obstruction of justice, do you have any questions about them?

ACC: No, sir, Your Honor.

MJ: Do you understand those elements and definitions?

ACC: Yes, sir, Your Honor.

MJ: Do you understand that your plea of guilty admits that the elements accurately describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Do you believe and admit that the elements and definitions taken together correctly describe what you did?

ACC: Yes, sir, Your Honor.

MJ: Petty Officer Copeland, tell me why, in your own words, you're guilty of this offense.

ACC: On the 5th of November 2024, CSSN S.S. confronted me about--about us having sex when she was drunk the night before.

CSSN S.S. was upset and angry because other people had seen a video of us having sex. Given how she responded, I thought there would be criminal proceedings pending against me. Because I thought my phone contained potential evidence against me, I hid my cellular device by smashing it and throwing it in the streets in Oslo.

I hid my phone because I believed that there would be criminal proceedings against me because of CSSN S.S.'s accusations. I hid the phone with an intent to impede the investigations against me to prevent NCIS from obtaining potential evidence against me.

MJ: Okay. Did you have any legal justification or excuse for hiding your cell phone?

ACC: No, sir, Your Honor.

MJ: Were you authorized by anyone to hide your cell phone?

ACC: No, sir, Your Honor.

MJ: Could you have avoided hiding your cell phone if you wanted to?

ACC: Yes, sir, Your Honor.

MJ: And do you believe that hiding your cell phone on 5 November 2024 was wrongful?

ACC: Yes, sir, Your Honor.

MJ: So, you just told me that you--you believed there--that you might be the subject of a criminal investigation or proceeding.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: And that's because--it sounds like CSSSN--CSSN S.S. discovered that you had recorded a video of her the day before.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: And she was unhappy about that.

ACC: Yes, sir, Your Honor.

MJ: And you thought that that might turn into a criminal investigation because she was upset that you had recorded her without her consent.

ACC: Yes, sir, Your Honor.

MJ: What did you think might happen as a result of any investigation?

ACC: That--I thought I'd be in trouble or go to NJP or worse.

MJ: But at least some sort of criminal--you'd be charged with some sort of criminal misconduct or some sort of--something bad would happen to you.

ACC: Yes, sir, Your Honor.

MJ: Some sort of administrative proceeding or criminal proceeding would ensue; is that correct?

ACC: Yes, sir, Your Honor.

MJ: What was your purpose in hiding your cell phone?

ACC: To prevent NCIS from finding video of CSSN S.S. that she did not consent to me making, Your Honor.

MJ: So, when you hid your cell phone and you told me you--you smashed it and then threw it in the streets, did you specifically intend to impede or obstruct the administration of justice?

ACC: Yes, sir, Your Honor.

MJ: And you did that--that way if you got rid of your cell phone, NCIS or the MAs on board--the master-at-arms on board or any other law enforcement organization couldn't find it.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: And it couldn't be used as evidence against--evidence against you?

ACC: Yes, sir, Your Honor.

MJ: Counsel believe any further inquiry is required for this offense?

ATC: No, Your Honor.

DC: No, Your Honor.

MJ: Very well.

Do counsel believe any further inquiry is required for any of the offenses we've gone over this morning?

ATC: No, Your Honor.

DC: No, Your Honor.

MJ: Very well.

Trial counsel, without regards to the terms of the plea agreement, what is the maximum punishment authorized by law in this case based solely on the accused's guilty plea?

ATC: Yes, Your Honor.

The maximum punishment authorized in this case based solely--or based on the accused's plea, without taking into account the terms of the plea agreement, is to be reduced to the grade of E-1, total forfeiture of pay, to be confined--confined for life without the possibility of parole plus 25 years, and to be discharged from the service with a dishonorable discharge.

MJ: Defense counsel, do you agree?

DC: Yes, Your Honor, with the exception of the "plus 25 years."

MJ: The court agrees.

Petty Officer Copeland, the maximum authorized by law--authorized punishment by law in this case based solely on your guilty plea, without taking into account your plea agreement, is:

To be reduced to the pay grade of E-1, to forfeit all pay and allowances, to be confined for life without the possibility of parole, and to be dishonorably discharged from the Naval service.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: I also find that a fine is not appropriate.

Do the parties agree?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Very well.

Trial counsel, please account for the applicable sentencing parameters by announcing the offense category and confinement range for the offenses to which the accused has pled guilty.

ATC: The parameters are as follows, Your Honor:

To the specification of Charge II, this is a Category 2 offense; as such, the parameter confinement range is 1 to 36 months.

To Specification 1 of Charge III, it's a Category 2 offense; as such, the parameter confinement range is 1 to 36 months.

Specifications 1 and 2 of Charge IV are Category 2 offenses; as such, the parameter of confinement range is 1 to 36 months for each specification.

The specification of charge--the--the--Specification 1 of Charge VI is a Category 2 offense; as such, the parameter of confinement range is 1 to 36 months.

And the Sole Specification of Charge VII is a Category 5 offense; as such, the parameter confinement range is 240 to 480 months.

Thank you, Your Honor.

MJ: And I'll--I'll just note with regards to Charge VII is the lesser included offense of the Sole Specification, correct?

ATC: Yes. Yes, Your Honor.

MJ: Defense counsel, do you agree?

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, did your defense counsel explain the applicable sentencing parameters to you?

ACC: Yes, sir, Your Honor.

MJ: When an offense is subject to a sentence parameter, I must sentence you for that offense within the applicable parameter unless I find specific facts that warrant a sentence outside the parameter.

If I impose a sentence that is higher or lower than a parameter, I must include a written statement and factual basis for the sentence.

If, however, I accept your plea agreement, then I must sentence you in accordance with the limits of the plea agreement. If the plea agreement proposes a sentence that is outside of the sentence parameter, I may reject the plea agreement that proposes a sentence that is outside the sentence parameter if I determine that the proposed sentence is plainly unreasonable.

Do you understand this?

Do you understand? Do I need to read that again?

ACC: Oh, no, sir, Your Honor.

MJ: Okay. You understand the sentencing parameters?

ACC: Yes, sir, Your Honor.

MJ: Okay. All that said, do you have any questions about the maximum punishment authorized by law as a result of your guilty plea?

ACC: No, sir, Your Honor.

MJ: Trial counsel, is there a plea agreement in this case?

ATC: Yes, Your Honor.

MJ: Defense counsel, does the accused have a copy of the plea agreement?

DC: Yes, Your Honor.

MJ: We've been going about an hour. Do we--do we need to take a break, or we want to keep going in the plea agreement?

ATC: If we can take a brief recess, Your Honor.

DC: Yes, Your Honor.

MJ: How long do you want? Ten minutes?

ATC: Ten minutes is sufficient, yes, sir.

MJ: Okay. It is--it is 1012. Let's come back--

DC: Sir, maybe 15 minutes because Seaman--because Petty Officer Copeland needs to use the head as well.

MJ: Let's come back at 1030.

Court's in recess till 1030.

[The court-martial recessed at 1012, 8 June 2026.]

[The court-martial was called to order at 1032, 8 June 2026.]

MJ: This court-martial is once again called to order. All parties present when the court last recessed are once again present.

Okay. We're now gonna discuss the plea agreement. Does the accused have a copy of the plea agreement in front of him?

DC: Yes, Your Honor.

MJ: Okay. Petty Officer Copeland, we're now gonna discuss this agreement. I have Appellate Exhibit CVII, which is your agreement. We talked about this at the beginning of the trial when you elected military judge--trial by military judge alone, but did you sign this document?

ACC: Yes, sir, Your Honor.

MJ: That's your signature on page 16?

ACC: Yes, sir, Your Honor.

MJ: Okay. Did you thoroughly read it before you signed it?

ACC: Yes, sir, Your Honor.

MJ: Do you understand the contents of your plea agreement?

ACC: Yes, sir, Your Honor.

MJ: Did anyone force you or coerce you to enter into this agreement?

ACC: No, sir.

MJ: Does this agreement between you and the government--the--Appellate Exhibit CVII--does it contain all the understandings or agreements that you have in this case?

ACC: Yes, sir, Your Honor.

MJ: Has anyone made any promises to you that are not written into this agreement in an attempt to get you to plead guilty?

ACC: No, sir, Your Honor.

MJ: Counsel, do you agree that Appellate Exhibit CVII is the full and complete agreement in this case and there are--and you're satisfied there are no other agreements?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. Petty Officer Copeland, the law requires that I discuss the conditions of your agreement with you, so we're just gonna go through the terms of the agreement and I'm gonna talk to you about them. And you just let me know if you have any questions.

ACC: Yes, sir.

MJ: So, Paragraph 1 just indicates that you're the accused in this court-martial now pending, and you agree in exchange for good consideration and thorough consultation with your defense counsel to enter into the agreement.

You agree to enter the pleas as you did below, and you assert that you are in fact guilty of the offenses to which you're pleading guilty.

ACC: Yes, sir, Your Honor.

MJ: And that your--you're entering this agreement freely and voluntarily; is that correct?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 2 just reiterates what we just talked about; that this agreement--this plea agreement is the full agreement between you and the government.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 3 says that you are satisfied with your defense counsel--Lieutenant Commander Serfess, Lieutenant Commander Morgan, and Lieutenant Commander Mihill--in all respects and you consider them qualified to represent you at this court-martial.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: Is that still true?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 4 says that you understand that you can withdraw from this agreement for any reason prior to acceptance of the plea agreement by the military judge. And I have not done so yet.

And you understand that you may also request to withdraw from the plea agreement after its acceptance but before the sentence is announced in this case if good cause is shown.

Do you understand the ways you can withdraw from this agreement?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 5 discusses the ways in which the special trial counsel, the government, can withdraw from this agreement.

Do you have any questions about Paragraph 5?

ACC: No, sir, Your Honor.

MJ: Okay. Paragraph 6 talks about future misconduct. Paragraph 6 just discusses, you know, what would happen if you committed misconduct between the time, you signed this agreement and today.

I'm assuming that has not happened; otherwise, we might not be here.

Paragraph 6(b) and 6(c) talk about any future misconduct you might effect--you might commit and how it would affect this plea agreement.

Any questions about Paragraph 6 at all?

ACC: No, sir, Your Honor.

MJ: Okay. Paragraph 7 says that you understand if either side withdraws from this agreement, then your offer to plead guilty and

enter into this agreement cannot be used against you in any way to prove whether or not you're guilty or not of the charges alleged against you in this court-martial or in determining an appropriate sentence except as outlined in Paragraph 8(i) below.

And we'll talk about Paragraph 8(i) in a few minutes.

But essentially, what this means is if for some reason I don't accept your plea agreement or you decide to reject the plea agreement or change your plea, then the fact that you had this colloquy with me this morning and admitted to a lot of the facts surrounding what you're pleading guilty to can't be used against you in a later contested court.

Does that make sense?

ACC: Yes, sir, Your Honor.

MJ: Except as we're gonna talk in Paragraph 8(i) below.

Paragraph 8 is titled "Agreements by the accused." And Paragraph 8(a) is just several pages of a chart that show how you're going to plead to each of the specifications alleged on the charge sheet. You have entered those pleas in accordance with Paragraph 8(a), so you have satisfied that. You entered the pleas as you indicated you would this morning.

And if you flip through to page 11, Paragraph 8(b) is--we talked about this earlier--you agreed to elect trial by military judge and to waive a trial with members, including enlisted members.

Do you remember we talked about that?

ACC: Yes, sir, Your Honor.

MJ: And--and you've complied with that provision of the plea agreement?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 8(c) says that you intend to request in presentencing, at government expense, the presence of your mother as a witness; and provided that the special trial counsel agrees to provide this witness, you wouldn't request production of any additional witnesses at government expense.

Government, has that happened?

ATC: Yes, Your Honor.

MJ: Okay. So--so that provision has--the government has complied, so you've agreed not to then request any additional witnesses in sentencing.

Typically, at a court-martial, the defense can require the government to produce witnesses at government expense, even in sentencing. And you are agreeing to waive that provision here except for your mother, who is present.

And you agree that--that this provision does not interfere with your ability to present a case in extenuation and mitigation; and that if you have further material to present, you intend to use alternative means.

And the government and you agree not to object to the court receiving telephonic testimony in lieu of live testimony, and that this provision doesn't preclude objections based on the content of that testimony.

But, in other words, normally--normally in sentencing cases or in courts-martial, witnesses have to be present and live and--but you're agreeing that you--that I'm allowed to accept telephonic testimony or non-live testimony, and you're not--this provision of the plea agreement does not inhibit your ability to put on a case in sentencing and mitigation.

Does that--does that sound right?

ACC: Yes, sir, Your Honor.

MJ: You agree with that?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 8(d) is a--sort of an evidentiary paragraph. It says you and the government agree not to object to relevant service record documents, autopsy reports, command investigation materials, NCIS evidentiary materials, other statements offered in either extenuation and mitigation by you or offered by the government in aggravation, including written, audio or videotaped statements, or telephonic testimony of any crime victims or relevant witnesses offered by either party.

And you won't object to any of this evidence on the basis of foundation, hearsay, or lack of--lack of confrontation or authenticity. Those are evidentiary rules. And oftentimes, documentary evidence has to go through a level of procedure to be admitted into court.

You and the government are agreeing to not object on any of those bases. It doesn't affect your ability to object based on the contents of the documents, but only on their authenticity, lack of hearsay--lack of confrontation and hearsay.

Does that--did your counsel explain that to you?

ACC: Yes, sir, Your Honor.

MJ: And, again, you agree this doesn't inhibit your ability to put on a case in mitigation and extenuation.

Is that correct?

ACC: Yes, sir, Your Honor.

MJ: Okay. Paragraph 8(e) says you agree and are fully prepared to go to trial no later than 8 June 2026. Today is the 8th of June 2026, and we are here so you've complied with that.

Paragraph 8(f) says you agree to waive your--any administrative discharge board that might ensue based on your--your pleas here today.

Have you talked to your counsel about Paragraph 8(f); you have any questions about that?

ACC: Yes, sir, Your Honor.

MJ: You do have questions about it?

ACC: Oh, no, sir, Your Honor.

MJ: Okay. You understand those provisions?

ACC: Yes, sir, Your Honor.

MJ: Okay. Paragraph 8(g) indicates that you understand by pleading guilty you waive all motions except those that are nonwaivable pursuant to Rule for Court-Martial 705(c)(1)(b) and those previously filed pursuant to Article 13, UCMJ, and R.C.M. 305(l). And you agree that the waiver is effective at the time the plea agreement is signed.

So, as I mentioned earlier, prior--prior to taking your plea, your counsel has filed several motions in this case. We've had three separate motions hearings where they've vigorously argued those motions. They submitted well-crafted arguments seeking relief for a whole host of things.

Your entry into this plea agreement waives all those motions. Now, even the ones I ruled against you on could still have been reviewed by an appellate court, but your waiver here prevents this court or any future court from granting relief that you might have received based on those motions.

Does that understand?

ACC: Yes, sir, Your Honor.

MJ: Do you understand that?

With--with the exception of any--any motions that are non-waivable and the Article 13 motion that you filed and that we argued in this court on Friday.

Do you remember that one?

ACC: Yes, sir, Your Honor.

MJ: I will--that is still pending, and I will issue a ruling in that--on that motion prior to announcing sentence in this case.

Do you understand?

ACC: Yes, sir, Your Honor.

MJ: Defense counsel, is that your understanding of it? Is that--

DC: That is correct.

MJ: Okay.

Paragraph 8(h) says you--you and the government agree to enter into a stipulation of fact. You have done that, and I have admitted it into evidence as Prosecution Exhibit 1.

You--I've admitted Prosecution Exhibit 1 into evidence, so you--you have agreed to enter into a stipulation of fact.

Paragraph 8(i). This is the paragraph we talked about before. Paragraph 8(i) says if this agreement becomes void due to your actions, then you agree to the following waiver of your rights under M.R.E. 410.

And that is, the government may use the signed stipulation of fact as well as any information directly or indirectly delivered--derived from the signed stipulation of fact, one, in cross-examination if you were to testify in an administrative or criminal proceeding; and two, to rebut, directly or indirectly, any evidence or arguments, statements, or representations offered or elicited by you at a trial, sentencing, or any other criminal or administrative proceeding.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Normally, the protections of M.R.E. 410 prevent any of the evidence introduced here today, including evidence in the stipulation of fact, from being used against you should you not go forward with the plea--plea agreement.

But here you're indicating that should this plea agreement become null and void based on your actions, then that--this stipulation of fact you entered into may be used for those limited purposes that I just discussed.

Does that make sense?

ACC: Yes, sir, Your Honor.

MJ: Any questions about that?

ACC: No, sir.

MJ: Okay. Do both parties agree with my interpretation of that paragraph?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Okay. Paragraph 8(j). This says that you agree to meet with Ms. Esmerelda Castle, who is the Article 6b representative and the mother of CS3 A.R., after you're found guilty but before the presentencing begins.

So, the meeting will occur in Building A50 in Norfolk, so the building we're in. The only people that will be in attendance in this meeting will be the required brig staff, one of your attorneys, and Ms. Castle.

One member of the special trial counsel team may also be present, so either--either one of the counsel here.

The media will not be present.

Ms. Castle's attorney, Mr. Marshall Griffin, will not be present.

And you understand that you'll not be required to make any statement, comment, declaration nor answer any questions during this meeting.

So, do you understand that provision?

ACC: Yes, sir, Your Honor.

MJ: So, what will happen is, once we get to the point where I accept your guilty plea and I--I enter findings, we'll take a break, and then you'll have the opportunity--or to fulfill Paragraph 8(j) of this agreement.

And then once that is completed--we'll probably break for lunch as well--and then we'll come back on the record and begin the presentencing procedures.

So, you understand and agree to this term?

ACC: Yes, sir, Your Honor.

MJ: You under--you understand and agree you don't have to make any statement, comment, declaration; you don't have to answer any questions during the meeting.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Okay.

Both parties agree with my summation--my interpretation of Paragraph 8(i)?

ATC: Yes, sir.

MJ: I'm sorry, 8(j).

DC: Yes, Your Honor.

MJ: Okay.

Paragraph 9 are agreements by the special trial counsel. So, in exchange for the agreements that--that you have made, Petty

Officer Copeland, special trial counsel or the government and the convening authority agree to do the following:

The special--Paragraph 9(a) says the special trial counsel agrees to withdraw the language, charges, and specifications to which you have pleaded not guilty in return for your pleas of guilty and following the military judge's acceptance of your pleas set forth above.

Special trial counsel then agrees that after the announcement of the sentence, the mil--the military judge will--will--the withdrawn charges and specifications will be dismissed without prejudice, to ripen into prejudice upon completion of appellate review in which the findings and sentence have been upheld.

So, what that means is you pled guilty to--to several offenses this morning. You pled not guilty to several other offenses.

Once I accept your plea, the government will withdraw the charges to which you pled not guilty for. Those charges will no longer be before the court. And then after I announce sentence in this case, those withdrawn charges that are no longer before the court, will be dismissed by the government.

Now that dismissal is without prejudice, which means if--if for some reason the--the--the plea falls apart, they can still--or if

an appellate court were to overturn this plea agreement and overturn your sentence, then the government would be free to--to charge you with all the charges again.

Once the findings--if the findings are upheld on appeal and the sentence is upheld on appeal, then those charges that you pled not guilty to would be dismissed with prejudice; meaning, they're gone forever and the United States can never prosecute you for those.

Do you understand that term of your agreement?

ACC: Yes, sir, Your Honor.

MJ: Do you agree to that term?

ACC: Yes, sir, Your Honor.

MJ: Very well.

And, again, both parties agree with my interpretation of Paragraph 9(a)?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: All right. Paragraph 10 deals with sentence limitations.

So, the parties agree that the military judge may only sentence you as follows:

Paragraph 10(a) says a punitive discharge. It says a dishonorable discharge shall be adjudged, so I--so I will--if I accept your plea and after we get through sentencing, I will award you a dishonorable discharge.

Paragraph 10(b) says confinement shall be adjudged as set forth in the table below, Table A. We'll talk about that in a second.

Paragraph 10(c) says forfeitures; total forfeitures shall be adjudged. I'm required to adjudge total forfeitures.

Paragraph (d) says no fine shall be adjudged.

Paragraph 10(e) says reduction to E-1 shall be adjudged, so I will reduce you to the lowest enlisted pay grade.

And then Paragraph 10(f) says no other lawful punishments will be adjudged.

Table A is--is below and it--it deals with the confinement that this court must adjudge based on each specification to which you're pleading guilty to.

So, for the Sole Specification of Charge II, this court is required to sentence you to a minimum of 6 months and to a maximum of 36 months. That sentence is to run concurrent with all the other sentence--all the other periods of confinement that I must adjudge.

For the specification under Charge III, I'm required to sentence you to a minimum of 1 month confinement and a maximum of 3 months confinement. And, again, that confinement is to be served concurrently with all the other confinement to be adjudged.

Specification 1 of Charge IV, I must sentence you to 1 month confinement--at least 1 month confinement but no more than

36 months confinement. And, again, that specification--the confinement for that specification must be run concurrent with all the other--all the other confinement.

For Specification 2 of Charge IV, I must sentence you between 1 month and 36 months. And the confinement for this sentence will run consecutively with the confinement for Specification 1 of Charge VI and the lesser included offense of the Sole Specification of Charge VII.

Specification 1 of Charge VI requires that I sentence you to 1 month confinement--between 1 month confinement and 36 months confinement, and it too will run consecutively with--with the LIO of Charge VII and with Specification 2 of Charge IV.

And then finally, for the LIO of the Sole Specification of--and when I say "LIO," I'm saying--I'm meaning lesser included offense of the Sole Specification of Charge VII. I am required to sentence you to 480 months confinement. The minimum is 480 months; the maximum is 480 months. So, I must sentence you and I will sentence you to 480 months confinement for that specification.

That--that period of confinement is to run consecutively with the two I just mentioned, which are Specification 1 of Charge VI and Specification 2 of Charge IV.

So that the total confinement this court may award is between 482 months and 552 months.

Do you understand the provisions of the sentencing limitations?

ACC: Yes, sir, Your Honor.

MJ: And do you agree to those sentencing--sentencing limitations?

ACC: Yes, sir, Your Honor.

MJ: Okay. Finally, in Paragraph 11 are just some notifications that you've been made aware of.

Paragraph 11(a) says your defense counsel advised you that your pleas of guilty to the charges and specifications preclude you from ownership, receipt, and transport of firearms and ammunition transported in interstate commerce under 18 U.S.C. Section 922(g).

Does that make sense? Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 10(b)[sic] says your defense counsel's advised you if a punitive discharge is adjudged--and, again, I am required to award you a dishonorable discharge which is a punitive discharge.

If ultimately approved in your case, that dishonorable discharge would severely affect your ability to receive veterans benefits or other benefits that may accrue as a result of military service.

Do you understand and agree to that?

ACC: Yes, sir, Your Honor.

MJ: Paragraph 11(c) says that--that you may be placed on appellate leave under the provision of 10 U.S.C. 876 if the sentence as approved includes an unsuspended punitive discharge.

Do you understand Paragraph 11(c)? Any questions about that?

ACC: No, sir, Your Honor.

MJ: Okay. No questions.

Okay. Paragraph 11(c)--I'm sorry--11(d) discusses the punitive effect that you may receive if you were to receive an administrative discharge.

Again, this court's required to approve a dishonorable discharge; but if for some reason that is not approved and you are administratively separated from the Navy, you understand that there are some adverse consequences to that as well?

ACC: Yes, sir, Your Honor.

MJ: And that's in paragraph--any questions about Paragraph 11(d).

ACC: No, sir.

MJ: And finally, Paragraph 11(e) says your defense counsel's advised you that as a result of your pleas, you may be required to register as a sex offender in any state in which you're domiciled.

You've reviewed DoD Instruction 1325.07 with your counsel, and you understand entering a plea of guilty to an offense requiring

sex offender registration processing within the meaning of Appendix IV to that--in Enclosure (2) of that instruction.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: And your counsel's further advised you that in accordance with 42 U.S.C. 1407--14071(d), that information on the offender registry is accessible to the public.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: You agree to that term?

ACC: Yes, sir, Your Honor.

MJ: Okay. If I accept your plea agreement, the court and the parties, to include you, will be bound by the terms of the agreement to include imposing a sentence that complies with the limitations contained in the agreement.

Do you understand that?

ACC: Yes, sir, Your Honor.

MJ: Have you had enough time to discuss this agreement with your defense counsel?

ACC: Yes, sir, Your Honor.

MJ: You have had enough time to discuss this with your defense counsel?

ACC: Yes, sir, Your Honor.

MJ: Okay. Are you satisfied with your defense counsel's advice concerning this plea agreement?

ACC: Yes, sir, Your Honor.

MJ: Did you enter the agreement of your own free will?

ACC: Yes, sir, Your Honor.

MJ: Has anyone tried to force you or threatened to make this--or threatened you to make this plea agreement?

ACC: No, sir, Your Honor.

MJ: Do you have any questions about your plea agreement?

ACC: No, sir, Your Honor.

MJ: Do you fully understand all the terms of the plea agreement and how they affect your case?

ACC: Yes, sir, Your Honor.

MJ: Are you pleading guilty not only because you hope to receive the benefit of your plea agreement--not only because you hope to receive the benefit of your plea agreement but also because you are convinced that you are in fact guilty of the offenses to which you pled guilty?

ACC: Yes, sir, Your Honor.

MJ: Do counsel for both sides agree with the court's interpretation of the plea agreement?

ATC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: The plea agreement is accepted.

Defense counsel, have you had enough time and opportunity to discuss this case with Petty Officer Copeland?

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, have you had enough time and opportunity to discuss this case with your defense counsel?

ACC: Yes, sir, Your Honor.

MJ: Have you consulted fully with your defense counsel and received the full benefit of your counsel's advice?

ACC: Yes, sir, Your Honor.

MJ: Are you satisfied with your defense counsel's advice--are you satisfied that your defense counsel's advice is in your best interest?

ACC: Yes, sir, Your Honor.

MJ: Are you satisfied with your defense counsel?

ACC: Yes, sir, Your Honor.

MJ: Are you pleading guilty voluntarily and of your own free will?

ACC: Yes, sir, Your Honor.

MJ: Has anyone made any threat or tried in any way to force you to plead guilty?

ACC: No, sir.

MJ: Do you have any questions as to the meaning and effect of your plea of guilty?

ACC: No, sir.

MJ: Do you fully understand the meaning and effect of your guilty plea?

ACC: Yes, sir.

MJ: Do you understand that even though you believe you are guilty, you have the legal right to plead not guilty and to place upon the government the burden of proving your guilt beyond a reasonable doubt?

ACC: Yes, sir.

MJ: Defense counsel, you did advise the accused about sex offender reporting and registration?

DC: Yes, Your Honor.

MJ: Is that--any separate document documenting that or is that just the plea agreement?

DC: Just the plea agreement, Your Honor.

MJ: Very well.

And the same is true of--

DC: Firearms?

MJ: --firearms and ammunition restrictions?

DC: Yes, Your Honor.

MJ: Just documented in the plea agreement.

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, are you a citizen of the United States?

ACC: Yes, sir, Your Honor.

MJ: Okay. Petty Officer Copeland, I want you to take a moment now and consult with your defense counsel and tell me whether you still want to plead guilty.

[The accused did as directed.]

ACC: Yes, sir, Your Honor.

MJ: You still want to plead guilty?

ACC: Yes, sir, Your Honor.

MJ: Petty Officer Copeland, I find your plea of guilty is made voluntarily and with full knowledge of its meaning and effect.

Further, I find that you have knowingly, intelligently, and consciously waived your rights against self-incrimination, to a trial of the facts by a court-martial, and to be confronted by the witnesses against you.

Accordingly, your plea of guilty is provident and is accepted. However, I advise you that may--you may request to withdraw your plea of guilty at any time before the sentence is announced; and if you have good reason for your request, I will grant it.

Trial counsel, what's the government's intention with regards to the offenses to which the accused has pleaded not guilty?

ATC: Yes, Your Honor.

To the offenses to which the accused has pleaded not guilty, special trial counsel will withdraw those charges and specifications, Your Honor.

MJ: Very well.

Accused and defense counsel, please rise.

[The accused and his counsel did as directed.]

MJ: CS3 Jermiah T. Copeland, in accordance with your pleas of guilty, this court finds you:

| | |
|---|---|
| **Of Specification 1 of Charge II and of Charge II:** | **Guilty;** |
| **Of Specification 1 of Charge III and of Charge III:** | **Guilty;** |
| **Of Specifications 1 and 2 of Charge IV and of Charge IV:** | **Guilty;** |
| **Of Specification 1 of Charge VI and of Charge VI:** | **Guilty;** |
| **And to the LIO of the Sole Specification--to the lesser included offense of the Sole Specification of Charge VII and to Charge VII:** | **Guilty.** |

You may be seated.

[The accused and his counsel did as directed.]

MJ: Okay. At this time, before we enter into presentencing hearing, the court's gonna recess and give time to comply with the term of the plea agreement allowing Ms. Castle an opportunity to speak with Petty Officer Copeland.

And to do that, once I recess, I'm gonna ask the courtroom to be vacated and the bailiff is gonna post outside of the courtroom. We're gonna turn off the--the feed in here so the camera's blocked off.

So, this is probably also a good time to make sure the accused gets lunch. So, parties--so, counsel, how much time do we want?

TC: 1230, Your Honor?

MJ: Defense counsel?

DC: Yes, Your Honor.

MJ: Okay. So, with that, court's in recess until 1230.

[The court-martial recessed at 1055, 8 June 2026.]

[The court-martial was called to order at 1242, 8 June 2026.]

MJ: This court-martial's once again called to order. All parties present when the court last recessed are once again present.

Petty Officer Copeland, we now enter the sentencing phase of the trial, where you have the right to present matters in extenuation and mitigation; that is, matters about yourself or the offenses which you want me to consider in deciding your sentence.

In addition to testimony of witnesses and the offering of documentary evidence, you may testify under oath as to these matters or you may remain silent; in which case, I will not draw any adverse inference from your silence.

On the other hand, if you desire, you may make an unsworn statement. Because the statement is unsworn, you cannot be cross-examined on it; however, the government may offer evidence to rebut any statement of fact contained in an unsworn statement.

An unsworn statement may be made orally, in writing, or both. It may be made by you, by your counsel on your behalf, or by both.

Do you understand these rights?

ACC: Yes, sir, Your Honor.

MJ: Counsel, is the personal data on the front page of the charge sheet correct?

TC: Yes, Your Honor.

MJ: Okay.

Defense counsel, as we have discussed, you have alleged that the accused has been punished in a way that would constitute illegal pretrial punishment under Article 13, and this court will rule on that motion prior to announcing sentence.

Counsel, based on the information on the charge sheet, the accused will receive 364 days of confinement credit if we--if I announce sentence today; is that correct?

TC: That's correct, Your Honor.

MJ: Obviously, if we extend into tomorrow, it will be 365 days confinement credit, agree?

TC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: Very well.

Any crime victim who is present at this presentencing proceeding has the right to be reasonably heard, including the right to make a sworn statement, unsworn statement, or both. A crime victim may exercise this right following the government's opportunity to present evidence.

Trial counsel, do you have any other evidence to present at this time?

TC: Yes, Your Honor.

The government offers PE Exhibits 1 through 41 for identification and request the words "for identification" be stricken and be admitted into evidence.

MJ: Very well.

And the trial counsel's previously provided those to the court.

Defense counsel, any objection to Prosecution Exhibits 1 through--I'm sorry, 2 through 41?

TC: Two through--yes, Your Honor.

MJ: 2 through 41 for identification?

DC: Yes, Your Honor, just PE-6.

MJ: PE-6. And what is the objection?

DC: The objection is, is that in PE-6, it's a statement from CSSN S.S. and there are things in the statement that are not related to the offenses for which Seaman Copeland--or CS3 Copeland has been convicted.

MJ: Trial counsel, do you want to--

TC: Yes, Your Honor.

To the extent that that prosecution exhibit does reference something the--that the accused has pled not guilty to we ask that you just disregard.

MJ: Okay. So, what I will do is I will sustain that objection. But rather than have you redact the document or remark it, I will exclude, from my consideration, anything in that statement that does not have to do with the offense to which the accused has pled guilty.

Do the parties understand my ruling?

So, the objection's sustained, and I'll just not consider that information that doesn't pertain to the offense charged--the offense that he pled guilty to.

DC: Yes, Your Honor.

TC: Yes, Your Honor.

MJ: Okay. Any further objections, defense counsel?

DC: No, Your Honor.

MJ: Very well.

Prosecution Exhibits 2 through 41, with the exception of that language in Prosecution Exhibit 6 we just talked about, are admitted into evidence, and the words "for ID" are stricken.

Trial counsel, anything further?

TC: Yes, Your Honor.

The--the government has several witnesses that we'd like to call. We'd first like to call CS3 Gladis Garcia-Barrera.

MJ: Very well.

**CULINARY SPECIALIST PETTY OFFICER THIRD CLASS GLADIS GARCIA-BARRERA, U.S. Navy, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. CS3, can you please state your full name for the record and spell your last name?

A. My name is Gladis Garcia-Barrera.

Q. And can you spell your last name for me?

A. G-A-R-C-I-A-B-A-R-R-E-R-A.

Q. And what is your current duty station?

A. James E. Williams.

Q. And how long have you been on the James E. Williams?

A. I've been on the James E. Williams since July of 2023.

Q. And what do you do on the James E. Williams?

A. I'm a CS. Right now, my job consists of being the GOD

Q. Okay. And tell us a little more about that--that position.

A. I'm in a dry storeroom, organizing both the dry--the dry and reefer.

Q. Okay. And did you know CS3 Angelina Resendiz?

A. I did.

Q. Okay. And--and tell the court how you knew her.

A. We both worked on the same team. I don't know where to start.

Q. Okay. Well tell us a little bit about working on that team with Petty Officer Resendiz.

A. We always got things done. We were always ahead of the game. She always offered to help me if I needed help.

Q. And how--how long did you know her?

A. When I got back from being TAD, I room--we talked most just like--probably like--like four or five months.

Q. Okay. And you mentioned a little bit about her as--as a coworker; she was always willing to help out. Tell--tell us more about that.

A. She's really friendly. She loves to make friends. If she sees something that's wrong, she would ask what's wrong.

Q. Okay. And was--did she contribute at all to the work center? Can you tell us a little bit about that if she did?

A. She did. At the time we were both cook on watch. I'm not sure what--what to say.

Q. Okay. Were there any--any qualities about her that--that you can remember that you think would be important for the judge to know about her?

A. Work related or--

Q. Let's start with work related.

A. Hard working. She never missed a day. She always--she was always at work on time.

Q. And what about her as a friend?

A. Really kind. She like--I don't know how to explain it, but she--I'm just nervous.

Q. I understand. It's okay.

Was there anything--let me--let me--let's draw your attention someplace else then. So, let's talk a little bit about May 28th of 2025. Do you remember that day?

A. I do remember that day. We were both off-going. We took an Uber to go to Target. We shopped around, did some grocery shopping. We bought mats, a water bottle. We were both starting to work out together; motivating each other to do better.

After that, we both went home. She went to her PPV. I went to mine. We still communicated. I made sure she got home safe.

Q. Okay. I'm gonna step back. So, what was--what was Petty Officer Resendiz's mood like when you-all went to Target?

A. She was really happy. She was excited.

Q. How did you know she was happy?

A. We took pictures. She was smiling.

Q. And did she have any plans for that day?

A. She did. So, at work, she--they made--she made plans to go to a friend's house to make tacos. And that friend, he's here.

Q. Okay. And before we talk about going to the friend's house to make tacos, you said she made a lot of purchases at Target.

A. Um-hmm.

Q. What were some of those purchases?

A. A mat, dumbbells, food, like tomatoes, cilantro, ground beef, milk.

Q. Do you know what she was gonna do with that mat and those dumbbells?

A. We were both going to work out.

Q. Why were you guys interested in working out?

A. We just liked having a healthy lifestyle. We helped each other.

Q. Okay. So, after you all left Target, you said that she was going to a friend's house to make tacos. Do you know whose house that was?

A. Copeland's barracks.

Q. And when she went to Copeland's barracks, did the two of you stay in communication--you and--

A. We did.

Q. --Petty Officer Resendiz?

And did you--how--how did you keep in communication?

A. Through Instagram and through messages.

Q. Okay.

A. Text messages.

Q. And did you provide those messages and text messages to--to the government--to me?

A. I did.

Q. Okay. And did you have an opportunity to review Prosecution Exhibit 17 prior to testifying?

A. I did.

Q. And were those the text messages that we're talking about?

A. Mhmm.

Q. Okay. So, at some point that conversation between you and Petty Officer Resendiz, it--it stopped; is that correct?

A. [No audible response].

Q. Do you remember about what time that was?

A. The last text message she sent me--I do not remember the time, but she sent me a TikTok and on Instagram we stopped talking around 9-ish.

Q. And was that the last time you heard from her?

A. I did.

Q. Okay. Now, at some point you became aware that folks weren't able to get in touch with Petty Officer Resendiz; is that correct?

A. Correct.

Q. Okay. Tell me a little bit about that.

A. That was the next morning. After I had woken up, I got three separate calls and messages asking where she was at. At the time I was--my brain was a little foggy because I couldn't remember, but then--oh, then she probably went to sleep. And they're like, it's not like her to just go to sleep and not answer her phone messages. That's when it clicked, she was at her friend's house.

Q. Okay. And how did that make you feel that you weren't able to get in touch with your friend?

A. It made me feel sad. They didn't have any answers. It's not like her to answer none of us.

Q. And did that feeling continue over the next ten days or so?

A. It did.

Q. Okay. Tell me about that.

A. We were worried some. We just didn't know what happened. At the time we were both worried both of them because they were both missing and it was--it's not like her to miss work. And I just had a lot of questions--unanswered questions. There was a lot of talking.

Q. Did it make you feel anxious at all?

A. It did.

Q. Were you--were you sad?

A. I was very sad.

Q. Did it have any effect on your work center that Petty Officer Resendiz was missing?

A. Yeah, it did.

Q. Can you explain how?

A. I was pretty uneasy. I couldn't focus. I was--I just wanted her there.

Q. At--at some point did you become aware that her body had been recovered?

A. I did. I was looking at the news outlets and they popped up; no name or nothing, but it--it must have been her.

Q. Can you describe how you were feeling when you heard the news that her body had been discovered?

A. I couldn't sleep. I stayed up all night just talking to my mom, looking for answers.

Q. Do you still feel the effects of the loss of your friend?

A. I do.

Q. How so?

A. It's--it's a reminder that she's not here. Every time I go into work, I always sense something's missing and it's her.

Q. Has it affected your thoughts about staying in the Navy, if at all?

A. It has.

Q. How so?

A. It makes me realize that none of us are safe. A lot of things are swept under the rug.

Q. Has it affected your ability to trust your shipmates in any way?

A. It has.

Q. How so?

A. I don't want to meet new people. I just want to keep my circle small.

Q. Is there anything else that you'd like the military judge to know about your friend Petty Officer Resendiz?

A. I can't think of anything right now. Sorry.

TC: It's all right. Thank you.

Your Honor, I have no further questions.

But you can still stay there.

MJ: Defense counsel, any questions--any cross-examination?

DC: No, Your Honor.

MJ: Subject to recall?

TC: No, Your Honor.

MJ: Okay. Thank you very much for your testimony. You're permanently excused.

[The witness was excused and withdrew from the witness stand.]

MJ: Trial counsel?

TC: Your Honor, the government calls Mr. Daniel Rich.

MJ: Very well.

**DANIEL RICH, a civilian, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Mr. Rich, can you state your name for the record and spell your last name?

A. First name Daniel; last name Rich. Last--last name is R-I-C-H.

Q. And are--are you currently on active duty?

A. No, sir.

Q. Where do you currently reside?

A. I currently reside in Long Island, New York.

Q. And what is your current occupation?

A. I'm currently searching for an occupation.

Q. Okay. You mentioned that you are currently searching for an occupation. Were you previously active duty?

A. Yes, sir.

Q. How long ago did you get out?

A. The 2nd of this month was the final day according to my DD 214.

Q. Okay. How long were you in the Navy?

A. Three years, ten months.

Q. And what did you do while you were in the Navy?

A. I was an electronics technician.

Q. Where were you stationed?

A. So, my--I was stationed on DDG-95, the James E. Williams. I was then sent TAD to ESB-4, and then ultimately sent LIMDU to the Norfolk Naval Shipyard.

Q. Thank you.

In your time on the James E. Williams and here in Norfolk, did you know CS3 A.R.?

A. Yes, sir.

Q. Where did you meet her?

A. So, upon returning from deployment--sorry.

Q. Take your time.

A. Deployment with ESB-4, my division had sent me cranking and that's where I was set on the team with--with A.R.

Q. What were your first impressions of her?

A. She's like a pocket full of sunshine. The--we were in the yards, period, so we were--we'd sleep on the barge. The kitchen--the--the galley was on the barge. It was so gloomy. And then you walk--you walk--just you see her and everything lights up.

Q. What--what time period was that when you met her? I know you said you were in the yards. When was that?

A. I want to say September, I believe, '24.

Q. Okay. So, starting September '24, how did things progress between you and her after that?

A. It was really good. It was--Angie's the person that you'll meet and right away--it doesn't matter who you are, what you do, where you're from, like that. Best friends.

Q. What kinds of things, you know, would you do with Angie?

A. So, I would--so while--while cranking specifically, I would often go to the deep sink. She would help me out there. At one

point--at one point--sorry--they put me in charge of dealing with the--the officer's mess, and she would help me over there as well.

Q. Did you guys ever hang out outside of work?

A. Yes, sir.

Q. In what capacity was that; what'd you guys do?

A. So, she didn't have a vehicle and that's--that's how we really started talking. We would go to--we would go to cafes; cafe hop is the--the term. We'd go on cruises. She loved exploring different places. Distance didn't matter. If she wanted to go, we were going.

Q. Okay. Did you guys ever become romantically involved?

A. Yes, sir.

Q. When did that happen?

A. I forget the--about--about two months into me cranking.

Q. Okay. So, end of 2024. How long did you guys date?

A. About a year.

Q. Okay. I want to talk about your relationship in May of 2025. What was going on then?

A. May of 2025. Earlier in the week or mid--sorry--midmonth we had got into an argument. We decided to slow down, become friends--sorry--become friends, and try and potentially rebuild and get to--get back to the fun.

And--I'm sorry. Yes, that--that was it.

Q. Okay. So, were you in a relationship with her on May 29th, 2025?

A. No, sir.

Q. Okay. Can you talk to me a little bit about that day? What--what happened that morning?

A. So, I woke up. I woke up at 2:14 in the morning to Angie calling me. I didn't notice at the time, but a lot of other people had reached out to me too. I believe Garcia, Gillespie--a bunch of people and--and I took it as a sign from God that I woke up to Angie's call.

Angie called me. She was freaking out; crying, yelling, and she was begging for me to pick her up, begging for me to pick her up.

The phone was then passed to someone, a male. I--I don't know who. I couldn't identify the voice. They asked how far I was, where I was coming from, and how long I would take. I told him--I told him 14 minutes. I'm 14 minutes away. I'm going now. And I got to base in about ten.

Q. Okay. What was going through your mind when you got that call?

A. Why is Angie screaming and crying at 2:14 in the morning? Like, this--this isn't--this isn't normal for her. It's not normal for anyone.

Q. How did you know where she was?

A. I had her location on the Find My iPhone app.

Q. Okay. So, what did you do after you hung up the phone call?

A. I changed; I literally actually left in--I--I--sorry. I changed. I jumped in my car. I got there. I got through the gate. I went to her location, which was I believe X72 building. It's the building that's right across the street from here.

Her location was pinging outside the building. On call, I told her to relax and to go outside, so I didn't think anything of it. I didn't see her. I didn't see anyone outside.

And then I went into the building. I spoke to the people at the front desk; asked if they've seen a little--a little Hispanic girl. I showed them photos, and they said--they said they didn't see her.

Q. What was going through your mind at that point?

A. Where is Angie?

Q. How were you feeling?

A. Stressed. I was--I had a million thoughts going through my head.

Q. How long were you at the barracks looking for her?

A. Until I believe 9:00, 9:30 that morning.

Q. What happened at that point?

A. I was called back in by my CSO.

Q. And when you were looking for her, what kinds of things were you doing?

A. So, well for--so--. So, I spoke to the front desk. I then--the front desk recommended I talk to the base precinct, the police. I got in contact with them. I wrote a character--I wrote a witness statement, and MAs followed me back to the barracks. We couldn't find her; couldn't find anything.

And then driving back and forth between the building, her barracks, checking random--random sideroads, trails because she likes to walk, and we--we couldn't find her.

Q. Were you trying to call her still and text her?

A. Yes. Yes, sir.

Q. What was happening with that?

A. It just--no one was answering. It would ring and then go to voice mail.

Q. And this whole time where was her location showing?

A. It was still pinging outside the front of the building, sir.

Q. Okay. So, you got called back into work. What happened after that?

A. Well, I was worrying the whole day. I was stressing out. And then--just--just stressing out that whole day. And left work--my chief let me leave a little early as well.

I went home. On my way home, while driving, in my peripherals, I--I swear I see her. I swear I see her and--and obviously--obviously, it wasn't her. But just--just stressed out looking for her.

Got home. I would--I drove the--the oceanfront from Ocean View to all the way down the boardwalk in Virginia Beach looking for her. The--the random cafes that I mentioned earlier; going there and that--I'm sorry.

Q. What kinds of things were you doing in the--driving around. Were you--were you searching for her in other places?

A. Yes. Different parks or playgrounds she would go to, especially to--to--yeah, she would--she would--she liked--like I said, she enjoyed walking and those are the places--those were like the little landmarks she'd stop at.

Q. What were you thinking had happened at that time?

A. I--I honestly had no idea. I thought it could have been just that someone--someone took her. It was--it was said earlier that she was dropped off home, so I figured maybe someone--someone on base picked her up and just we couldn't find her.

Q. And as time went on, how--how are you starting to feel about things?

A. I started getting more and more depressed. I mentioned it to my sister, because my sister and Angie were also very close. And she was also as--equally as worried.

Q. How did it feel the day that Angie's body was recovered?

A. The day that she was recovered, I believe that's the day that the chaplain came to the ship while we're on the barge while we were there. It was a all-hands call. No heads-up, no warning. It got quiet. The chaplain walked in. I don't--I don't think I've seen so many people cry for one person.

Q. What--how did you feel at that time?

A. I felt like I failed. I felt like I--I should have been faster. I should have--ultimately, I felt horrible, but...

Q. Yeah.

It's now been about a year since her remains were found. How are you doing?

A. I'm still--I'm still struggling with the loss of Angie. I've always been--I've always been sad about Memorial Day. It's always been a holiday that I understand, military members, we honor the--them for their sacrifice. This was the first one that I really had a close connection with someone that was taken from us.

Q. How did that feel?

A. It hurt.

Q. And you said earlier, you know, that you had departed the Navy. Did this situation have anything to do with that decision?

A. Yes, sir.

Q. How so?

A. I was medically--medically retired due to the symptoms and conditions that happened or just the--I--I ended up receiving from what happened.

Q. What do you miss the most about Angie?

A. Angie--Angie was so loveable. But when you got really close to her, she'd give you little bits of attitude. I miss her little--her little spark-ups.

Q. And, you know, before I--I go take another seat, is there anything you'd like the judge to know about your friend?

A. No, sir.

TC: Okay. Thank you, ET3. The defense and the military judge may have some questions for you.

MJ: Hold on one second.

Any questions?

ADC (LCDR MORGAN): No, questions, Your Honor.

MJ: All right. Mr. Rich, thank you very much for your testimony. You're permanently excused from--subject to recall, counsel?

ATC: No, sir.

MJ: You're permanently excused. Please don't discuss your testimony with anyone else, but you can return to the galley. Thank you very much.

WIT: Thank you, Your Honor.

[The witness was warned, excused, and withdrew from the witness stand.]

ATC: Sir, the government calls HT3 Michal Gillespie.

MJ: Very well.

**HULL MAINTENANCE TECHNICIAN PETTY OFFICER THIRD CLASS MICHAL GILLESPIE, U.S. Navy, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Could you state and spell your last name for the record?

A. My name is HT3 Michal Gillespie. Last name is G--excuse me. G-I-L-L-E-S-P-I-E.

Q. And what is your rank and military service?

A. I'm an E-4, petty officer third class.

What was the--

Q. What service are you in?

A. I'm in the United States Navy.

TC: I appreciate that.

MJ: Petty Officer Gillespie, can you just move the mic a little closer to you?

Thank you.

**Questions by the assistant trial counsel:**

Q. And where are you currently stationed?

A. I'm stationed on the DDG-95, the James E. Williams.

Q. And what do you do on the James E. Williams?

A. I'm a hull technician; primarily dealing with pipefitting and metal fabricating, welding, and brazing--things of that sort.

Q. And when did you start there?

A. I've been in for about five years now; got into the boat around May of '23.

Q. Okay. And you've been on that boat pretty much the whole time?

A. [No audible response].

Q. Okay. Did you know CS3 Angelina Resendiz?

A. I did.

Q. How did you--how did you know her?

A. We started off as friends for a little while. We were romantically engaged for about six months starting--I want to say the beginning of the year in '25--somewhere around there.

Q. Okay.

A. It's a lot of--a lot of stuff in my head at the moment.

Q. That's okay.

What were your first impressions of Angie when you met her?

A. Honestly, she was a little scary but in like that friendly type way, if that makes sense.

Once I actually, like, started talking to her and everything like that, we got to know each other. I found out--like, our journey started through anime. Like, I saw her sitting on the mess decks watching something, and it was a show that I had watched previously. And I just asked her what her take was on it, and she had told me that she was kind of new to the scene. So, I gave her a little list of things, and then that's kind of how we just started keeping in touch.

Then it got to the point to where we would go out to the movies every weekend. I would--she had lived on board at the time and didn't have a car, so I would come and pick her up. We would go out to the movies on the weekend or just have some sort of, you know, day out.

Q. What was she like as a person?

A. Honestly, it's, like, beyond description for me. I've never met anyone with the caring attitude that she had. It could be a paper cut, and she will bandage you up like a nurse, like, instantly. She wouldn't give you--she--she doesn't want to hear, oh, it's fine, I just need a band--no. Like, she's--she's gonna put everything you

need on it; disinfectant--everything. Like, nobody could care as much as she could.

Q. What was your relationship like with her in May of 2025?

A. It was--it was--I mean, it--it was--it was almost the same as it was from the beginning. I mean, we had our quarrels here and there. I mean, after we had parted ways, we were still friends. We were still seeing each other every day. We still talked. We still hung out outside of work. Like, nothing had changed other than the title.

Q. Um-hmm.

A. And--obvious. But other than that, it was literally nothing.

Q. Did you--sorry about that. I didn't mean to cut you off.

A. You're good.

Q. Did you talk to her at all on May 28th, 2025?

A. That morning at work, we had a little disagreement about a motorcycle helmet. I was just asking for the helmet back so I could take care of it the way it's supposed to be, cleaning it and all.

She kind of didn't want to give it back so I just kind of dropped it at that. We had our exchange of words, but I dropped it after that, and it was fine.

In fact, the same day, once she got back from Target, she had called me and we had a great conversation. She was excited to

tell me about everything she bought, her plans to work out like with the yoga mat and everything. She had a video of everything that she had took in her room; how she had it set up and everything like that. Like, it's--we were on good terms as always. Nothing ever came between us.

We would have maybe a ten-minute disagreement and it wouldn't even get to the point of us yelling. It would literally be like, no, I kind of want this and, no, I want that. And then we would just agree and it'd be that.

Q. Did you guys talk again later that day?

A. After she had called me and told me about her trip to Target and everything, we didn't have any contact until later on because I was on watch on the ship. I didn't have phone service.

During my watch, I'd say at around 1:30-ish is when I got the text message and then that's when everything immediately just lit up into my head.

Q. What was that text message?

A. She had text me "fuck you"--excuse my language--but that's just something that never at all has been said between the two of us especially with no context--like, context behind it.

Like, yeah, we'll jokingly play around and call each other like M-F and stuff like that. You know, just playing around. But

nothing--nothing with no context out of nowhere at like one-something in the morning. Like, that's never, never been a thing.

Q. How did it make you feel when you got that text?

A. At first, I was a little confused and I--like, in a way, I was like maybe she's drinking because, like, I know her. She--she says things sometimes. She'll just go off, you know? Not nothing crazy, not nothing like that.

But, at first, I was like, maybe, you know, she was drinking and she's probably thinking about the conversation we had about the helmet and everything and maybe she was upset about that. But once I sent like that third message and I called like the fourth time, I--like, it didn't matter how mad she was at you. You call twice, she might ignore the first one but she's gonna pick up the second one.

And it--I called more than I could count. I text more than I can imagine. There was nothing. And this was in the span of maybe 30 minutes I'm, like, continuously texting and calling. I'm supposed to be on watch at the time, but I'm, like, genuinely concerned. And, like, I'm not getting any sort of, I'm okay, I'll talk to you later or just nothing. Just literally nothing. And then--excuse me.

Q. It's okay.

A. Once I got off watch, I had still got no reply. And at this time, it was maybe around like 3:30-ish. And at the time I'm, like,

maybe 20 minutes away from where her location is pinging at, which was the same with--that was mentioned earlier.

Yeah. So, once I got off watch and I had no reply, I just chopped it up and got in my car and went straight to where her last location was showing, which was across the street--the building across the street.

Like he had mentioned before, it was pinging outside. When I first got there, I was looking around just to see if I could see her standing there, anything like that. I didn't see her.

So, I went inside and I asked the same people, and they were like, oh, somebody just came asking about the same thing. And then that's kind of when I put two and two together, and I reached out to Rich, and we had started looking together.

Steady calling, steady looking through the parking lot. I've looked in everyone's car. Like, shining flashlights through the window, seeing if maybe she's sitting in there. Just anything. There was nothing.

Yeah. I mean, all through the night, we were just looking all through base, off of base. I was on my bike going through the back roads, literally looking through, like, playgrounds and stuff that were nearby just seeing if I could just catch a glimpse of her walking somewhere or just sitting on a bench or something.

Q. How long were you looking for her?

A. From the moment I left--from the moment I got there all the way up until the next day, probably around nine--because around 8:30 I had a dental appointment. So, I went to my dental appointment and immediately after that, went right back to looking.

I looked until I was forced to come back to the ship. I was called in. And even after that, once I got off work, I went right back to it. I probably searched by myself for about two-and-a-half days. And--yeah.

Q. How did that feel after two-and-a-half days of searching?

A. I didn't really know what to think. It's like part of me kind of--kind of knew, but then again, it was just denial in it and just hoping not. Yeah.

Q. So, in--in those 12 days between when you got that text and her body was recovered, what was going through your mind?

A. Well, I was confused at the fact that, you know, going to work, she's still not there. And then he'd been missing along with her. At that point, especially like the next day, once I find out that he wasn't there as well and that both of them were missing--it was about three days that both of them were gone.

And then once he showed up and she wasn't there, that's when I kind of started putting things together. And I'm not one to assume or accuse, but I kind of asked like, hey, you know, is--is

there any idea, like, of what happened that night or anything like that. I was told that, you know, he dropped her off. I was like okay.

I was still very confused, and I was also told that she was seen the day after. After my appointment, I was told that she was seen and okay. So, I kind of calmed down a little bit, but I'm still noticing that she's not at work. So, I'm still very confused, stressed, concerned. It was--it was a lot.

Q. Did you--so fast-forward then to the--to the 9th of June when her body was found--her remains were found, sorry, how--how did that feel?

A. Devastating. I didn't know what to think, what to do. Honestly, I just--I didn't want to be at work and I just--I don't know. It was--it was a lot. A lot.

Q. And it's been about a year now, obviously, since then. How are you doing?

A. A little better than before but not much has changed as far as the impact and just how I feel is very--it's very unbelievable. It's--like, my mind's in a state of, like, disbelief although I know it to be true, and it's like a constant battle. Like every now and then, like, I'll hear my phone go off sometimes and I'll still kind of check it and hope to see it's her. And it's just--it's just a

habit. After you develop a routine with someone, it's just hard to forget that.

Q. Um-hmm.

A. You know?

Q. Yeah.

Has this impacted your career aspirations at all?

A. 100 percent.

Q. How so?

A. I'm--I don't plan on reenlisting. I--I really don't.

Q. Yeah.

A. There's been--along with this and a few other things unrelated, it's just made up my mind that I--I just--it's not worth it. Not for me.

Q. Yeah.

How has her loss impacted you the most, do you think?

A. It's been--it's definitely been like a--a huge mental fall on me because she was really--she was more than just a friend to me, more than just a lover, more than--like, it was genuinely something that like--it was somebody I've never seen before. It was a feeling that I've never felt before. It was a genuine person that I know that if I needed anything she would be there.

Q. Yeah.

A. And it's really hard to know that I've lost that.

Q. Yes.

A. And it's kind of hard to upset--like, upset--accept. Sorry.

Q. And just one moment, Your Honor.

Is there anything else before I sit down that you'd like the judge to know about your friend?

A. Not that I've--not that I've already said.

TC: Okay. Thank you, HT3. Just like everyone else said, the defense or the military judge may have additional questions for you. Thank you.

MJ: Defense counsel, cross-examination?

DC: No, Your Honor.

MJ: Is Petty Officer Gillespie subject to recall?

TC: No, sir.

MJ: All right. Petty Officer Gillespie, thank you for your testimony. You are permanently excused from participation in this court-martial. While the court-martial continues, please don't discuss your testimony with anyone except for the counsel involved, but you may return to the gallery. Thank you very much.

WIT: Thank you, Your Honor.

[The witness was warned, excused, and withdrew from the witness stand.]

ATC: Your Honor, the government calls Special Agent Danielle Ortiz.

MJ: Very well.

**SUPERVISORY SPECIAL AGENT DANIELLE ORTIZ, NAVAL CRIMINAL INVESTIGATIVE SERVICE, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Can you please state your name and spell your last name for the record?

A. Sure. My name is Danielle Ortiz, O-R-T-I-Z.

Q. And are you on active duty?

A. No, I'm a civilian.

Q. Where do you--what is your occupation?

A. I'm a supervisory special agent with NCIS.

Q. And where do you reside?

A. I'm currently at Camp Lejeune, North Carolina, right now. I conducted a PCS about a month ago.

Q. Okay. So, you mentioned you're a supervisory special agent with NCIS.

A. Um-hmm.

Q. How long have you been with NCIS?

A. Since 2011.

Q. Can you talk a little bit about your career history?

A. Sure. In 2011 I started as professional staff in Quantico, Virginia, at our headquarters. I transition to a special agent in 2014. Then I went through our--our basic academy training in Georgia, and then I started in Pensacola, Florida; was my first duty station.

I had a large interest in forensics, so I became a forensics associate at the beginning of my career. And then working different kinds of crimes and things like that. I went on to started an NCRT team. I did an internship with Pensacola Police Department with our crime scene unit; seven-week course, became certified as a CSI.

From there, I have--I've been a forensic consultant overseas in Okinawa. I was a special agent in Okinawa, then I came here to Norfolk for five years and then Camp Lejeune.

Q. Okay. And what'd you do when you were in Norfolk?

A. I came here from Okinawa, so I was just--I was a gen crime agent. And then I went afloat with the Gorge Herbert Walker Bush for a year, and then I promoted as a supervisory special agent in 2023.

Q. Okay. And when you were here in Norfolk, were you aware of the investigation into the disappearance of CS3 A.R.?

A. Yes.

Q. How so?

A. Well, it was a big case for us, so it was all hands on deck; everyone was working it. We had gotten notification early on and assembled a team. special Agent Gokey kind of broke everyone down to work different elements of the case. She knew my background and asked me to be the forensics team lead.

Q. Okay. And so, I kind of want to jump to June 9th, 2025.

A. Okay.

Q. What happened that day?

A. Well, we've been working the case for--around the clock ever since we got the notification. On that day, Special Agent Gokey and some of the other team members were in a different trailer kind of working; had notified me that they had discovered a screenshot with a ping on it.

For context, we had been doing a lot of footwork, a lot of canvassing on a lot of different pings that we had gotten. So Special Agent Gokey said we're gonna go out and we're gonna do this ping. We had--it wasn't the first one that we had done. And so, we all kind of hopped in our cars and assembled to the area of where that ping was.

Q. And what did you find when you arrived? Or, I guess, could you describe the area?

A. Sure. Wooded area. There was a school there. There was a housing development there, some townhomes that were there. We had split. There was a large group of us. There was a creek that was kind of running in the back.

So, the ping, obviously, they're never really exact so it was a couple hundred meters off. So, I took the side of the creek and like some train tracks, and then we had another team on the other side actually right behind the house.

Q. Um-hmm.

A. So that was kind of how we started.

Q. And can you describe kind of your steps in that area, what--you know, how--you know, your investigation?

A. We were--we were looking for anything we could find. We were still, you know, trying to find anything. We still hadn't captured her personal belongings, so we were still had, you know, looking for backpack or clothing or something that was indicative that, you know, there could have possibly been people there or an area that was disturbed.

I remember on that day we were up against the clock because I think we went out late. It was about 16, 1700 and there was a thunderstorm coming, so we were working hard to try and beat the weather.

Like I said, I was on the other side on the train tracks with a smaller group, and then the larger group was on the other side. And then my phone rang and--actually, I could hear them screaming, to be honest. They were yelling for me on the other side. So, I got in the car and drove around to meet them on the side by the house.

Q. What were they yelling about?

A. That they thought they had found something.

Q. What did they find?

A. Well, one of the individuals had said that they had discovered a black bag but--not to be graphic, but the smell of the area is what came first.

Q. How far away from the bag do you think you could smell?

A. I would say maybe we--we were really close. Maybe 20, 25 feet.

Q. And how--you mentioned the area there's a school and, you know, homes. How far away from the school and the homes was this bag?

A. Very close. As in, there was a--if you were standing in the back of the townhome, you could see the path that actually went to the open area where the bag had been dumped.

I believe later on a tenant that lived there said that that path had been made. It was used by the kids to like--they would play

in that area or go down to the creek, things like that. It was very close.

Q. And without going into too much detail--

A. Um-hmm.

Q. --about what was in that bag, what happened with what was in that bag?

A. So, everything kind of stopped and we all just regrouped, came together. Based off of my experience, I knew by the smell that we had something. I didn't know what. It could have been an animal. It could have been anything.

But we started to group together. We started to document. We, you know, dropped GPS, started doing photography--all of just the standard scene documentation that we do.

There was an individual who--for this case, we had a lot of people that traveled from different places. We had people from Hawaii, from D.C., from North Carolina that had come up to help with this investigation.

So, one of the individuals that's no longer with our agency had discovered the bag, stayed by the bag and sort of guided us over. Walked to the bag, saw it, and made the call right then and there. We called Norfolk Police Department right away, full stop, until they arrived.

Q. Okay. And when they arrived, what happened?

A. So, it was fast, as in the home was so close to the scene that people saw us, right? Our vehicles are there. We're walking around in marked jackets, so we had sort of a crowd control issue which is another reason why we called NPD.

They came out, we secured the bag, we ended up having to put a tarp over the bag because of the rain. We did a small unzip of the bag and saw that it was human remains. So, we stood by, called the medical examiner. Sarah came over and when she opened it, we knew right then and there. So, we decided to just document as it was. We did not fully open the bag on scene, and then we continued documentation of the area.

Q. Did--did the--did those remains undergo an autopsy?

A. Yes.

Q. When was that?

A. The following day.

Q. Were you present for that?

A. I was.

Q. What kind of things took place at the autopsy?

A. So, like I said, we had only unzipped about a corner of the bag. So, the autopsy started with--I'll call it a little bit of a huddle, right, on how we were gonna open the bag and remove the remains. That was how it started.

I sat with the ME, kind of gave her the background of everything that we'd done, provided her some photos, and so they decided to open the bag and bring out the remains onto a gurney.

Q. How were the remains identified?

A. She was ultimately identified--we were able to retrieve a set of fingerprints. For me, initially, Special Agent Gokey had done a fantastic job in documenting who she was in life.

So, we had pictures of her jewelry. We had pictures of her tattoos. We knew that she had recently gotten a red cross tattoo on her back. And when she was in the posterior position, the tattoo was visible.

ATC: Okay. One moment, Your Honor.

Thank you, Supervisory Special Agent Danielle Ortiz.

No further questions from the government, Your Honor.

MJ: Defense counsel, cross-examination?

ADC (LCDR MORGAN): No questions, Your Honor.

MJ: Very well.

Is Special Agent Ortiz subject to recall?

ATC: No, sir.

MJ: Special Agent Ortiz, thank you for your testimony.

WIT: Okay, Your Honor. Thank you.

MJ: You're permanently excused. You may return to the gallery.

[The witness was excused and withdrew from the witness stand.]

MJ: Trial counsel.

TC: Yes, Your Honor.

The government next calls CSSN Eddysson Jean Jacques.

CS3. My apologies.

**CULINARY SPECIALIST PETTY OFFICER THIRD CLASS EDDYSON JEAN JACQUES, U.S. Navy, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Can you please state your full name for the record?

A. First name, Eddysson; last name Jean Jacques, J-E-A-N-J-A-C-Q-U-E-S.

Q. What is your current rank, rate, and duty station?

A. CS3. I'm a third-class petty officer, and I'm on the James E. Williams, DDG-95.

Q. Okay. And are you in the United States Navy?

A. Yes.

Q. How long have you been on the James E. Williams?

A. I got on the James E. Williams on December 1st, 2024.

Q. Okay. And what do you do on the James E. Williams?

A. I'm a CS. I'm a cook.

Q. And do you hold any special positions in that--in that work center?

A. I am currently cooking in the wardroom, serving officers and the COs and XOs and stuff.

Q. Okay. Now in May of 2025, did you have the opportunity to work with Petty Officer Angelina Resendiz?

A. Yes.

Q. Okay. And can you tell us a little bit about her as a--let's start with first as a coworker.

A. It's so much things that you could say about Angie. It's not somebody you get to meet twice. It's once in a life time, to be honest. She's--she's someone that's always checking on people. It don't matter if you're older, younger.

She is so caring and I would say passionate about everything that she does, even if--sometimes all of us don't like what we do, and she's always there to cheer you and let you know that it's gonna get better. So, working with her is like some kind of privilege that I'm never gonna get again.

Q. Can you tell us a little bit more about that and--and how she impacted the morale of your work center?

A. In my opinion, so I know everybody that's in the Navy knows that CS's are there to--especially, like, boost the morale of the ship. And I would say for us, Angie was the one boosting our morale whenever we don't feel like being in the ship, we don't feel like doing anything.

So, I would--if we don't have Angie in the wardroom--in the galley, it's like everybody's moving around sad, depressed, don't want to work, don't want to do anything. But the moment that she comes, it's like the sun started to shine on us in there.

Q. You know, outside of--of her as a--as a coworker, were you also friends?

A. Yes.

Q. And so, tell us about that.

A. So, Angie's someone that if she goes out somewhere, she would always text me. And if I text back, she would FaceTime me and show me where she at, who she's around. And I could remember that one time she went out with Gill, and she called me on FaceTime showing me that she's having a good time and she is also safe.

And the night that I would say she went missing, she text me at 9:12 and all she said is baby girl. And I was already sleeping. I didn't get a chance to text back. That's what makes me feel a little guilty because I didn't--I feel like I wasn't there for her. Because if I would have text back that night, she would FaceTime me and let me know that she's having a great time.

So, I woke up, my phone was ringing, and when I look over, HT3 Gillespie called me and said, hey, I know you sleeping but we have been trying to get in touch with Angie. All of us keep calling

but she's mad at me right now so she's not picking up for me. I know for a fact that if you call, she's gonna pick up for you.

So, I tried to call. I called probably like three to four times, and I couldn't get ahold of her. And I called him back. I said, no, she's not picking up, but I will call again in the morning before I go to work so that way we know that she's safe.

So, at that time I didn't think anything. I was just thinking that, okay, she probably tired of what we do. You know, CS's life, it's not--it's not easy. So, some of us like it, some of us don't. But I didn't think anything around that time. I was just thinking that she probably somewhere not willing to talk to anyone, so she will come back around.

Q. Okay. And in the days that followed, you still weren't able to get in touch with her, correct?

A. Correct.

Q. And--and how--how did that impact you personally?

A. I was still being hopeful that she would come back until I think I spoke to someone on the ship. And that person said--I can't remember exactly who--and that person said, well, most likely, it's been--it's been five days so cases like that, you know, you never get that person back really. But me being hopeful, I think that, okay, yeah, five days but things don't work out for everybody the same way so she's probably gonna come back.

But as days go by, I remember I was off that day and one of the shipmate called me and started crying over the phone. And I was thinking that it's something personal like that that was about her. And she was telling me that Angie has been found, and I dropped the phone.

I could not--I didn't know what to say. I wasn't crying, but it's like I--I started shaking and stuff like that because now I'm really thinking that she's gone. The moment that I received that call it's like, okay, so what's the next step going to be since they know for a fact that she's no longer with us.

Q. Did--what was it like in your--in your work center when the news came?

A. So, when the news came, I wasn't on the ship that day. We were--I think we was on the barge and I--someone said to me there was going to be a hands--an all-hands call, so I wasn't there I didn't know what they said.

But the next day when I went to work, it was everybody was sad. You could see it in everybody's face. Even people that wasn't that close to her, now they--you know, before that it was like normal activity. But once they found out that she was really gone, so everybody was--you could see the sadness. Some of them were depressed and, you know.

Q. Okay. Were--we're nearly a year after her remains were recovered. Has that feeling persisted among those that you work with?

A. For those who were close to her, yes. And I don't think that--I mean, from--I'm speaking for myself, it will never go away. I will always replay these memories in my head. I will always think of her. She will--she will always be in my head.

Q. When the two of you had the opportunity to--you know, to talk and to be friends, did you ever share your--your goals and your--your aspirations for your life and your life in the Navy?

A. We talked about that, but she would actually tell me more about what she wants to do. Like, she's always wanted to be--she likes to cook and she was always telling me how she wants a big house. She wants to be married.

And around that time she was dating HT3 Gillespie, and she was telling Gillespie, hey, you're debt. You gotta get me a big house so I can get my kitchen and JJ gonna tell me what to put in that kitchen.

So, she's--she actually talked about owning her own restaurant, but she said that she wasn't gonna be cooking. She would pay people to--you know, she would hire people to cook because she always thinking that she was going to be one of the biggest boss--that was her words. So that was her best aspiration.

Q. Okay. Remembering your friend and looking back over this past year, how--how has this incident affected you as a person?

A. It gets better with time, but I definitely have days where when I come to the galley, when I come across her picture that's on the pole, it kind of hit me and I wish that she was there. And that picture don't need to be on the pole for me to feel that way. Sometimes, like on a day where you don't want to be there, then you need Angie to make you feel like you belong here.

Q. You say a picture on a pole. Do you keep her picture in the galley?

A. We keep a picture in the galley, and I'm pretty sure all of us--like me, myself, I have probably three of those in my house.

Q. Is there anything else that you'd like the military judge to know about your friend?

A. Well, I would say if Angie was here today, she would probably promise the judge that she would make the best dish he would ever have in his entire life. Because she--she was very outspoken. She don't--she wasn't scared, right? She would speak her mind everywhere she goes. That--that's her.

TC: Great. Thank you.

The government has no further questions, Your Honor.

MJ: Defense, cross-examination?

ADC (LCDR MORGAN): No, Your Honor. We don't have anything.

MJ: Not subject to recall?

TC: No, Your Honor.

MJ: All right. Thank you very much for your testimony. You may return to the gallery.

WIT: Thank you, sir.

[The witness was excused and withdrew from the witness stand.]

TC: Your Honor, the government has two more witnesses. Would you like to take a break? We've been going for about an hour.

MJ: Let's do that. We have been going for about an hour. It is 1345. Is 15 minutes enough time or do we need more time for that?

DC: Fifteen minutes--fifteen minutes was enough time last time.

MJ: Okay. Let's come back at 1400.

Court's in recess till 1400.

[The court-martial recessed at 1345, 8 June 2026.]

[The court-martial was called to order at 1405, 8 June 2026.]

MJ: This court-martial's called to order. All parties present when the court last recessed are once again present.

Leagalman Petty Officer First Class Justin Pond has taken over duties as court reporter, and he's been previously sworn.

Trial counsel, you ready to call your next witness?

TC: Yes, Your Honor.

The government next calls CS2 Joshua Bryant.

MJ: Very well.

**CULINARY SPECIALIST PETTY OFFICER SECOND CLASS JOSHUA BRYANT, U.S. Navy, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Can you please state your full name for the record?

A. Joshua Bryant.

Q. And can you spell your last name?

A. B-R-Y-A-N-T.

Q. And what is your current rank, rate, and duty station?

A. I'm an E-5 in the Navy. My current duty station is CVN-79, John F. Kennedy.

Q. Okay. And you are a CS?

A. Yes, ma'am.

Q. Okay. I want to--were you ever stationed on the James E. Williams?

A. Yes, ma'am.

Q. And when were you stationed on the James E. Williams?

A. From 2022 to 2026.

Q. Okay. And while you were on the James E. Williams, did you come to know Petty Officer Angelina Resendiz?

A. Yes, ma'am.

Q. And how did you know her?

A. I was her direct supervisor and her mentor.

Q. Okay. I'm gonna take those in turn. So as her direct supervisor, what was she like as someone you supervised?

A. She was bubbly. She took a lot of initiative on her own. She made my job very easy as far as training and developing. She was passionate about her job. She loved being a CS. She was passionate about being in the Navy. She actually looked forward to going out to sea and embracing just ship life, so...

Q. Okay. I'm gonna go back. You said she made your job easier. How did she do that?

A. So straight out of A-School she kind of hit the ground running, so within like the first 90 days of receiving--you know, of getting into the--to the receiving, being gained to our command, we had already made a decision to make her like the active watch captain under supervision, under me, because what it did is to relieve me to be able to be the galley supe because, at that time, James E. Williams was extremely undermanned.

So, I had CSSN--or CS3, at the time, Garcia was TAD on deployment. She was always my next go-to; but because she was gone, I was stretched extremely thin to make sure the everyday operations were still being met.

So, when Resendiz or A.R. came, excuse me, she just kind of lit that fire, that torch under everybody else. She took initiative. She enjoyed it. She was bubbly. She would come to work happy to be at work. She didn't really come with a whole lot of attitude. She was firey in her own regard, but it wasn't anything disrespectful.

And when she did have, like, some type of bad day, she would always pull me aside and be like, CS2, I need to vent. And she would vent. She'll talk to me. She'll curse, she'll yell, she'll--she'll complain, cry; and then when we're done, we'll go back to the galley and then she would just--in her normal resilient fashion, kind of turn to and get back to what we were supposed to be doing.

Q. You also mentioned she had goals and aspirations for her career in the Navy.

A. Um-hmm.

Q. Can you tell us about that?

A. She was a bit all over the place. She knew she wanted to go as far as she could. So sometimes we discussed being a chief, sometimes we discussed being an FSO. She just liked being a CS and food service operations.

She was type of person who would come to me after quarters and say, you know, CS2, I seen this on TikTok; can you help me cook

it, or how can we do this in the galley, or how can we implement that. And so, she definitely enjoyed doing what she did.

Q. Okay. And you mentioned that when the two of you worked together, you were on the barge; is that correct?

A. Yes, ma'am.

Q. And then at some point you were to move to the--go out to sea and go onto the ship, correct? Or go out to sea.

A. Yes, ma'am.

Q. Tell us a little bit about whether or not she looked forward to that; to being off the barge.

A. She looked--she looked forward to it. She was excited about it. So, she would definitely make it known to myself and my counterparts and further up the chain of command like, I can't wait till we get off this barge so I can go on a ship. I want to really see what it's like. I want to go out to sea.

While other sailors would kind of shy away from it, she would always kind of embrace it. Like, I want to get seasick. I want to see the dolphins. I want to be out there for months at a time. So, she--she looked forward to it.

Q. And did she ever get that opportunity?

A. No, ma'am.

Q. Okay. So, I want to draw your attention to the morning of May 29th of 2025. Did you become aware that other sailors on the ship were unable to reach Petty Officer Resendiz?

A. Yes. So, I--myself, I had just came back from leave, so I kind of came back to work walking into the situation. I kind of got debriefed from my counterparts, the other CS2s and CS1s, and they were looking for me to reach out to her because they knew that if she seen my name pop on her phone that she'd be more inclined to respond.

So, when I was made aware, I--I called a couple times, text a couple times. The initial approach was, hey, you know, you're UA. I need you to get back to the ship.

Shortly thereafter, the conversation kind of--well not conversation, the message changed; like, is everything okay, get back to me when you can.

Q. Okay. How--how--from what you knew of her and your experiences with her prior to this, were you concerned about her?

A. Very.

Q. Why?

A. She had a great deal of respect for me. She looked up to me from a CS, from a Navy, so not a week went by that she didn't pick my brain a couple times about what it means to be a CS, how to be a CS, how to be a sailor. Whether it's damage control, whether it's maintenances, she was always picking my brain.

So, I say all that to say that she had a great deal of respect for me, so whenever I spoke or I texted her or reached out she was the one person out of my group of guys and girls that I know she would roger up and acknowledge whatever I'm saying or respond to my messages.

Q. So, when she didn't respond, you were worried?

A. Yes, ma'am.

Q. Okay. As the days continued with no word from her, how did that affect folks that you worked with and people in that--in that work center?

A. Everyone became distracted. Everybody began to slow down. It was--you can sense the tension; people were getting antsy, angry, if you will, because, like the other witness had stated, we was told that she was seen. So, we kind of had that relief, but then as days to come, again, we still didn't see her.

So now there was questions. Even myself, I had questions and people were asking me questions that I couldn't answer. So, it--it definitely affected the galley and its operations in a negative way.

Q. As a leader, how did it make you feel when you couldn't provide those answers?

A. It was frustrating because the follow-up statements and comments that was made after the questions that weren't answered--so

to give context, when a junior person is saying, CS2, what the heck, I thought you said that they saw her, why isn't she here--I don't have nothing for that. And that's the frustrating part to not to be able to stick that pin in that coffin or to put them at ease because even by myself I can't answer that question.

Q. At some point you became aware that she had been found.

A. Yes, ma'am.

Q. And what was that like?

A. A bit of mixed emotions. It was a long 10 to 12 days, so I had an inkling or gut feeling that something wasn't right, so I feel like it was preparing me for when things were confirmed.

The morning of the all-hands call when we found out, based off of the body language of the CO and the chaps, I knew what they were getting ready to tell us. So, in that moment, instantly I kind of shift gears because I knew what was getting ready to happen.

So, I--I kind of took on the nurturing role to make sure my other guys were squared, because I knew it wasn't gonna be good. Even my CS1, he wasn't good. So, I kind of focused on them first and then took my time later at home.

So, when I found out, I had a lot of unanswered questions and a lot of resentment; many towards my chain of command because I felt like things could have and should have been handled differently.

Q. Has this--this ordeal, has it affected your desire to remain in the Navy?

A. Yes.

Q. How so?

A. Not the way that you would expect or think. Before this situation, I was getting out. I was right at that 9, 10-year mark where I had to make the decision because staying in past that and then getting out just doesn't make any sense because you're already past the halfway mark.

But I'm--I'm gonna stay in just because of--like I said, I don't like the way my chain of command handled that, and I just feel like the Navy needs more khakis to be able to step in and handle things like that the right way. So, one day I'll be a khaki.

Q. If you--if Petty Officer Resendiz were here today, what would you want the military judge to know about her?

A. I would want people to know that she's a damn good CS. She's--she's quick. She--like, she's somebody who if I had to choose--if you put me on a deployment or put me out to sea, I can be with just her and one other person and we'll turn and burn and make it happen. So, I would say she--she's all right with me.

TC: Thank you.

Government has no further questions.

MJ: Cross-examination?

ADC (LCDR MORGAN): We have no questions, Your Honor.

MJ: Is Petty Officer Bryant subject to recall?

TC: No, Your Honor.

MJ: Petty Officer Bryant, thank you very much for your testimony.

WIT: Thank you.

MJ: You're excused and you can return to the gallery.

[The witness was excused and withdrew from the witness stand.]

MJ: Government.

TC: The government next calls Ms. Esmerelda Castle.

MJ: Very well.

**ESMERELDA CASTLE, a civilian, was called as a witness by the government, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the trial counsel:**

Q. Ma'am, could you please state your full name and spell your last name for the record?

A. Esmerelda Castle, C-A-S-T-L-E.

Q. And what is your current city and state of residence?

A. Harlingen, Texas.

Q. Okay. Are you Angelina Resendiz's mother?

A. Yes.

Q. Can you tell the military judge a little bit about--let's start with your daughter; what she was like as a child?

A. Hyper. You know, like, she--she just jump up on beds, right? Her and her little sister would get to the top of her bunk bed and they'd jump off onto her sister's bunk bed and--and parkour, right? That--that was--that was Angie, right?

That little shipper, you know? I was just thinking about how we had friends that were adoptive foster parents and they would, you know, ask me if Angie could come over because Angie made friends with all the foster kids that they would--you know, that they had. And--and she'd invite them to church and they had friend--they had a friend at church, right, with Angie.

And so--so then I had a household of foster kids sometimes, because they would--you know, they'd come over just to play with her, you know? And I was looking at videos the other day where they were at the top of the stairs and on cardboards and--and sleeping bags and just, doop, doop, doop, all the way down the stairs.

And one of the little girls said in the video that one day we're gonna grow up and we're gonna look it back--we're gonna look at this, who--we're gonna be like, we're so--you know, we're so crazy and--and that made me cry because, you know, I was like--that's who she was. Like, she made--she made lifelong friends.

Like, all her friends--you know, the friends that she made that were her friends in elementary are still her friends and--and they still call and ask and talk about Angie. And--and, you know, everything that I've been hearing, right? A little ball of sunshine. That--that--that's how she--that's--that's just how--that's who--that's who she was. I'm like, who made her that way? Like, that's how she came.

Q. Sounds like she was a friend to a lot of people and also kept you busy; is that fair?

A. Um-hmm, yes.

Q. Okay. And what sort of things was she involved in in high school?

A. High school--softball, art--art was a passion; something that she started to--she entered in competitions and--and things like that. Choir.

And--and, you know, the military, right? She was in high school--maybe her last year or the year before--like the last two years of high school is when she--she met the Navy. They came to her school and she decided that she wanted to join the Navy, and so she spent a lot of time preparing.

Q. Did she talk to you about that decision or her thoughts about joining the Navy?

A. The words I remember her saying--and I can still hear her say it--she's like, it's a--mom, it's a calling. Like, it's calling me. Like, you know, we have military family and I--I have siblings that are in the military. My--my late husband was in the military and her father was in the military. So, it's--it's--it's--it was natural.

Q. So, it sounds like you were--you were proud of her that she made that decision. Did you have any other emotions about your daughter joining the military?

A. I was scared. I--I--I did question her. I tried to, you know, bribe her. Yeah. I offered her a car and an apartment if--if she would, you know, go to school; like, graduate and--and go to college and I would help her to get her a car and--and, you know, get her a place and, like, what does she want to do, right? I was thinking art. Like, that--but she--she wanted to join the military. Like, she had her mind set.

Q. Yeah. What were you scared was gonna happen?

A. She's small. She's--she says she's 5-foot, but she's almost, right? She's like 4-foot-8, 4-foot-9.

And, like, honestly, right, women get hurt in the military. Like the first thing I thought of was-was the woman from Fort Hood. And--and I--I mentioned that to her and she said she'd be okay. She's like, I'm gonna be okay.

And I--you can't force her. I couldn't force her or make her or--you know, I just supported her. I took her to the recruiter when it was time for her to--to get to--to go and so...

Q. And did you--you know, when she went to boot camp and she graduated, what was that like for you?

A. I was looking at her letters, right; letters that she was writing me and--and we would write each other and just encouragement--encouraging her. I know she got hurt while she was in boot camp, and--and she didn't give up and--and she didn't graduate with her original colleagues when they all entered together, but she'd stayed until she finished and--and went to A-School.

And so, when I went to her graduation, she was the chorister. Like, she tried out and competed against a few other individuals and--and she got it. And that's who she was. She had a--I guess it's a squad, right? She had a team of people following her and she was leading them. And I was so--it was so impressive, right, to see her, like, command, you know, and--and confidence and--and sass and just like, that's--that's my kid right there.

Q. And at--at some point she received her first duty station here in Norfolk, Virginia.

A. Yes.

Q. Can you tell us a little bit about what her feelings were about that?

A. She was excited. She was excited. And if she was excited, I was excited. She's like, I'm--I'm here. She did say that the boat was being renovated, right, so she didn't get to deploy. A lot of her friends were deploying, and that was something that she really wanted to do was to travel.

But she got to work. One of the first things that--that she was sharing with me that she was very excited about was the--there's a team, right? There's--there's a culinary--a team, and they compete.

And they are, like, to the level of--you know, they cook for world leaders, right? Like--and so I remember her telling me, mom, I want to cook for the President someday. And I was like, the--the what? And--and when I thought about it and, like, yeah. Like, why not? Like, you have to be, you know, someone at a level to even walk into a place where you're going to be serving food to world leaders. Like, you know, the leader of our country, leaders of the world, and that's what she--like, she saw that and--and so I was like, all right. Yes.

One of the--like within her first year, she got a coin from an admiral who came to her ship and of all the--you know, of all her shipmates it was her and--and another sailor that were presented to this admiral and he gave her his coin. And so--so now I carry that with me. Like, she's very, very proud of it.

Q. Did she discuss with you what her goals were in the Navy; like how far she would go?

A. We--we talked about some of those things. Sometimes she would tell me that she was looking to advance, right? Maybe there was opportunity there for her to, like, take--you know, like--like getting a new job if she wanted to.

Like--like--and just--like, I--I just remember all the things that she was doing. She was just so busy and talking to me about like, I gotta get a signature for this, I gotta get a signature for that.

And then it wasn't until, you know, when getting out her documents or I'm looking at all her--all the work that she's done, like, she was--like what she was telling me, I didn't understand it till I saw it on paper. Like, she was developing herself. She was becoming a leader. She was growing.

Q. Is it fair to say that she was proud of her service?

A. Yes.

Q. And were you also proud of her service?

A. I was happy. I was happy for her.

Q. All right. I'd like to draw your attention to May 29th of 2025. At some point during that day or the next, did you become aware that her friends were unable to reach her?

A. Yes.

Q. Okay. And kind of from a mother's perspective, can you tell the court what that felt like?

A. What it felt like? Well, at first, Danny called me and I knew who Danny was, right? Angie's talked--talks to him and when she would come visit, right, she was--she would talk to him.

So, when he called--when he called and he said that, like, they hadn't seen Angie all day. Like, she called and--and, you know, it sounded like she was in trouble and that he couldn't find her.

Like, he went to the place where she was and he couldn't find her; and that I needed to call the quarterdeck and I--I did. I did and I talked to an Anderson--Petty Chief Anderson and he said that they found her; that she was okay. That the report of her missing was--was overexaggerated; more exaggerated than necessary.

And--and--you know, and I'm like, okay, well, you know, like, what does she say, you know? And all he could tell me was that she's supposed to report to work the next day, because she wasn't supposed to work that day.

And--and I called Danny back. I was like, Danny, they found her, right? They--they told me that she was in another sailor's barracks and--and, you know, they told her to--to make sure she shows up the next day and who she was with to--to make sure she got home safe. And--and I believed him.

And I was like, she's fine, Danny. You should go--go check on her. And we started calling her, but she wasn't answering. Not unusual, right? But then the next day when she didn't show up to work and I was calling the quarterdeck to find out if she was--did she show up, and she didn't show up.

And the first thing that the chief said to me--I think Peterson--was that maybe she's just AWOL. And I didn't understand what he meant. And he's like, well, maybe she just needed a break; maybe she just needed a few days. Like, maybe she's having a hard time. And I'm like, well, no, no. My kid--my kid don't miss work. She's scared to miss work. Like, she--she would--no, she wouldn't do that. Like--like, she's--she's missing.

And so that's when I called--you know, I called Danny and--and they had already called the police and--and started the--you know, they reported her missing.

Q. Okay.

A. And so, the next day that's--NCIS--I don't even think it was the next day. It was--it was the Thursday night, Friday. By Sunday, NCIS is calling me and it's already been three days.

And I'm calling her and we're, you know, calling her friends and--and, you know, hoping, like, maybe she did--like maybe she is having something--maybe something is wrong and, you know, like--like--like the gentleman was saying, like sending her message

like where are you. And then so like, look, babe, whatever's going on just--it's okay, right? Just let us know. We'll--we'll take care of you. And she never responded.

And so, when NCIS calls me and--and, like, we're calling about a missing person and they're talking to me like I didn't know, you know? It's like what--what--like, they're telling me for the first time that she's missing. I'm like, I know she's missing. It's been days already. Like, where--what are--what are you talking about. Like, what--like, what you're asking me makes no sense. It's been days already.

After that--after that conversation, it's like someone--like a punch in the gut. It's like--it breaks--it brought me to my knees, like, ending that phone call and just like this is happening. Like, my kid's missing. And no one's telling me anything. Like, they're not telling me anything.

Q. During the--that--that week where you didn't know where she was, were--were you getting different, like, pieces of information? And what--what--and if so, what did that feel like?

A. I didn't get any information. Once NCIS asked me to--and it was by--by Monday, NCIS--Monday or Tuesday--gave me their missing--her picture missing, right? The missing alert.

There was no more communication, right? I--her friends couldn't talk to me. No one from--from her ship talked to me. NCIS

only asked me questions. They didn't answer any of my questions. They would--you know, and--and so--you know? So, like, we went to--we went to the media, and we--we talked to the media and asking for help. Like, we can't--we don't know where she's at.

They would not tell me if she was on the base. They would not tell me if she was off the base. Like, you know, if--if they had her phone or if they didn't have her phone. I knew nothing, and I was working from nothing.

And--and, you know, that--that--that's--that's kind of a--you just don't know, right? The days just blur and you're just like what day is it now. And I--I--by Wednesday, I was in Virginia, like, because no one would talk to me.

And so, I came back--I came to Virginia and--and went to NCIS, and they did a bunch of DNA swabs and still wouldn't answer, like, any of my questions. So, I--I just wanted to go to her room and--and--and that's where--you know, the next day they took me to her--her barracks, and--and I saw things that she bought. You know, like she--she was gonna come back. And that--walking in her room is when I knew, like, no, she's not coming back.

Q. Tomorrow is the one-year anniversary of her remains being found. As a mother, can you describe to the military judge what it was like to hear that they had found your daughter?

A. It gave me--honestly, I was a little relieved that they found her. I know she wasn't alive anymore, but we found her and I didn't have to live that life, not ever knowing, like, what happened to her.

And--and--and, you know, the police came to my house. They knocked on my door and told me to call NCIS, and so I called NCIS. And they said they found remains and they don't--they think it's Angie. They don't know, and--and they'll let me know. So, it was three days before we knew for sure that--that it was Angie.

So, you know, a little bit of like maybe it's not Angie, right? Like, who else could it be? And--and just taking it from there. Like, just really feeling that she was--I want to say betrayed. She was betrayed, right? By the people who she trusted.

Reaching out to her leadership, they--I mean, he--they said that--that she was okay, right? And in talking to her commanding officer, he's like, well, you know, NCIS has this, right? Like, our hands are--are tied. And listening to everything, like, they could have found her that day if they wanted to, you know? It's like--

Q. Yeah.

Is there--is there anything--let's see--if your daughter was here today, what would you want the military judge--what impression would you want the military judge to leave with?

A. If she was here today?

Q. If she was here and he was meeting her for the first time.

A. He's never gonna forget her. And--and you would not forget Angie. Like, once you meet her and once you talk to her and once you get her going and she starts to be herself, you--that's a friend. That's your friend. And you're like, here, meet my--meet my daughters, right? Meet--meet my family so that you-all could be friends and maybe they can be like you.

Like, that's usually what happens when people meet Angie, right? She is an influence or she was--you know, yes, she was sunshine but that was an influence to help people find their own, you know, happiness and--and that is a person you don't forget.

TC: Thank you.

The government has no further questions.

MJ: Defense.

DC: No, Your Honor.

MJ: Ms. Castle not subject to recall?

TC: No, Your Honor.

MJ: Ms. Castle, thank you very much for your testimony.

WIT: Thank you.

MJ: You can step down.

[The witness was excused and withdrew from the witness stand.]

MJ: Trial counsel?

TC: The government rests, Your Honor.

MJ: Very well.

Is there a crime--is there a crime victim present who desires to be heard?

VLC (MR. GRIFFIN): Yes, Your Honor. Ms. Esmerelda Castle and her brother, Mr. Juan Resendiz.

MJ: Okay. And just for the record, that is Mr. Marshall Griffin speaking from the gallery.

Mr. Griffin, I don't think you've been on the record. Do you want to put your credentials on the record?

VLC (MR. GRIFFIN): I can, Your Honor. I believe I've submitted notice, but--

MJ: And that has been marked as an appellate exhibit. Appellate Exhibit V is your notice of appearance.

VLC (MR. GRIFFIN): Yes, Your Honor.

MJ: If you're not gonna do any of the talking, then I don't need you on the record.

VLC (MR. GRIFFIN): I'm not, Your Honor.

MJ: Okay. So, Ms. Castle, would you like to come forward?

And, defense counsel, I understand that Appellate Exhibit CXII has been marked, and that is the victim impact statement from Ms. Castle and Mr. Resendiz.

Any objection to Ms. Castle's victim impact statement?

DC: No, Your Honor.

MJ: Okay. You may proceed.

**VICTIM IMPACT STATEMENT**

VICTIM E.C.: Who was Angie, right? When I think of Angie, I didn't think of courtrooms, investigations, or headlines. Like, I think of my daughter. And Angie was one of those kids who loved to be sandwiched between couch cushions. She and her sister would--would turn ordinary moments into adventures; jumping off couches into piles of cushions and leaping from tops of bunks into their sister's bed laughing the entire time. And she was playful, affectionate, and full of life.

Like, one of my favorite memories of Angie is--you know, she was little. She was elementary. The--she comes up, you know, this high. She's up to my chest. And she was trying to chest bump me and tell me that she was determined to get my attention. And so, I remember her chest bumping me and saying you're gonna get this love. I'm gonna give it to you. And it--it--it was a simple moment, but I've never forgotten it.

As she grew older, she remained deeply connected to the people she loved while growing into her own person. And she answered the call to serve her country and was building a future for herself. She was finding her way in the world, discovering who she wanted to become and growing into a remarkable young woman.

In the months before she died, our relationship was changing and growing. She would always be my daughter, but we were developing a friendship as two adults. And we talked more openly, shared more of our lives with each other, and I was getting to know the woman she was becoming. We were building something special together, and I treasured that.

Angie's death left a wound that reaches far beyond words. The hurt runs deep. There will always be an ache in my heart. And while I continue to move forward each day, like, her absence is something I feel every day, and it will remain with me for the rest of my life.

No sentence handed down today can bring Angie back and nothing can restore the conversations we would have had, the memories we would have continued to make, or the future she was building for herself.

What this court can do is recognize that Angie mattered. She was loved. She was valued. And she was a daughter, a sister, a friend, a sailor, and a human being whose life had meaning. That's who Angie was, and that is how I hope that she will be remembered.

Today, this court will determine an appropriate sentence and I respect that process. Accountability matters. Angie mattered. The value of her life deserves to be recognized. And the harm that was done cannot be ignored.

At the same time, this tragedy should not be defined by anger or bitterness or hatred. Those things cannot heal what has been broken nor do they honor Angie. And while nothing can undo what has been done, I believe every human life still has value.

And Mr. Copeland will spend decades in prison, and it is my hope that he uses that time to accept responsibility for his actions, to understand the harm they have caused, and to do something meaningful with the life he has been given. And I hope he comes to fully understand the weight of what was taken from Angie, from our family, and from all those who loved her.

I seek accountability but not only for the actions that brought us here, but for the decisions and the failures that allowed this tragedy to unfold. Accountability is not about punishment alone. It is about truth, leadership, integrity, transparency, and the courage to accept responsibility and do better. Angie deserves those things and so do all who serve.

The best way to honor Angie is not only to remember her life, but to learn from what happened and be better and better protect those who serve in the future.

I also extend love and compassion to everyone affected by this tragedy, including those who love Copeland. As a mother, I recognize that there is another mother who is hurting today. And

while our circumstances are very different, I would--I would not wish this suffering on any parent.

I choose mercy and I choose compassion. I choose forgiveness; not because what happened to Angie was acceptable and not because accountability is unnecessary, but because I refuse to allow this tragedy to diminish my capacity to love.

My faith teaches me that justice and mercy can exist together, and I believe every person is more than the worst thing they have ever done. And I believe in the possibility of redemption, and I hope that healing will come to all those effected by this tragedy. And that, in time, something good may emerge from so much pain.

Thank you.

MJ: Thank you, Ms. Castle.

I understand, Mr.--Mr. Resendiz?

VLC (MR. GRIFFIN): Yes, Your Honor. He'll be testifying telephonically. If I could retrieve his phone number from my phone?

MJ: You may.

Defense counsel, have you seen Mr. Resendiz's statement?

DC: Yes, Your Honor.

MJ: Any objections?

DC: No, Your Honor.

MJ: Very well.

VLC (MR. GRIFFIN): I believe the court reporter has that--that phone number.

MJ: Okay. We're gonna dial him in.

[A telephonic connection was established.]

MR. RESENDIZ: Hello? Hello?

ATC: Hello?

MR. RESENDIZ: Hello?

MJ: Hello? Mr. Resendiz, can you hear me?

MR. RESENDIZ: Yes, I can hear you.

MJ: Mr. Resendiz, this is Captain Hutchison. I'm the military judge. I understand we are at trial in *U.S. v. Copeland*, and you have been called to give a victim impact statement.

Are you prepared to proceed?

MR. RESENDIZ: Yes, sir, I am prepared.

MJ: Okay. You have the floor.

MR. RESENDIZ: You want me to start right now?

MJ: Yes, please; please go ahead. Take your time.

MR. RESENDIZ: Okay. Let me find somewhere where it's a little bit more audible, quiet. There you go.

All right. I'm gonna start right now.

MJ: Okay.

**VICTIM IMPACT STATEMENT**

VICTIM J.R. : As Angelina's older brother, I want to speak from the heart. Angelina was everything to us; bright, kind and full of dreams. Losing her has left a hole in our lives that will never fully heal, but we are determined to honor her memory and keep on fighting for justice. I know we'll never stop sharing her stories, so others are protected and her light is never forgotten.

MJ: Okay.

MR. J.R.: That's all I have.

MJ: Thank you very--thank you very much, Mr. Resendiz. You can go ahead and drop off the phone call now. I appreciate it.

MR. J.R.: All right. Thank you. Bye.

MJ: Let the record reflect that Mr. Resendiz has hung up the phone.

Is there any other crime victims who wish to be heard?

TC: No, Your Honor.

MJ: Very well.

Defense counsel, do you have any evidence to present at this time?

I note that it's almost 1500. Do you want to start your case this afternoon?

DC: Yes, Your Honor. We'd like to admit the documentary evidence and then come back tomorrow to do the witness evidence if

that would be okay with the court. It would give the court an opportunity to review both the prosecution and the defense exhibits over the overnight recess.

MJ: Okay. Let me ask this: How much time do you think you need in the morning for witnesses?

DC: Probably only an hour.

MJ: And I'm only asking to--to gauge start time.

Okay. So, let's do that. If you have documentary evidence to present, let's do that now.

DC: Yes, Your Honor.

The defense moves Defense Exhibits A through F into evidence and ask that the words "for identification" be stricken.

And permission to approach the court reporter?

MJ: You may approach.

Government, any objection to Defense Exhibits A through F?

TC: No, Your Honor.

MJ: Very well. Defense Exhibits A through F are admitted into evidence. The words "for ID" are stricken. The court will consider these.

DC: Yes, Your Honor.

And there's a--there's a CD--or I should say there's an audio. I don't think we've gotten it quite on the CD yet, but it's

in NCORS so the court can actually hear Defense Exhibit F. But there's a transcript in there for you.

MJ: Okay. With that, I propose that we recess for the evening, and we'll come back tomorrow morning at 0900 to finish the defense's case, and then I'll go into deliberations.

Any--any concern with that way forward, government?

TC: No, Your Honor.

DC: No, Your Honor. That was my idea, so...

MJ: Very well.

Court's in recess till 0900 tomorrow.

[The court-martial recessed at 1448, 8 June 2026.]

**[END OF PAGE]**

[The court-martial was called to order at 0917, 9 June 2026.]

MJ: This court-martial is once again called to order. All parties present when the court last recessed are once again present.

Ms. Cheek has resumed duties as court reporter, and she has been previously sworn.

Last night after we recessed, I had a quick R.C.M. 802 conference with the counsel in my chambers just to bring to their attention something I noticed, and I'll bring it now in open court.

As I was inventorying the defense exhibits that defense presented yesterday, I noticed in Defense Exhibit A, which are character letters, was a character letter from Mr. Vincent Quidachay, who is an NJROTC, I think, instructor for the accused.

Mr. Quidachay used to be Lieutenant Quidachay. He was my department head on my first ship 30 years ago. I worked for him; had a very positive experience with him. I brought that attention to the parties. It will not impact my ability to be fair in this--fair and impartial. I have not talked to Mr. Quidachay in 30 years, but to the extent we're such a small Navy that 30 years later I'm getting a letter from him, I want to make the parties aware.

Any concerns, government?

TC: Not from the government, Your Honor.

MJ: Defense counsel?

DC: No questions or challenge from the defense.

MJ: Very well.

Next thing I'll note is just to correct the record as--as I was going through some things yesterday, I--I think I inadvertently, in announcing findings, announced findings to Specification 1 of Charge II, of the accused being guilty. Of course, there's only a Sole Specification for Charge II.

So just to correct that verbal scrivener's error, the accused was guilty of the Sole Specification of Charge II and of Charge II.

Any concerns with that; any questions about that?

TC: No, Your Honor.

DC: No, Your Honor.

MJ: Okay. That said, defense counsel, are you ready to continue your case?

DC: Yes, Your Honor.

MJ: You may proceed.

DC: Your Honor, the defense calls Ms. Rochell Brown.

MJ: Very well.

**[END OF PAGE]**

**ROCHELL BROWN, a civilian, was called as a witness by the defense, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Could you state your name and spell your last name for the record?

A. Rochell Brown and B-R-O-W-N.

Q. And are you active duty military?

A. No.

Q. Where--where do you currently reside?

A. I'm on Whidbey Naval Air Station in Whidbey, Oak Harbor, Washington.

Q. And what is your current occupation?

A. I work for the hospital in Oak Harbor.

Q. Okay. Thank you so much.

A. Um-hmm. Thank you.

**Questions by the defense counsel:**

Q. So, Ms. Brown, can you please tell the court how you know Jermiah Copeland?

A. Jermiah is my second born son out of my six children.

Q. And can you tell the court where he grew up?

A. He--he was born in North Carolina, Durham, and we moved--transitioned--excuse me--transitioned to Oak Harbor,

Washington. After I lost eyesight, my family came and got me and moved me and my children back to Whidbey to be closer to family to help raise the children.

Q. And what was he like growing up? What were--what were his, like, sports and hobbies that he was interested in?

A. Jermiah was a very active child. He loved sports. We kept him active in sports, because that was his whole world; just to burn his energy. He was a boy, boy.

He was so very good in football. He was in track, basketball. Yeah, he just loved the--to burn his energy. He was a ball of energy all the time, so, yeah.

Q. And you mentioned that he has siblings that--how many siblings does he have and you can tell us a little bit about them?

A. So, for my children, he has an older brother. He's 22. Him and Isaiah--it's Isaiah, he's very close with his brother. Jermiah always thought he was the big brother, so everybody thought he was the parent--second parent in our household.

They grew up with their stepdad, but, like I said, Jermiah was the parent to siblings, and everybody knew it. So, they were like, Jerry, you're not the oldest. You're the second oldest.

And he--he just--his siblings love him. They love him. They look up to him. They're all hurting in this moment, but they're all standing with him.

Q. Does he have sisters as well?

A. He has three little sisters, and they think the absolute world of him. His oldest--youngest sister is 17, and a 10-year-old and a 4-year-old, and that's his best friend, the 4-year-old.

Q. And tell us a little bit about like his larger family. Like, does he have a big support system with--with his--with his aunts and uncles?

A. We have an amazing family. He has about nine aunts, grandma, grandpa--both sides. Jermiah's loved beyond measure. We're here standing together with him. Not okay in anything, but we're here in love and support for him.

Q. And what was it like when Jermiah told you that he was going to enlist in the Navy?

A. We were very excited for him. He started the JROTC program at Whidbey when he was in ninth grade. He did phenomenal in the program. He was a cadet--sophomore cadet of the year. His sophomore year he was in the extracurricular JROTC program. He did very well under his commander and chief.

So, we were very proud and excited for him for the new journey. We were very scared because he was so young, so we didn't know what--he would have been our first immediate family member to go into the service. We had extended family member to go into the service, but he was our first.

So, we were excited but, yet, nervous. Very, very scared as a mom to release him to something unknown.

Q. And after he joined the Navy, how often were you able to talk to Jermiah?

A. We talked to him through boot camp as much as possible, as much as they allowed him to call. We wrote him frequently. And then in A-School, we went and visited him--our family, of course, strength in numbers, so we're very supportive. So, whoever was able to make it, we flew from Washington, some from North Carolina, and we all came up to Virginia to visit him.

Q. And how often would you say you were able to--to visit him and see him after he joined the Navy?

A. So, it was a very quick transition from the boot camp, A-School to his first deployment. So, he was able to come home maybe once or twice, and we came here as well to see him maybe three times.

Q. And so, before you came here to--yesterday for the hearing, when was the last time that you were able to see Jermiah?

A. Physically was a year ago today, I believe, when I visited him at the brig.

Q. And that was when he was in the brig?

A. Correct.

Q. And so, you weren't able to spend Christmas with him this year?

A. No.

Q. And he recently had his 21st birthday. You weren't able to spend his 21st birthday with him?

A. No.

Q. Can you tell the court what that was like to not have Jermiah there?

A. It was--it was horrible. It--Jermiah's a big pillar in our family. He's--every holiday, every birthday, he's the life of the party.

So, on his 21st birthday, we were all at my house to celebrate him, just to know that he was loved and--and that his family's here for him. In spite of this situation, it's not gonna define my boy.

So, we're here with him in love and support, and we were all standing together; had his barbecue--his favorite food, the music that he liked, and we just celebrated him and his memory. So, he knew we were celebrating him on his big day.

Q. Can you tell the military judge a little bit about Jermiah's son and his relationship with his son?

A. He had him at a pretty young age. He's four years old now. So, he talks to his dad as much as possible. We are very active in his life. He loves his dad. He--he loves him beyond measure. He knows that he's gonna be well-taken care of. His grandma and his

uncles and his grandma--everybody's got his back. So, him and Jermiah has a very good relationship.

Q. And do you help out with his son?

A. Oh, yes. We're--as soon as I leave here, I'm going to get him, so he knows and he's excited to come and knows--he's got all his dad's racecars and football jerseys and things that he gets to inherit. So, he knows that his dad loves him.

Q. And when Jermiah stops getting paid, is that gonna impact his son?

A. Oh, of course. His--his dad's been taking care of him thus far, so we'll do our best and take care of him the way that a mom knows how, a grandma knows how. So, he has a big support system. We'll do our best to make sure he has the best life possible.

Q. So, you know that Jermiah's gonna go to the brig for at least 40 years. Can you explain to the--the military judge the kind of impact that that's gonna have on your family?

A. Words can't even ex--words can't even explain how much it's gonna impact our family. Jermiah's such a special boy, and I know this situation's not gonna be my baby's end story.

As bad as it hurts--and I know he knows accountability. We taught him accountability. So, we know he has to sit down and take this, but we're gonna be here with him all the way. This is

something that we're gonna be holding his hand along the way, and we're not gonna let him ride it out on his own.

But he knows that we taught him accountability, and this is not gonna be his end story.

Q. And will you be able to visit Jermiah while he's in the brig wherever that may be?

A. Wherever God places him, wherever the government places him, we will be there, and he knows that. He's not gonna walk this journey alone. We're a family of strength and unity, so we'll be here with him along the way. He knows that.

DC: I'd like to go over some photos with you.

Permission to approach the witness with Defense Exhibit B?

MJ: You may.

DC: And you have a copy already, Your Honor.

MJ: I do.

DC: Handing the witness Defense Exhibit B.

WIT: Thank you.

**Questions by the defense counsel:**

Q. So, take a look there at--at page 1. Can you just tell us what's happening in that photo?

A. Yes. This is the day Jermiah graduated from the Great Lakes in Chicago. Me and his aunt and his stepfather and baby sister came

and we celebrated that. We were very proud of him that day graduating boot camp.

Q. And can you turn to--to page 9?

A. Nine?

Yes.

Q. And can you tell us who--who is in those photos on page 9?

A. That's his little sister, 10-year-old sister, and his son. His baby sister--she's four years old and his son. And that was on his birthday. He was very excited for his new outfit his dad bought him. And his excitement, his cake, his celebration, his gifts that his dad purchased him. So, he was very excited.

Q. And his son and his baby sister are the same age?

A. Yes. They're four years old and their best friends and they are each other's besties.

Q. Can you turn to--to the next page, to page 10?

A. Yes.

Q. And that's also his little sister. And what's that--what does she have there?

A. Well, she thinks the world of her brother. She--I mean, you couldn't tell her anything wrong about him. She had to write him a letter because she knows in a--in a baby form of what's going on. She knows she can't access him or see him, so she wrote him a letter. I love you, my-my. I care for you. Love, Haddy. And she's

just--was so excited to make sure that letter made it to her brother. So, she loves you, Jerry.

Q. And just one last picture on--on page 2. Is this Jermiah in the yellow suit?

A. That's him.

Q. And what--and what's going on that day?

A. They were so excited. It was Easter Sunday and their grandfather bought them Easter suits. So, he thought he would look like a million bucks heading to Easter Sunday service. So that was a very fun day for them, so, yeah.

Q. Thank you so much.

A. Thank you.

DC: Permission to retriever Defense Exhibit B?

MJ: You may.

DC: I'm retrieving the exhibit.

MJ: Have a seat, ma'am.

WIT: Oh, sorry.

**Questions by the defense counsel:**

Q. And I hate to make you answer this question on the record--

A. Oh, you're fine.

Q. --but can you tell the judge how old you are?

A. Forty-three years old.

Q. Is there anything else that I haven't asked you that you would like to tell the military judge about Jermiah?

A. All I can say is that my son is loved beyond measure. He is a man that this situation will not define him. This situation won't be his end. This situation is horrible, but with the support, love, and God and his accountability, he is going to be a different man at the end of this journey.

He knows what he was taught, he know he was grounded in love, and this is going to not be your end story, son. And we love you. And we're here for you, and we're here for the ride, whatever it may look like, so...

Q. Thank you so much. I don't have any other questions, but the trial counsel and the judge might have questions.

A. Okay.

MJ: Trial counsel.

ATC: No questions, Your Honor.

MJ: Commander Serfess, not subject to recall?

DC: No, Your Honor.

MJ: Thank you very much, ma'am. You can step down and return to the gallery.

WIT: Thank you.

[The witness was excused and withdrew from the witness stand.]

ADC (LCDR MIHILL): Defense calls Ms. Kathleen Brown, Your Honor.

MJ: Very well.

**KATHLEEN BROWN, a civilian, was called as a witness by the defense, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. When you get a chance, just state your name for the record.

A. My name is Kathleen Brown, B-R-O-W-N.

Q. And where do you live, Ms. Brown?

A. I live also on Whidbey Island in Washington.

Q. Okay. Thank you.

And what is your current occupation?

A. I'm fortunate to be able to be retired.

ATC: Thank you so much.

**Questions by the assistant defense counsel (LCDR MIHILL):**

Q. Good morning, Ms. Brown.

A. Good morning.

Q. You're retired, ma'am. How--how old--how old are you?

A. I am 65 years old.

Q. Okay. And who are you--who are you in this family, ma'am?

A. I am Jermiah's grandmother, and I am the matron. I'm the oldest one that's alive in my family. I have one sister, but

she's--her husband's retired military, so they live in Mississippi. Yeah. So, I'm the matron and I'm the grandma.

Q. Okay. And these folks that have joined us today, is this the rest of the family?

A. Well, that's some of them. I have nine daughters. One in Maryland. I have two that lives in North Carolina. Everybody else lives in Washington, but those are my daughters that came out from Seattle and two of my grandsons.

Q. Thank you, ma'am.

As the head of this family, do you condone the actions that brought us here?

A. Absolutely not.

Q. Can you tell me a little bit about that?

A. Unlike his mother, we--it's--it's a majority of women in our family, and we have always made our children, my grandchildren be accountable. You have to be accountable. This isn't good, and I've already had the conversation with Jermiah.

You're gonna forever be loved by your family. That's a given. But this is not a very good situation for Ms. Castle, for our family; but regardless, we're going to love him and we're going to see him through this. And as he go through his journey, he's going to be accountable.

Q. Yes, ma'am.

And now, yesterday, I noticed that--that you had a chance to speak with Ms. Castle. Is there anything that you would like Ms. Castle or anybody that's effected by Jermiah's actions? Is there anything that you would like them to know?

A. I would love to. And I don't know if I can stand up, because I want to see her face as a mother.

Is that possible, sir?

MJ: Go ahead.

WIT: I don't know where she is.

MJ: Stay right here so the microphone can pick you up.

WIT: Okay. I'm sorry.

To Ms. Castle, we had our conversation yesterday, and we want you to know, as a mother, as a grandmother, we feel you. We don't condone what has happened to your daughter just because that's my grandson. I lost a daughter five years ago. That pain never goes anywhere. But because of how it was done, we want you to know that we don't okay that.

But we want you to know that we are so sorry. And there's my family there. And we talked about you all night long because we want you to know that we are absolutely so sorry for you and your family.

And like we were sharing together, as bad as this is--and we agreed to this--that one day, we're gonna make a very positive outcome in this world. You, me, and Rochell and we've talked about it.

So, we love you. We are here for you, and our heart goes out to you and your family. And we will forever pray for you.

I love you.

ADC (LCDR MIHILL): I have no further questions, Your Honor.

Just one moment--one moment.

WIT: Oh, I'm sorry.

MJ: Trial counsel.

ATC: No--no questions, sir.

MJ: Ms. Brown, thank you very much. You can step down.

WIT: Thank you, sir.

[The witness was excused and withdrew from the witness stand.]

DC: We just need a recess in place or maybe we'll want to take a break because it's gonna take a minute to get the VTC set up.

MJ: Let's do this: Let's take--let's just take 10 minutes. Let's come back at 9:50.

Court's in recess till 0950.

[The court-martial recessed at 0937, 9 June 2026.]

[The court-martial was called to order at 0951, 9 June 2026.]

MJ: This court-martial's called to order. All parties present when the court last recessed are once again present.

Defense counsel, you may call your next witness.

ADC (LCDR MORGAN): Yes, Your Honor.

At this time, defense would like to call Dr. Jamie Dickson, who's appearing virtually via VTC.

MJ: Very well.

And let the record reflect the hub is pointing towards the gallery and I can see Dr. Dickson on the screen there.

ADC (LCDR MORGAN): Hey, Dr. Dickson. This is Lieutenant Commander Morgan. Can you hear me?

WIT: Yes, I can hear you.

ADC (LCDR MORGAN): Is she good to go?

At this time, the trial counsel is gonna swear you in, okay?

**DR. JAMIE DICKSON, Psy.D., a civilian, was called as a witness by the defense, was sworn, and testified as follows:**

**DIRECT EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Could you please state your name and spell your last name for the record? And you can sit.

A. Yes. My name--thank you.

My name is Dr. Jamie Dickson, and my last name is spelled D-I-C-K-S-O-N.

Q. And Dr. Dickson, what is your occupation?

A. I am a licensed psychologist.

Q. And you're not on active duty, are you?

A. No, sir.

TC: Thank you.

**Questions by the assistant defense counsel (LCDR MORGAN):**

Q. Dr. Dickson, can you just please describe your educational background, please?

A. Sure. So, I have a bachelor's degree in psychology from Middle Tennessee State University. I completed that in December 1998. I went on from there to complete a master of arts degree in psychology in 2005, and then a Doctor of Psychology degree in 2008. And both of those degrees were from the Georgia School of Professional Psychology.

Q. And what is your current occupation and professional role?

A. I'm currently a licensed psychologist.

Q. And how long have you worked as a psychologist?

A. I have been licensed since September 2009.

Q. Okay. And can--

A. So almost 17 years.

Q. Okay. And can you please describe your areas of specialization?

A. Yes. My areas of specialization are forensic psychology, child and adolescent psychology, and trauma.

Q. And have you ever received any specialized training in psychological testing?

A. Yes. I took courses during graduate school in psychological testing. There were actual four full semesters devoted to psychological assessment.

In addition to that, you know, continued to complete--like, continuing education, to read new test manuals as new testing materials became available. So, I've had extensive training in testing and psychological assessment.

Q. Okay. And, do you--do you maintain continuing education in these areas?

A. Yes.

Q. Now, what experience do you have conducting forensic psychological evaluations?

A. So, I began conducting forensic psychological evaluations during my first practicum training during graduate school, which was 2004 to '5, if I recall correctly. During that time, I was working in an adult forensic inpatient unit at a psychiatric hospital, conducting psychological assessment and risk assessments.

I completed my predoctoral internship at Florida State Hospital. During that year, I was doing forensic psychological evaluations, assessing competence to stand trial, and issues such as malingering.

Since I went into private practice in December of 2013--so just about 13 years ago--I have focused almost exclusively on forensic psychological evaluations to assess competence to stand trial, criminal responsibility, risk assessment--just a variety of different psych and legal issues.

Q. Okay. And have you ever previously testified as an expert witness?

A. Yes.

Q. Has that been in the field of forensic psychology?

A. Yes.

Q. How many times?

A. So, I've testified in total somewhere between 140 and 150 times.

Q. And have you--have you ever had any issues ever qualifying as an expert in that field?

A. No.

ADC (LCDR MORGAN): Your Honor, at this time, we'd like to qualify Dr. Dickson as an expert in the field of forensic psychology.

MJ: Any objections, trial counsel?

TC: No objection, Your Honor.

MJ: Very well. Dr. Dickson is qualified as an expert--

ADC (LCDR MORGAN): Thank you.

MJ: --will be recognized as an expert in the field of forensic psychology.

ADC (LCDR MORGAN): Thank you, Your Honor.

**Questions by the assistant defense counsel (LCDR MORGAN):**

Q. Did you conduct any psychological tests in this case?

A. Yes, I did.

Q. Without going into your findings right now, can you explain what those tests were?

A. Yes. So, I conducted testing--one of the tests that I administered is called the test of memory malingering or the TOMM, and the Validity Indicator Profile, the VIP. Both of those are measures to assess for effort during testing of cognitive function during the psychological evaluation.

In addition to those, I administered the Repeatable Battery for the Assessment of Neuropsychological Status or the RBANS. And the Delis-Kaplan Executive Function System or the D-KEFS. And lastly, the Behavior Rating Inventory of Executive Functions, second edition adult version, also called the BRIEF.

Q. And you conducted all those tests on Petty Officer Copeland, correct?

A. Yes, that's correct.

Q. Now were those tests conducted in person or virtually?

A. In person.

Q. Roughly how long or how much time would you say you spent conducting those tests with Petty Officer Copeland?

A. So, in total, I spent about 4 hours and 45 minutes with him.

Q. Okay. Now let's kind of break those tests down. You mentioned that you administered two tests that focused on malingering and good effort. Can you explain the relevancy of those tests?

A. Sure. So, when conducting a psychological evaluation, particularly when assessing someone's cognitive functioning, the--the results of the cognitive test are not going to be valid and informative if a person doesn't put forth their best effort.

So, we have testing in psychology--specifically in this case, I used the TOMM and the VIP. We have testing that helps us to assess whether an individual is putting forth full effort during a test or if they are perhaps attempting to look more impaired than they are.

Q. And that's essentially to distinguish between genuine accountability and just kind of telling you what they want you to hear, correct?

A. Sure. So, it's to make sure that they're not, you know, attempting to look like they're impaired or that they have cognitive issues that they don't have.

Q. And--and the test that you did of Petty Officer Copeland involving malingering, what were the findings of those tests?

A. So, on the test of memory malingering, the TOMM, he had perfect scores on both the first and second trial of that test. So, what that means is it did not appear that he was attempting to malinger memory issues and that he was putting forth his best effort.

The results of the Validity Indicator Profile or the VIP, also suggested that he was putting forth his best effort and his responding was in the valid range on that test.

Q. Okay. Now you mentioned several other tests that you conducted. Can you just explain--just go through them and explain the relevancy of those tests?

A. Sure. So, I'll start with the RBANS. So, the RBANS is a screener for various neuropsychological cognitive issues. It evaluates attention, short term--or, excuse me, immediate memory and delayed memory, language, and visual spacial construction skills.

So, it just helps to get an understanding of those cognitive functions in the individual being assessed.

Q. And can you explain to the judge what your findings of those tests were?

A. Yes. So Petty Officer Copeland scored in the average range with regard to the visual spacial area. His scores regarding the immediate and delayed memory were below average.

The areas of concern that were identified for him were language. His score there fell in the borderline range. And then attention, his score in that area was in the impaired range.

Q. Okay. And those areas that you've kind of identified as deficiencies or, you know, where it fell below average, average or--would you--is that essentially you comparing him to a spectrum of people of his general age group?

A. Yes, correct.

Q. Now did your evaluation process stop at just conducting those tests of Petty Officer Copeland or did you go deeper?

A. No and yeah. In addition to that, I also did the D-KEFS test, the Delis-Kaplan Executive Function System test. On that measure, the results indicated that he has relative personal weaknesses in the areas of language. So, maintaining verbally fluent responses. And also, his verbal--verbal abstraction skills were weaknesses for him.

And then in addition to that, with the behavior rating inventory that I had him complete, there were indications of impairment with regard to inhibitory control and impulsivity and his

ability to self-monitor; so, to monitor his own behaviors and the impact that those have.

Q. Did you do any collateral interviews or--or look at additional things during your evaluation process?

A. Yes. So, in addition to doing the testing when I met with Petty Officer Copeland, I also interviewed him to gather relevant history. Following the evaluation, I conducted collateral telephone interviews with his grandmother, his mother, his brother, and his former girlfriend.

And in addition to that, I also was able to review his school records as well as his records from the Naval Brig.

Q. And why do you find looking into those collateral areas as important to your evaluation process?

A. So, corroboration is very important. Collateral data is very important in particularly the area for forensic psychology. You know, clearly the stakes are often high, so it's important to the extent possible to try to corroborate what an individual tells you about their history. And also, just to get a more in-depth understanding of the individual from the perspective of other people or perhaps treatment providers and things of that nature.

Q. Okay. Now, would you say that the collateral information that you discovered was that consistent with the test that you

conducted and your findings of your--the psychological tests that you conducted of Petty Officer Copeland?

A. So, in some areas it was. So, his school records, when I reviewed those, there were clear indications of difficulties with impulsivity, with inattentiveness, hyperactivity, which is consistent with the test results that I obtained. Specifically, the deficits that I talked about in attention, the deficits in inhibitory control, and, you know, being able to monitor one's own behavior. So, I think that those records were--were consistent with the test results that I obtained.

I would also say that with regard to some of his reported history, I was able to corroborate aspects of that through different collateral contacts.

Q. And anything about the school records particularly jumped out at you when you're talking about or looking at his attention--attention skills?

A. I apologize. Can you repeats that, please?

Q. I said did anything specifically jump out to you when you reviewed his school records in regards to his attention span?

A. Just that, you know, there were a lot of disruptive behaviors, primarily elementary school and middle school. But, you know, clearly there were some issues in school. He had difficulties,

you know, staying seated, staying still, not being impulsive and disruptive.

It struck me that there was no intervention noted in the record. There was not any Individualized Education Program or 504 plan or anything else to--you know, to try to correct or ameliorate those issues.

Q. And you said that the--the lack of intervention kind of stood out to you. Why--why was that important?

A. So generally, in, you know, my experience in working with children and adolescents with, you know, issues in school--whether that's academic or behavioral--when a child has, you know, repeated behaviors, particularly that young--elementary, middle school--typically, there would be some sort of referral for, you know, services; whether that's a behavior intervention plan to help, you know, with positive reinforcement for appropriate behavior; whether it's a learning plan if the child needs like additional time on tests.

But it was, again, surprising that he was never referred for any sort of evaluation to assess the--the root of the problems and the issues that he was exhibiting in school.

Q. Um-hmm. And--and also, in addition to looking at the school records, you also didn't find any record or history of intervention also speaking to the family members and friends either, did you?

A. Correct.

Q. If there had been intervention early on, based on the deficiencies you were able to identify, would you say that could have changed his prognosis for the better?

A. Yes, absolutely.

Q. Now, Dr. Dickson, I want to dig a little bit deeper into his past. So, in your evaluation into Petty Officer Copeland and your interviews with his family, did you discover any trauma that he experienced as a child or adolescent?

A. Yes. Yes. I became aware through my interview with him and different collateral contacts that he experienced sexual abuse from two different perpetrators during his childhood into early adolescence.

There was at least one incident preschool age that was corroborated by his mother. There was also additional sexual abuse from a different perpetrator from the time he was approximately second or third grade, so probably about seven or eight, until early middle school.

And then also there was physical abuse that he experienced up until approximately middle school.

Q. And were you able to corroborate those trauma experiences that he talked about?

A. I was able to corroborate some. So, in speaking to his mother, she reported the incident or multi--could have been more than one incident. We're not sure. But at least one incident in preschool of him being sexually abused. His mother actually took him to the doctor because of the--the reports that she was given.

I was not able to corroborate with family the other abuse incidents; however, I am aware that--that Petty Officer Copeland also reported the same incidents to Ms. LaValva during his interviews with her. And I was able to corroborate that whooping was a fairly common occurrence for him.

Q. And when you say "whooping" there, you're talking--referring to corporal punishment?

A. Correct.

Q. Now, you mentioned that the family didn't know about the--the second sexual assault that happened that he reported to you and both Ms. LaValva. Is that unusual to you?

A. No. It's not at all uncommon for children who experience sexual abuse to delay disclosure into adulthood; some people never tell. So, in my experience it's not uncommon for other people, even people who are close to a child, to not be aware of that experience.

Q. Now, would you agree that these traumas that he experienced could have exacerbated some of the deficiencies that you identified

in your executive functioning in impulsivity control and the other tests that you conducted?

A. Yes. I think that, you know, it's possible that there were preexisting issues for him, such as, you know, some Attention Deficit Hyperactivity Disorder symptoms. And the--you know, the complex trauma would obviously exacerbate those difficulties.

You know, it's also possible that the difficulties that, you know, were observed in the records and even with some of the testing could actually even be a function of complex trauma.

Q. Now we--we talked a little bit about, when we were referring to the school records, that there was lack of intervention for that. Did you also identify a lack of intervention related to these trauma experiences that he faced?

A. Yes. He has not had any therapy to address the--the trauma issues. There hasn't been any therapy to address the--you know, the inattentiveness, the hyperactivity. No medication management.

So there really hasn't been any intervention for the--the issues that have been identified.

Q. Okay. Now, Dr. Dickson, I want to be clear with you. You're not trying to say or testify here today that any of these deficiencies or traumas compelled him to commit the offenses such that he essentially lacked mental responsibility for committing anything, correct?

A. Correct.

Q. And you also didn't conduct any tests associated with that?

A. Correct. That was not the focus of my evaluation.

Q. Okay. I just--just want to be clear for the court.

Are you familiar with the--the treatment and resources available at Fort Leavenworth for prisoners?

A. Yes.

Q. How so?

A. I had a telephone interview with Ms. Rachel Jeter, who is one of the senior treatment providers at Leavenworth. I had a phone conversation with her and Lieutenant Colonel Chard just a little over a year ago to talk to her and learn about the treatment options that are provided at Leavenworth.

Q. Gotcha. So that conversation wasn't so attenuated in time that those same things she talked about wouldn't be in existence today.

A. Correct.

Q. And based on your knowledge of these programs and treatment opportunities that are available at Leavenworth, would you say that those could be beneficial for Petty Officer Copeland?

A. Yes.

Q. How so?

A. So, Leavenworth offers a really wide variety of treatments, very in-depth treatment. They have group therapy for individuals who have been convicted of sexual offenses. They also have group therapy for individuals convicted of nonsexual violent offenses. The sex offender treatment lasts about six months, and the assaultive offender treatment is about seven months.

In addition to the group therapies that are, you know, specifically focused on the type of crime that was committed, they also have licensed individual therapists who are trained in trauma treatment, such as cognitive processing therapy.

They also have individual therapists who are trained to work with individuals who inhibit their sex offenses to provide additional therapy in an individual setting.

In addition to those things, they have behavioral techs who provide group training for skills such as anger management, coping with anxiety, parenting skills.

They also offer job training in a variety of areas. There are educational opportunities up through earning a master's degree.

When I spoke with Ms. Jeter, they were beginning an animal assisted therapy program. They also have a pastoral counseling program, groups like AA and NA. So, they really have a very, very wide variety of--of interventions that are available there.

Q. Okay. And based on your interactions with Petty Officer Copeland, has he presented any signs that he would be unable or unwilling to participate in any type of treatment that they--that they provide to him?

A. There was nothing from my interactions with him that would suggest that, no.

Q. Have you actually seen things that would show that he has actually done treatment so far?

A. Yes. His records from the Naval Brig show that he has been participating in the programming that's offered there. They have--it looks like groups that are primarily focused on life skills, everything from resumé building to other types of coping skills for negative emotions. But he has been participating in those as well.

ADC (LCDR MORGAN): Thank you, Your Honor. Nothing further.

Trial counsel or the judge may have questions for you.

MJ: Trial counsel, cross-examination?

ATC: Yes, Your Honor.

MJ: You may proceed.

**CROSS-EXAMINATION**

**Questions by the assistant trial counsel:**

Q. Hey, good morning, Dr. Dickson.

A. Good morning.

Q. So, I kind of want to go back to the beginning of your testimony when you spoke about the--the BRIEF2A test that you conducted. Is that one of the tests that you conducted in this case?

A. That's one of the tests I conducted, yes.

Q. And in that test, you measured things like his inhibition and self-monitoring?

A. Correct.

Q. And in those categories, a score of 50 is considered average?

A. Yes, that would be an average T-score.

Q. And an average--a score of a 64 and below would be considered normal?

A. Yes. So below 60 is normal--60 to 64 potentially problematic, but it doesn't rise to the level of a significant elevation.

Q. Okay. But anywhere from zero to 64 accounts for 93 percent of all Americans, give or take.

Is that about right?

A. That's about right, correct.

Q. Okay. And Copeland scored a 65 on inhibition?

A. Yes, correct.

Q. So nearly in that--that 50 to--or, sorry, that up to 64 range?

A. Yes. Yeah. His--his score was in the mildly elevated range, correct.

Q. Okay. And he scored a 67 on self-monitoring?

A. Yes, that's correct.

Q. Also mildly elevated?

A. Yes. They were both in the mildly elevated range.

Q. And you're familiar with the concept of test-retest, reliability?

A. Yes.

Q. That means the likelihood that if he was retested, his score could change?

A. Correct.

Q. And the retest reliability for this test is about .7?

A. That sounds about accurate.

Q. Okay. And with a .7 there--around there, that means his score could actually fall within the normal range if he's retested?

A. It's possible, sure.

Q. It could even be average?

A. It's possible.

Q. And as part of your examination, you reviewed the case file and did research on Copeland's personal history like you just discussed?

A. Correct.

Q. He played sports?

A. Yes.

Q. He was a good teammate?

A. As far as I know he was a good teammate. I am aware he played a lot of sports.

Q. Okay. I guess my--my ultimate question is you didn't see any evidence of him failing to listen or follow his coaches or follow the rules?

A. Not in the sports area, correct.

Q. Right, right.

What about in JROTC? He--did you see that he was a member of that?

A. Yes.

Q. In fact, he followed the rules there too?

A. Yes, my understanding is he did.

Q. And he's obviously, you know, been in the Navy. Any evidence that he didn't show up to work on time?

A. I believe there were maybe a couple of instances. I don't have an exact count; but overall, I don't think there were major issues with that.

Q. Okay. Any other major issues with, you know, disrespect to leadership; anything like that?

A. I didn't see anything outside of the current case.

Q. And you mentioned that you spoke with a prior girlfriend of his?

A. Yes.

Q. And they had dated, you know, for a period of time and, you know, they broke up and they got back together a few times?

A. Yes. It sounds like it was kind of a typical high school relationship; off and on.

Q. Did they argue?

A. Yes. There was--she did indicate that they would argue about little things.

Q. But Copeland was never violent with her?

A. That's correct.

Q. In other words, Copeland can control himself when he wants to; is that correct?

A. I think there are probably some situations where he does better than others, sure.

Q. So, sports, JROTC, and the Navy?

A. Yes.

Q. And in prepping to testify here, you spoke with some family members?

A. Correct.

Q. You testified that collateral data is in fact very important, right?

A. Yes.

Q. But in reaching your conclusions, you did not speak with his JROTC mentor and coach, Mr. Quidachay?

A. I did not. I was able to review a statement from him. I didn't speak with him personally.

Q. Okay. Did you speak with his extended family?

A. No, sir.

Q. Okay. And you were not asked to conduct a recidivism analysis in this case, right?

A. That's correct.

Q. Okay. And you mentioned this on direct but in your report, you conclude that Copeland has weaknesses in the area of attention, inhibitory control and impulsivity, and awareness of the impact of his behavior on others and on outcomes.

Is that correct?

A. Yes, correct.

Q. Are those findings consistent with a diagnosis for antisocial personality disorder?

A. The impulsivity certainly could be. So, yeah, I would say the impulsivity could be associated with that, correct.

Q. What is antisocial personality disorder?

A. So, a personality disorder basically is a way that a person is. It's--it's basically their personality; who the individual is.

With antisocial personality disorder, generally you're dealing with an individual who has repeated violations of societal norms. That's one of the behavioral indicators. Other, you know, behavioral indicators can be irresponsibility; so, kind of, you know, relying on others as opposed to working. Impulsivity certainly is one of the things. You know, disregarding your own safety or the safety of others.

So those are some of the--the things that you might see with antisocial personality disorder.

Q. And is antisocial personality disorder difficult to treat?

A. It can be, yes.

Q. Why is that?

A. Again, because, you know, when we're dealing with personality disorders, it's less an issue of, you know, a person experiencing symptoms that don't feel good to them, that are ego-dystonic as opposed to an individual just being this is how the person is, this is who they are, and so they may not see a need for a treatment.

Q. Okay. And on direct, you said that there were treatment options available at Leavenworth, correct?

A. Correct.

Q. But you did not provide an opinion on if you believed Copeland would be successful in treatment; is that correct?

A. I apologize. Can you repeat that question?

Q. Yes, ma'am. I'm sorry.

You did not provide an opinion on if Copeland--in whether Petty Officer Copeland would be successful with treatment?

A. I did not provide that opinion, correct.

ATC: No further questions, Your Honor.

MJ: Defense counsel, redirect?

ADC (LCDR MORGAN): One moment, Your Honor.

MJ: Take your time.

ADC (LCDR MORGAN): No questions, Your Honor.

MJ: All right. Is Dr. Dickson subject to recall?

ADC (LCDR MORGAN): No, Your Honor.

MJ: Dr. Dickson, I don't know if you can see me. This is the military judge. But thank you very much for your testimony. You're excused from further participation in this court-martial. While the court-martial continues, please don't discuss your testimony with anyone except for the counsel involved.

But thank you very much, and you can drop off the call and have good day.

WIT: Thank you, Your Honor.

ADC (LCDR MORGAN): Your Honor, permission to turn off the VTC?

MJ: You may.

[The VTC connection with the witness was terminated.]

MJ: Defense counsel.

DC: At this time, Petty Officer Copeland would like to make an unsworn statement for the court.

MJ: Very well. You may proceed.

**UNSWORN STATEMENT**

ACC: Good morning, Your Honor.

I understand that my choices and decisions are what bring us all into this courtroom today. There is no excuse for what I did, and I know that no amount of words can fix the damage that I've caused. I want to apologize and say I'm truly sorry for my actions.

First, I would like to apologize to the Navy and all my shipmates for how my actions reflect upon the Navy as a whole. I was trusted to wear this uniform, and I betrayed that trust.

Second, I would like to apologize to my family standing behind me. To my mother, I'm sorry you have to be there for this. To my three sisters, I love you very much. And to my son, I know you won't understand this now, but I'll spend the rest of my life trying to take--trying to make--trying--making my life--like, my life out of his. I hope you all can forgive me and thank you for being here supporting me today.

Lastly, I want to apologize to the Resendiz family and to Ms. Castle. I took my life out of your--I took the life of your daughter, a young woman with her whole life ahead of her. She was a

ship--she was my shipmate, someone who deserved to be safe around me, someone who should have been able to trust me; instead, I commit--I committed the worst betrayal possible.

I'm also ashamed of how I acted afterwards. The way I treated her and the lies I've told. I was so afraid of facing the truth that I've--I've made everything worse. I know the pain that you've had to endure.

Nothing I--I can say will change or fix. And I never expect that you would have forgiven me, but I want you to know that I'm sorry for the pain that I've caused and my actions, and I will live with my actions for every minute of every day.

My hope is that being honest and account for my actions and expressing my sincere remorse that I can family with your--I can provide your family with some decent closure.

I have a long time ahead of me in prison and I know that doesn't compare to what I've taken from you, but I--I will do my best to become better. I plan to use counseling and therapy to continue my effort to rise above my thoughtless and tragedy actions. I will spend the rest of my life trying to be a positive force in the world and not a negative one.

Once again, I'm truly sorry.

MJ: Thank you.

ACC: Thank you, Your Honor.

MJ: Defense counsel.

DC: Defense rests, Your Honor.

MJ: Very well.

Trial counsel, do you have any rebuttal evidence to offer?

TC: No, Your Honor.

MJ: Very well.

Trial counsel, are you ready to present argument?

TC: Yes, Your Honor. May we take a brief recess? We need to bring some things into the courtroom.

MJ: Okay. Is--how much time do you need?

TC: I think 15 minutes.

MJ: Okay. Let's come back at--okay. Let's come back at 1045.

Court's in recess till 1045.

[The court-martial recessed at 1026, 9 June 2026.]

[The court-martial was called to order at 1046, 9 June 2026.]

MJ: This court-martial's called to order. All parties present when the court last recessed are once again present.

Trial counsel, you may present argument.

TC: Thank you, Your Honor.

One year ago today, in a lightly wooded area just beyond the curb of a small Norfolk residential neighborhood, down a path where children would run to get close to the creek and adjacent to an elementary school, lay this bag. Concealed behind overgrown bushes

and leaning haphazardly against a tree, missing a wheel, lay this black nylon bag.

Until that day there was nothing special about this bag; a simple black bag used to get uniforms and PT gear from boot camp to Norfolk, from point A to point B. But on that day, 9 June 2025, it held so much more than that. This bag carried what remained of a daughter, of a sister, of a friend, of a United States Navy sailor.

The story of this bag though does not begin, nor does it end on 9 June of 2025, and it is a story fraught with two common themes: Deception and manipulation. These two themes describe the conduct of this bag's owner, CS3 Jermiah Copeland, who lies to obfuscate and to avoid responsibility. And he manipulates the trust implicit in being a shipmate for his own benefit.

The sailor before you is not one who deserves relief because of youth or immaturity. His actions do not show a lack of impulse control; but instead, calculated and deliberate actions to harm others and frustrate attempts to hold him accountable for that harm. He is someone who has been given multiple chances to course correct.

Instead, he has chosen this path; the path that leads to only one appropriate sentence in this case: The maximum under the plea agreement. 480 months of confinement for the murder of Petty Officer Angelina Resendiz. 36 months for the obstruction of justice

in concealing her body for days. 36 months for the false official statement to investigators about her disappearance. 36 months for the strangulation of C.R. 3 months for the indecent recording of S.S. 36 months for the obstruction of justice as it relates to S.S. Reduction to E-1, and a dishonorable discharge.

The path that Petty Officer Copeland chose and mapped to this courtroom begins in July of 2024 on board the USS Harry S. Truman, where Petty Officer Copeland manipulated the trust of a junior sailor, ABHAN C.R.; luring her into a secluded area on the ship under false pretenses of showing concern for the relationship with her boyfriend.

When she did not submit to what he wanted her to do, he forced her; grabbed her by the throat so hard she could hardly breathe. His fingers pressed so tightly around her neck, he left bruises. When confronted by investigators, he manipulates.

What you will see throughout his crimes, even in his lies, he leaves a kernel of truth. He focuses on facts that will come out anyway because it serves him. He gets ahead of it and spins them in his favor.

This is not impulsive behavior. This is calculated. It is thoughtful; designed to gain the trust of the interviewer just enough so they believe it's plausible that maybe he's telling the truth.

In this case, though, he can't avoid the bruises. So, with no remorse, he lies and tells investigators he places his hand around her neck in a playful manner.

This story continues though, Your Honor, and less than four months later and still while under investigation for the strangulation of C.R., he comes upon another sailor, S.S., while deployed at a port call. They're at a bar, she's drunk, and she asks for help to get to the bathroom.

While in the bathroom, he films himself penetrating her. This video was never recovered, but the contents were retold by several sailors. The video depicts him smiling.

Arguably, he knows people went into the--that people saw him go into the bathroom with her, so he emerges from the bathroom with video in hand to show everyone.

S.S. reported she had no memory of what took place and had to be told by multiple coworkers about what the recording depicted.

When confronted by S.S., he again showed no remorse and lied. He told her they didn't even have sex; told her no video existed and quickly ensured the video and his phone would never be recovered. He lied to law enforcement and said he gave it to another shipmate and told others that it was in the ocean.

S.S. described the impact of this crime on her and her work center. She described herself as depressed. She was uncomfortable

with him at work and had to leave the work center during turnover just to avoid him. She described the work center as being angry with him and wanting to fight him.

Merely six months later and still under investigation for C.R. and S.S., CS3 Copeland finds himself in a new setting, a new ship, a new set of shipmates who will implicitly trust him because they must. That is the foundation of the Navy.

And there he meets a young, motivated CS. And until 28 May 2025, CS3--CS3 Angelina Resendiz had the brightest of futures. She was by all accounts a hard worker, a dedicated teammate, a person committed to making her life better. And as you heard yesterday from her friends and her coworkers, the Navy was lucky to have had her, and the Navy feels her loss.

Petty Officer Copeland though did not see another sailor in Petty Officer Resendiz. He saw an opportunity. She was recently single. And in CS3 Copeland's mind, he invited her over to make dinner in a barracks room located just across the street from where we are sitting today; in a room that Petty Officer Resendiz shouldn't have to worry about going to alone because he was her shipmate.

You saw the text messages between Petty Officer Garcia and Petty Officer Resendiz in Prosecution Exhibit 17; the tone of that evening. Petty Officer Resendiz was just going over to teach Petty Officer Copeland how to cook.

But at some point, that evening took a turn. And because CS3 Copeland again wanted to escape accountability, he murdered her.

Prosecution Exhibit 27, the digital forensic expert report, shows that around the time Petty Officer Copeland accessed his chat--his Snapchat account in the early morning hours, which corroborates his stipulation and his allocution yesterday.

Petty Officer Resendiz became distraught. As prosecution exhibits show, distraught call--she made a distraught call--distraught call to Mr. Rich; and a--in that pleading call, asking him to come and get her.

Petty Officer Copeland calmly takes the phone and simply asks how long till Mr. Rich gets there. And in that time before help can arrive, Petty Officer Copeland places his hand over Petty Officer Resendiz's mouth to keep her from making noise, to avoid any accusation that what he had done to upset her had been something nefarious. He then places his hands around her neck applying pressure until he ends her life.

This is not impulsive. This is realizing that he's going to catch yet another case and take steps to avoid accountability. Your Honor, he ended a human life and for that he must receive the maximum punishment under the guidelines.

But what comes next is why the government is asking that you find his obstruction to be the most severe under the guidelines;

the concealment of her body. His actions are deliberate, calculated, thoughtful. Not the impact, not the impulsive actions of a--of a youth as Defense Exhibit C seems to suggest. Take a look at those actions.

Petty Officer Copeland first hides her body in plain sight. In the immediate aftermath of his--of the murder he is startled by the arrival of his suite mate who returns home from leave.

When the suite mate enters the barracks room and sees a woman slumped over in Petty Officer Copeland's arm, Petty Officer Copeland barks at him to go back to his room. His suite mate trusted Petty Officer Copeland and assumed that whomever he was with maybe just was very drunk.

Petty Officer Copeland, unable to move the body into his bedroom because his roommate was in there asleep, he removes Petty Officer Resendiz's clothing and his clothing and positions their bodies in a way that gives the appearance the two of them had engaged in some sort of sexual activity in the common area. Then despite the horror that had just occurred, Petty Officer Copeland is able to fall asleep.

The next morning, his staging tactic worked and all three roommates avert their eyes as they leave for work, stealing only momentary glances at the two mostly naked bodies splayed in the

common area. Impulsivity would have been to put that body behind the couch or cover it in a blanket. He went further.

Once his roommates leave, he then moves the body of Petty Officer Resendiz into his bedroom where he laid next to--next to her--in the bed next to that body. Showing no remorse, he flips on his phone and watches pornography for hours, interrupted only by the knock at the door of--which is his chief. He lies to his chief and benefits from that chief's dereliction.

After his chief leaves, he goes to his closet and removes this black bag. And as you can see through Prosecution Exhibit 36, the X-ray that was taken of this bag by the medical examiner, Petty Officer Copeland pushed Petty Officer Resendiz's body into this bag face first, pulling her legs behind her head. And as the medical examiner theorizes, likely applied enough pressure to break several of her ribs in the process.

He then places that bag in his closet where he leaves it for four days, sleeping every night in that room mere feet from her contorted body.

On 1 June, he is questioned by law enforcement. Law enforcement recognize him as the person with the most important information; the person who steers the investigation in its most crucial hours. He tells law enforcement he dropped her off at her barracks; effectively telling them, trust me and look over there.

And then he has the audacity to send two text messages to Petty Officer Resendiz's phone, which is page 3 of Prosecution Exhibit 18. Yo, are you okay; they marked us both UA.

He sends these messages as if she's in some far away place avoiding her friends and family and not facedown in a bag in his closet. These are not the actions of an impulsive youth.

Mere hours after he told law enforcement that he had dropped her off at her barracks and under the cover of night and in the early morning hours of 2 June, he wheels this suitcase out of his closet, clunking it down two flights of stairs as if it was still full of uniforms and not a human being. The bag leaking as it makes its final trip.

He places this bag in a jeep that he had also obtained through manipulation; manipulating the trust of him roommate whom he borrowed it from. And with that jeep, he drives Petty Officer Resendiz's body all around the Norfolk Area, searching for places to leave her, searching woods and trails.

And when he finds his spot, he turns his phone into airplane mode to avoid detention. He wheels this bag through the brush, behind the overgrown bushes, and leans it haphazardly against a tree. He leaves her in the woods alone.

It is the hope that kills you. For 12 days Ms. Castle, Mr. Rich, Petty Officer Gillespie, Petty Officer Garcia, Petty

Officer Jean Jacques, Petty Officer Bryant, every NCIS agent who worked on this case hoped above all hope they could find Petty Officer Resendiz alive. And they believed that because of the false narrative that Petty Officer Copeland provided to investigators; that the last time he saw her she was alive at her barracks room. It is the hope that kills you.

And for days, each person tried desperately to recount their last interaction with her, hoping they'd see her, sometimes believing they saw her; giving investigators every last piece of information they could find and in some cases physically searching for her for days.

For nearly 12 days, law enforcement--NCIS leading the charge brought every resource they had to bear in this investigation. 4,926 manhours over a ten-day period; flying agents in from all parts of the world; enlisting planes, drones, and conducting countless interviews.

But most importantly, Ms. Castle explained the agony of not knowing where her child was for 12 days; holding out all hope that maybe, just maybe, she had really left Petty Officer Copeland's room and would return back to her friends and family.

But in the end, the worse became real for her family and friends, and Ms. Castle's fear of when her daughter joined the Navy became reality.

The final insult, the final consequence of--to his crime was that because of how he concealed her body and how long his lies were successful, he robbed Ms. Castle and her family of one final opportunity to see her daughter's face.

Your Honor, I'd like to end with that this sailor has been given every opportunity for a fresh start. Ms. LaValva in Defense Exhibit C detailed that Petty Officer Copeland thrives with structure. He excelled in sports. He listened to coaches. He followed the rules, listened to his JROTC instructor.

Petty Officer Copeland knows how to follow the rules when he wants to, when it serves him. He knows how to control his actions. And when he wants to, he does it.

And he grew up with a family, with a mother, and many aunts who clearly care deeply about him. But Petty Officer Copeland didn't listen to those coaches or to his family, but he will listen to you today with your sentence.

The story of this small black bag didn't end on 9 June 2025, and it won't end today. But through your sentence, you recognize the horrendous nature of these crimes and the impact Petty Officer Copeland had on his victims, their families, and the Navy.

You recognize the impact of the loss of the life of Petty Officer Angelina Resendiz. You specifically send a message to Petty Officer Copeland that he can no longer lie and manipulate his way out

of accountability; the accountability his family taught him. Remind him of that lesson today, Your Honor, with your sentence. True accountability begins today.

Thank you.

MJ: Defense counsel, are you prepared to argue?

DC: No. We would like the prosecution to move Prosecution Exhibit 40 from--

MJ: And--trial counsel.

TC: Yes, Your Honor.

MJ: If you could remove Prosecution Exhibit 40.

DC: They can go out this door. They don't need to parade it down the courtroom either.

MJ: In fact, let's do that because I'll--I'll need to take that into deliberations. Let's move it out here into the witness--in the deliberation room.

BAILIFF: Yes, Your Honor.

TC: Do you want the table too, Your Honor?

MJ: Does it roll?

TC: I can--

MJ: No.

TC: --pick it up, Your Honor.

MJ: That'll work, yeah.

You can just stage it in the--in the deliberation room, Mr. Bailiff.

[The bailiff did as requested.]

MJ: Let the record reflect that Prosecution Exhibit 40 has been removed to the deliberation room and the bailiff has returned to the courtroom.

Defense counsel, you may present argument.

DC: Yes, Your Honor.

Jermiah Copeland is a young man. He's already a father. He's a son, a brother, a nephew. He's a member of a close family. He is a person who made some terrible choices, but he has a family who loves him and misses him. And he did some awful things. There's no question about that.

The government has done a very good job in presenting a dearth of aggravating evidence for Charge VII. There's no question. His actions will have a lasting and devastating impact for a lot of people and the Navy.

But he has taken a big step towards real change. He came to this court, and he took responsibility; agreed to a sentence that includes the maximum confinement under the guidelines for murder. And this court will award him 40 years of confinement for Charge VII.

But there is some room for leniency in this case. Pursuant to R.C.M. 1002(c), this court must not only consider the nature and the circumstances of the offenses, but also the history and the characteristics of CS3 Copeland.

You heard from Dr. Dickson, and you read Ms. LaValva's report in Defense Exhibit C. CS3 Copeland did have some obstacles in his child. Raised by a single mother who was trying her best. There's no question that CS3 Copeland was a handful and subjected to abuse; minimized his discipline and he was the victim of sexual abuse, first by a friend and then by his own cousin.

He kept some of those things bottled up, but he acted out. His misbehavior was documented and likely led to more abuse. He acted out, either because he was suffering from Attention Deficit Disorder or as a response to trauma and maybe from a personality disorder as the trial counsel suggested.

Either way, while it was documented, it was ignored. The underlying cause went untreated. No intervention, no medication, and untreated issues rarely improve on their own and it certainly did not here.

CS3 Copeland tried to improve his situation. He participated in sports, in ROTC. He graduated from high school and joined the Navy, but he continued to act out. And, again, it was ignored; nothing to indicate that CS3 Copeland received any

treatment, medication, or interventions until he was confined. Multiple chances. It seems like there was really no chance without proper interventions.

You heard from Dr. Dickson maybe if someone had intervened, got him the help he needed, the prognosis could have been different.

There's no blame to anyone else for what CS3 Copeland did. He accepts full responsibility for his actions. But he was very young. He is still very young. He's a charismatic and social person with a whole family of people who love him. And it's hard not to wonder and wish if things could have been different for the victims, for C.R. and S.S., and certainly for CS3 A.R., but also for CS3 Copeland and his family.

You heard from his family. He was the life of the party, a born leader, and fun-loving. So much opportunity.

In Defense Exhibit F, you heard the audio of a recorded call between CS3 Copeland and his son. That's how CS3 Copeland will be a part of his son's life. That's how he will be a parent for the next 40 years. A child that he has only met once, a child who will no longer have CS3 Copeland's income to assist him.

You also heard that CS3's mother is 43. His grandmother is 65. When CS3 Copeland is released over 40 years from now, his son will no longer be a child. His mother will be over 80. And today is

likely the last time that his grandmother will see him out of prison. And those are the consequences.

And, yes, at least his family will be able to talk to CS3 Copeland, something that CS3 A.R.'s mother will never be able to do.

I simply ask that you consider how great the consequences are, not just for CS3 Copeland but for the people who love and rely on him. CS3 Copeland has already spent over a year in harsh confinement conditions; at least 22 hours a day in a cell alone.

But CS3 Copeland did his best; engaged in courses and treatment, the ones you see in Defense Exhibit E. He wants to get better. He is trying to improve.

So that brings us to Specification 1 of Charge VI, and this is where leniency is appropriate. This court must give a segmented sentence and must award only what is sufficient and no more than necessary.

A false official statement to Special Agent Gokey and, Your Honor, there is no greater mitigation for a lie than the truth.

R.C.M. 1001(g) states that a plea of guilty is a mitigating factor; that CS3 Copeland did more than just plead guilty. He came to this courtroom and provided the truth--an important truth. Deception is mitigated by accountability and truth.

The truth that the government could not have got from anywhere else. The truth that would not have come from a contested trial. The truth that hopefully brings Ms. Castle and all of CS3 A.R.'s friends and family some closure. The truth that saved the government thousands of dollars and hundreds of manhours.

The truth that saved witnesses and victims from coming to court. The truth that saved jury members from photos and evidence. The truth that ensured good order and discipline.

He agreed to face this court and the public with the truth. He agreed to a private meeting with CS3 A.R.'s mother. Like Ms. Castle said yesterday, accountability is about truth.

CS3 Copeland lied. I ask that you pay extra attention to Paragraphs 95 through 98, Defense Exhibit C, to put some perspective on that false statement. It's clear: CS3 Copeland was scared, he was selfish, he was wrong.

But he came to this court and told the truth in front of a very large audience. He was brave. He faced the public, his victim's mother, and his family. And that is fitting of mercy. That sends a message that if you do the right thing, even after you've done a terrible thing, if you come and face the truth, it will matter and you will receive mercy.

Your Honor, the sufficient punishment for Specification 1 of Charge VI is no more than 90 days of confinement. And for all the

other specifications, this court should award confinement consistent with the law and the plea agreement.

MJ: Thank you.

Before I close to deliberate on sentence, defense counsel, have you advised the accused orally and in writing of the accused's post-trial and appellate rights, including but not limited to the rights contained for rule--in Rule for Court-Martial 1010?

DC: Yes, Your Honor.

MJ: Does the accused have a copy of those post-trial and appellate rights?

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, I have Appellate Exhibit CXII. Is that the right--that's the right number, right?

DC: I don't remember.

CXI, Your Honor.

MJ: Correct. CXI.

Petty Officer Copeland, I have Appellate Exhibit CXI, which is the appellate rights advice form.

Is that your signature on the form?

ACC: Yes, sir, Your Honor.

MJ: And, defense counsel, is that your signature also on Appellate Exhibit CXI?

DC: Yes, Your Honor.

MJ: Petty Officer Copeland, did your defense counsel explain to you your post-trial and appellate rights?

ACC: Yes, sir, Your Honor.

MJ: Do you have any questions about those post-trial and appellate rights?

ACC: No, sir.

MJ: Commander Serfess, are you gonna be responsible for the post-trial and appellate?

DC: Yes, Your Honor.

MJ: Very well.

This court is closed for deliberations.

[The court-martial closed for deliberations at 1113, 9 June 2026.]

[The court-martial was called to order at 1235, 9 June 2026.]

MJ: This court-martial's called to order. All parties present when the court closed for deliberations are once again present.

Prior to announcing sentence, I have considered the defense's motion for appropriate relief for illegal pretrial confinement and deny the motion.

My findings of fact and conclusions of law will be appended to the record at Appellate Exhibit CXIII.

Accused and defense counsel, please rise.

[The accused and his counsel did as directed.]

MJ: Petty Officer Copeland, this court-martial sentences you:

**To be reduced to the pay grade of E-1,**
**To forfeit all pay and allowances,**
**To be dishonorably discharged from the Naval service,**
**And to be confined as follows:**

| | |
|---|---|
| **For the Sole Specification of Charge II:** | **18 months;** |
| **For Specification 1 of Charge III:** | **3 months;** |
| **For Specification 1 of Charge IV:** | **6 months;** |
| **For Specification 2 of Charge IV:** | **36 months;** |
| **For Specification 1 of Charge VI:** | **12 months;** |
| **And for the LIO of the Sole Specification of Charge VII:** | **480 months.** |

**The periods of confinement adjudged for the Sole Specification of Charge II, Specification 1 of Charge III, and Specification 1 of Charge IV shall be served concurrently with all other adjudged confinement.**

**The period of confinement for Specification 2 of Charge IV shall be served consecutively with the periods of confinement adjudged for Specification 1 of Charge VI and the LIO of the Sole Specification of Charge VII.**

**The period of confinement for Specification 1 of Charge VI shall be served consecutively with the periods of confinement adjudged for Specification 2 of Charge IV and the LIO of the Sole Specification of Charge VII.**

**The period of confinement for the LIO of the Sole Specification of Charge VII shall be served consecutively with the periods of confinement adjudged for Specification 2 of Charge IV and Specification 1 of Charge VI.**

**For a total period of confinement of 528 months confinement.**

You may be seated.

[The accused and his counsel did as directed.]

MJ: Do counsel agree that the adjudged--adjudged sentence complies with the terms of the plea agreement and the law?

TC: Yes, Your Honor.

DC: Yes, Your Honor.

MJ: The accused will receive 365 days of confinement credit against the accused's term of confinement.

Are there any other matters to take up before the court adjourns?

TC: Not from the government, Your Honor.

DC: Not from the defense, Your Honor.

MJ: This court is adjourned.

[The court-martial adjourned at 1237, 9 June 26.]

**[END OF PAGE]**

TRANSCRIPTIONIST

CERTIFICATION OF TRANSCRIPT

I Kara C. Myers certify that this written transcript is a true, accurate, and complete copy of the audio or other electronic recording of the court-martial proceeding in the case of U.S. v. CS3 Jermiah T. Copeland, USN, which was held at Naval Station Norfolk, Virginia, on 9 October & 10 December 2025; 5 March, 30 April, 5 June, & 8-9 June 2026.

[redacted]

(Transcriptionist)

17 July 2026

(Date)



# ARTICLE 30a
# PRELIMINARY HEARING


US v CSSN COPELAND
30a Audio Recording

[The Article 30a session was called to order at 1304, 15 September 2025.]

MJ: This Article 30a session is called to order. This prereferral proceeding is authorized by Article 30a, Uniform Code of Military Justice, and Rule for Court-Martial 309(b)(6) in the matter of a motion to review the propriety of pretrial confinement of Culinary Specialist Seaman Jermiah Copeland, United States Navy, USS James E. Williams, DDG-95.

Government counsel, please announce your detailing and qualifications and identify the court--court reporter, excuse me.

TC: Yes, Your Honor.

I'm Commander Lauren Mayo, JAG Corps, United States Navy. Both Lieutenant Christopher Dempsey and I have been detailed to this Article 30a hearing by myself as the Chief Special Trial Counsel, Office of Special Trial Counsel, Detachment Norfolk, under a grant of authority from the Lead Special Trial Counsel, Office of Special Trial Counsel, and pursuant to a memorandum of understanding with the Region Legal Service Office MIDLANT.

We are qualified and certified under Article 27(b) and sworn under Article 42(a) of the Uniform Code of Military Justice. I am also qualified and certified under Article 24a. We have not acted--we have not acted in any disqualifying manner.

MJ: Thank you.

Good afternoon, Seaman Copeland.

And I do appreciate the courtesy. You can remain seated.

ACC: Thank you, sir.

MJ: Seaman Copeland, you have the right to be represented at this prereferral Article 30a hearing by Lieutenant Commander Serfess and Lieutenant Commander Morgan, your detailed military--military defense counsel.

They are lawyers certified by the Judge Advocate General of the Navy as qualified to act as your defense counsel, and they are members of the Navy's Defense Service Organization. Their services are provided to you at no expense.

You also have the right to be represented by a military counsel of your own selection provided that the counsel you request is reasonably available.

If you were represented by a military counsel of your own selection, then your detailed defense counsel would normally be excused; however, you could request that your detailed counsel continue to represent you, but your request would not have to be granted.

Do you understand that?

ACC: Yes, sir.

MJ: In addition to your military defense counsel, you have the right to be represented by civilian counsel at no expense to the government. Civilian counsel may represent you along with your military defense counsel, or you could excuse your military counsel and be represented only by your civilian counsel.

Do you understand that?

ACC: Yes, sir.

MJ: Do you have any questions about your rights to counsel at this Article 30a prereferral proceeding?

ACC: No, sir.

MJ: By whom do you wish to be represented at this Article 30a proceeding?

ACC: Lieutenant--Lieutenant Commander Morgan and Lieutenant Commander Serfess.

MJ: And by them alone?

ACC: Yes, sir.

MJ: Very well.

Defense counsel, please announce your detailing and qualifications.

DC: Yes, sir.

All detailed members of the defense have been detailed to this court-martial by Commander Brian Barletto, Executive Officer,

Defense Service Office Southeast, by the authority delegated to him by the Commanding Officer of the same command.

All detailed members have been certified under Article 27(b) and sworn under Article 42(a) of the Uniform Code of Military Justice. And no member of the defense has acted in any manner that might tend to disqualify us from this hearing.

MJ: Very well. Thank you.

I have been properly certified and sworn, and I detailed myself to this court-martial. I'm sorry--to this proceeding. I'm not aware of any matter that might be grounds to challenge against me.

Does either side wish to question or challenge the military judge?

TC: No, Your Honor.

DC: No, Your Honor.

MJ: Very well.

Counsel for both sides appear to have the requisite qualifications, and all personnel required to have been sworn have been sworn.

So just some procedural history:

On 26 August 2025, counsel for Seaman Copeland filed a prereferral motion to review the propriety of his pretrial confinement. That motion's been marked as Enclosure (1) to this

proceeding. And evidence supporting that motion has been marked as Enclosure (2).

On the 27th of August 2025, I detailed myself--as Circuit Military Judge, I detailed myself as military judge for this Article 30a proceeding.

On 8 September 2025, counsel for the government filed a response to the defense motion. That response has been attached to this proceeding as Enclosure (3) and evidence provided in support of that response has been marked as Enclosure (4).

And then yesterday, on 14 September 2025, counsel for Seaman Copeland provided additional supplemental evidence in support of the prereferral motion, and that's been marked as Enclosure (2a).

So, counsel, with all that said, I have read all the filings and their enclosures.

And defense counsel--well, let me ask this: Who has the burden here?

DC: The defense does, Your Honor.

MJ: Okay. So, in this case, you have specifically made allegations about the conditions of Seaman Copeland's confinement that make it more difficult for you to communicate with him; and therefore, you're seeking an order from this court directing the government to permit defense counsel to meet with Seaman Copeland

privately in the same room without any glass barriers, things like that.

Is that correct? Have I summarized what your prayer for relief is?

DC: Yes, Your Honor.

MJ: Okay. Or in the alternative, you seek his release from pretrial confinement; is that correct?

DC: That's correct, if they can't--if they--if they're unable to not interfere with his representation.

MJ: Okay. I understand.

So, again, I've read your filings but before we get into any of the facts surrounding the conditions of Seaman Copeland's confinement, what--what authority do I have in this prereferral proceeding to grant the equitable relief you're seeking? What authority do I have as a prereferral military judge under Article 30a to order the brig or the government to do anything?

DC: Your Honor, the defense stands on its filings when it comes to that. We're not--so we're not asking the court to order the brig to do anything. We're asking the government to stop interfering with--with his rights to counsel and our ability to confer with our counsel, however they might execute your order. And--

MJ: Well, let me--let stop you there. You're--you--I've seen your filings. You have asked the government to do that, but you're

not asking the government to do that now. You're asking the military judge, in a prereferral proceeding under Article 30a, to order the government to do something.

So, my--my question is pretty precise: Where do I get the authority to do that?

Because I don't see it in 30a, and I don't see it in R.C.M. 309. So, if you can point me to some authority that provides the military judge the ability to do that, then we can talk about the conditions of confinement.

DC: Yes, Your Honor.

The defense's position is just like we say in our written filing; is that 30a and R.C.M. 309 do allow the judge to do that, because it--

MJ: Okay. So--so point to me where in 30a or R.C.M. 309 it says I can order the government to do something, because I don't see that in the writing of R.C.M. 309 or in Article 30a.

DC: R.C.M. 309(a)(1) says that the--that you can order remedies as necessary to further the purpose of the proceedings.

MJ: Does it say the word "remedies"?

That's what your--that's what your motion says, but that's not what the rule says.

DC: Well now you have me doubting myself, Your Honor.

MJ: And I'm pulling it up too.

DC: It says may issue such rulings and orders as necessary to further the purpose of the hearing.

MJ: Okay.

DC: So, it doesn't say "remedies" but "orders," and that's what we're asking. Our remedy is an order so--excuse me.

MJ: Hold on. Hold on.

That's in the general section under 30a.

DC: Yes.

MJ: Under R.C.M. 309(a).

DC: That's correct.

MJ: And then under R.C.M. 309(b), it says the different types of proceedings that may be handled under R.C.M. 309 in--under Article 30a.

DC: Yes, Your Honor.

MJ: So, Article 30a is the--legislation that authorizes a military judge to handle things prereferral.

Because, again, courts-martial are not standing courts. In this case there's been no convened court. There's been no charges referred to a court, so there aren't the general judicial powers you have at a court-martial.

DC: Yes, Your Honor.

MJ: So, I am limited by 30a under what we can do in these prereferral proceedings.

DC: Yes, Your Honor.

MJ: So R.C.M. 309(b) is the President's regulations that tell those different types of proceedings, and it's about investigative subpoenas and warrants. It's--it's enforcing victims rights under Article 6b, it's handling material that's sent back from an appellate court; and under R.C.M. 309(b)(6), it's pretrial confinement of the accused.

So, I look at the language in--in (a) when it says I can order rulings and orders as necessary in furtherance of these proceedings. To me, that sounds like I can order you to appear at this hearing. I can set rules for this procedure. But it--but it doesn't talk about the remedies that I can provide.

But if I go back to 30a, it says the President shall prescribe the limited relief permitted under these proceedings and he does that in (b)(6). He gives me one relief.

DC: So, it--so I don't agree with you, Your Honor. I know you do not like it when I say that you're--that you're wrong, but we are--we are--we are reading this differently.

So first of all, I do think that R.C.M. 309(a)(1) is applicable to all of the things under 309; otherwise, it really has no purpose whatsoever. And then when you get to--when you--

MJ: Well, I mean, it--it does. I mean, I can order a hearing. I can order production of witnesses. I mean, I can--I can--I mean,

that's what that's for. It allows me to--you know, again, as a military judge in a court-martial, I have certain authority. As a military judge during the 30a, I only have the authority the President gives me.

DC: Yes, Your Honor.

MJ: And so--so I can order people to appear as witnesses at this proceeding, which I wouldn't be able to do unless I had that language.

DC: Yes, Your Honor. But I--I also think that it allows you to order remedies.

And--and further, it says a military judge may order the release from pretrial confinement. It doesn't say that the military judge may only order the release, because it allows you to review the propriety of the pretrial confinement. And the word "propriety," like I said in here, means the state or quality of.

So, it--it defies logic that you could order release, but you couldn't order something less severe than release, which here is just--

MJ: Well, I--I think--well, unless you're reading propriety too large. Because the argument--the argument would be the opposite of that; is that the President says I can review whether or not Seaman Copeland should remain in pretrial confinement.

But once he's in pretrial confinement, my authority to review the conditions of that confinement at this prereferral proceeding just aren't there.

And--and if you look at--if you look at (b)(6), when--when may I review the propriety of pretrial confinement?

DC: After the IRO.

MJ: So--so why would the President allow me to look at the propriety of pretrial confinement and include the conditions of confinement only after the IRO has done it? I mean, the IRO doesn't have to happen until seven days. There could be all manner of things going on in those seven days.

And, oh, by the way, the IRO is specifically explicitly excluded from looking at the conditions of confinement. The IRO looks at the things in 3-0--305(j), and that has nothing--nothing to do with confinement.

So why would--why would the President include propriety to mean the conditions of confinement?

DC: So, a couple things there, Your Honor. So, the reason that it's not till after the IRO is clearly that you don't--wouldn't even know if pretrial confinement was necessary unless the IRO had already happened.

And two, I guess we also disagree on what the IRO can review, because the IRO officer is to review the--the type of

confinement, the severity of confinement; otherwise, he can't review if less severe forms of restraint would be adequate.

MJ: Okay. I understand your argument.

Government, I'm gonna let you be heard just on this point; just on whether or not I have authority to consider equitable remedies like ordering the brig to do something.

TC: Yes, Your Honor. And I concur with--with your analysis earlier.

Just to add that 309(a)(2) says that the matters that may be considered and ruled upon by a military judge under this rule are limited to those matters specified in R.C.M. 309(b).

So, while there is that general provision in (a)(1, (a)(2) let's it be heard--known that it's limited to those specific bases in (b). And I concur with your analysis, sir, that that is specific to the--the decision made by the initial review officer as terms of whether to keep them in confinement or not, not the conditions of those confinement.

MJ: Okay. Thank you.

I'll give you the last word on this point.

DC: But just on that note, specified in--in (b)--and one of the things specified is the pretrial confinement of an accused. And so that's what we're asking the court to review is the pretrial confinement of the accused.

MJ: I--I--the court agrees there. But what I'll say is I--so I--I don't believe this court, at the prereferral proceeding, the authority to issue the equitable relief you're seeking.

So, to the extent your motion asks for me to order the government to do anything, that part--that portion of your motion is denied.

I do believe I have the review--the ability to review his pretrial confinement and--but I--but even there, I am limited to authorizing release pursuant to R.C.M. 305(k)(1). Nothing in your motion--there are three--three different criteria or three different scenarios in which I could release--I could order release under 305(k)(1) and your motion doesn't--doesn't indicate or doesn't argue for any of those three conditions.

Do you want to be heard on that?

DC: No, Your Honor, not at this time.

MJ: Okay. So you are not seeking relief based on R.C.M. 305(k)?

DC: That's correct.

MJ: Very well.

Government, anything else to take up?

TC: No, Your Honor.

MJ: Is there a crime victim who wishes to be heard?

TC: No, Your Honor.

MJ: Very well.

Defense motion is denied--or confinings to motion--motion is denied.

Anything else to take up before we adjourn?

TC: Only, Your Honor, that I failed to put Ms. Cheek on the record as the detailed court reporter. Everything else--

MJ: Ms. Cheek is the detailed court reporter and she's been previously sworn. Thank you very much.

TC: Yes, sir. Nothing else from the government.

MJ: This Article 30a session is adjourned.

[The Article 30a session adjourned at 1318, 15 September 25.]

**[END OF PAGE]**

TRANSCRIPTIONIST

CERTIFICATION OF TRANSCRIPT

I Kara C. Myers certify that this written transcript is a true, accurate, and complete copy of the audio or other electronic recording of the Article 30a proceeding in the case of U.S. v. CS3 Jermiah T. Copeland, USN, which was held at Naval Station Norfolk, Virginia, on 15 September 2025.

[redacted]

(Transcriptionist)

17 July 2026

(Date)

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 6 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 6 of 25, and Article 30a Proceedings.



# 30a PROCEEDINGS

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **LIST OF ARTICLE 30a MATTERS**<br><br>**8 October 2025** |

1. Investigative Subpoena – Navy Federal Credit Union – GRANTED
    a. Requested: 2 June 2025
    b. Ruled: 2 June 2025 – CAPT Frank Hutchison, JAGC, USN

2. Order for Stored Communications – AT&T – GRANTED
    a. Requested: 4 June 2025
    b. Ruled: 4 June 2025 - LCDR Paul LaPlante, JAGC, USN

3. Order for Stored Communications – T-Mobile – GRANTED
    a. Requested: 4 June 2025
    b. Ruled: 5 June 2025 - LCDR Paul LaPlante, JAGC, USN

4. Warrant – AT&T – GRANTED
    a. Requested: 2 June 2025
    b. Ruled: 2 June 2025 - LCDR Paul LaPlante, JAGC, USN

5. Warrant – T-Mobile – GRANTED
    a. Requested: 4 June 2025
    b. Ruled: 5 June 2025 - LCDR Paul LaPlante, JAGC, USN

6. Warrant – Google – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

7. Order for Stored Communications – TransUnion - **DENIED**
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

c. Decision Details: PSL: MJ emailed TC asking for authority that TransUnion falls under SCA. TC responded with PDF from LE Guidance that says TransUnion told LE that they fall under SCA. MJ responded asking for additional authority. No response yet, thus MJ is closing as not issued.

8. Order for Stored Communications – Uber – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 - LCDR Paul LaPlante, JAGC, USN

9. Order for Stored Communications – Uber – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 - LCDR Paul LaPlante, JAGC, USN

10. Investigative subpoena – Navy Federal Credit Union – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

11. Order for Stored Communications – Apple – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

12. Order for Stored Communications – Apple – GRANTED
    a. Requested 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

13. Investigative Subpoena – Snapchat
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

14. Warrant – Snapchat – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

15. Investigative Subpoena – Cox Communications – GRANTED
    a. Requested: 5 June 2025
    b. Ruled: 5 June 2025 – LCDR Paul LaPlante, JAGC, USN

16. Warrant – Snapchat - **DENIED**
    a. Requested: 6 June 2025
    b. Ruled: 6 June 2025 – LCDR Paul LaPlante, JAGC, USN

c. Decision Details: PSL: MJ closing for lack of PC.

17. Investigative Subpoena – Cox Communications – GRANTED
    a. Requested: 6 June 2025
    b. Ruled: 6 June 2025 – LCDR Paul LaPlante, JAGC, USN

18. Warrant – Apple – GRANTED
    a. Requested: 6 June 2025
    b. Ruled: 6 June 2025 – LCDR Paul LaPlante, JAGC, USN

19. Investigative subpoena – Equifax – GRANTED
    a. Requested: 6 June 2025
    b. Ruled: 6 June 2025 - LCDR Paul LaPlante, JAGC, USN

20. Warrant – Apple – GRANTED
    a. Requested: 6 June 2025
    b. Ruled: 6 June 2025 – LCDR Paul LaPlante, JAGC, USN

21. Order for Stored Communications – Verizon – GRANTED
    a. Requested 7 June 2025
    b. Ruled: 7 June 2025 – LCDR Paul LaPlante, JAGC, USN

22. Order for Stored Communications – Verizon – GRANTED
    a. Requested 7 June 2025
    b. Ruled: 7 June 2025 – LCDR Paul LaPlante, JAGC, USN

23. Investigative Subpoena – Navy Federal Credit Union – GRANTED
    a. Requested 8 June 2025
    b. Ruled: 8 June 2025 – LCDR Paul LaPlante, JAGC, USN

24. Order for Stored Communications – T-Mobile – GRANTED
    a. Requested: 8 June 2025
    b. Ruled: 8 June 2025 – LCDR Paul LaPlante, JAGC, USN

25. Investigative Subpoena – Cash App (Block, Inc.) – GRANTED
    a. Requested: 9 June 2025
    b. Ruled: 10 June 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED following clarification of recipient of Investigative Subpoena (see supplemental ruling document ; included for the record).

26. Investigative Subpoena – Langley Federal Credit Union – GRANTED
    a. Requested: 12 June 2025
    b. Ruled: 12 June 2025 – CDR Jason Pfeil, JAGC, USN

27. Investigative Subpoena – Cash App (Block, Inc.) – GRANTED
    a. Requested: 16 June 2025
    b. Ruled: 16 June 2025 – CDR Jason Pfeil, JAGC, USN

28. Warrant – Google – GRANTED
    a. Requested: 20 June 2025
    b. Ruled: 20 June 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: GRANTED with Attachments A and B AS ISSUED and uploaded to supplemental ruling documents. The Court finds the facts do not provide probable cause for "video calling" records as requested in Attachment B, Section 1, paragraph c.

29. Warrant – Snapchat - **DENIED**
    a. Requested: 20 June 2025
    b. Ruled: 20 June 2025
    c. Decision Details: Request DENIED. Without more, the facts written in the Affidavit do not support probable cause to believe that evidence of a crime will be found at Snapchat.

30. Investigative Subpoena – Reddit – GRANTED
    a. Requested: 10 July 2025
    b. Ruled: 17 July 2025 - LCDR Paul LaPlante, JAGC, USN
    c. Note: PSL: MJ emailed TC on 11 July 2025 requesting that DD453 be drafted and an attachment be included. No response from TC has been received. Closing as "Not Issued." But TC can make a new request with the necessary information.

31. Order for Stored Communications – T-Mobile – **DENIED**
    a. Requested: 14 July 2025
    b. Ruled: 14 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The jurat block on the application for the order is dated 14 June 2025, one month before the NCIS Special Agent signed the application, 14 July 2025. Because of that discrepancy, the application is not properly sworn and fails to comply with the requirements of JAGMAN 0132Cc: "c. Submission of applications for warrants and orders. All applications for . . . orders will be presented by a trial counsel in the applicable circuit to the circuit

military judge or circuit military judge's designee in the circuit where the warrant or order is sought . . . . The application must be sworn to and signed by the applicant."

32. Order for Stored Communications – T-Mobile - **DENIED**
    a. Requested: 14 July 2025
    b. Ruled: 14 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The jurat block on the application for the order is dated 14 June 2025, one month before the NCIS Special Agent signed the application, 14 July 2025. Because of that discrepancy, the application is not properly sworn and fails to comply with the requirements of JAGMAN 0132Cc: "c. Submission of applications for warrants and orders. All applications for . . . orders will be presented by a trial counsel in the applicable circuit to the circuit military judge or circuit military judge's designee in the circuit where the warrant or order is sought . . . . The application must be sworn to and signed by the applicant."

33. Order for Stored Communications – T-Mobile - **DENIED**
    a. Requested: 14 July 2025
    b. Ruled: 14 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The jurat block on the application for the order is dated 14 June 2025, one month before the NCIS Special Agent signed the application, 14 July 2025. Because of that discrepancy, the application is not properly sworn and fails to comply with the requirements of JAGMAN 0132Cc: "c. Submission of applications for warrants and orders. All applications for . . . orders will be presented by a trial counsel in the applicable circuit to the circuit military judge or circuit military judge's designee in the circuit where the warrant or order is sought . . . . The application must be sworn to and signed by the applicant."

34. Investigative Subpoena – Reddit – GRANTED
    a. Requested: 17 July 2025
    b. Ruled: 18 July 2025 – CDR Jason Pfeil, JAGC, USN

35. Order for Stored Communications – T-Mobile – GRANTED
    a. Requested: 18 July 2025
    b. Ruled: 21 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED, except for Attachment A, para. A.4: The Court finds that these data require different process than an order under title 18,

United States Code, Section 2703. United States v. Carpenter, 585 U.S. 596 (2018). Corrected Order (correcting typo) Uploaded: 21 July 2025 at 1404.

36. Order for Stored Communications – T-Mobile – GRANTED
    a. Requested: 18 July 2025
    b. Ruled: 21 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED, except for Attachment A, para. A.4: The Court finds that these data require different process than an order under title 18, United States Code, Section 2703. United States v. Carpenter, 585 U.S. 596 (2018). Corrected Document Uploaded (correcting typo): 21 July 2025 at 1408.

37. Order for Stored Communications – T-Mobile – GRANTED
    a. Requested: 18 July 2025
    b. Ruled: 21 July 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED, except for Attachment A, para. A.4: The Court finds that these data require different process than an order under title 18, United States Code, Section 2703. United States v. Carpenter, 585 U.S. 596 (2018). Corrected Order (correcting typo) Uploaded: 21 July 2025 at 1415.

38. Warrant – Apple/iCloud – GRANTED
    a. Requested: 6 August 2025
    b. Ruled: 12 August 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED with Attachments A and B AS ISSUED as uploaded to supplemental ruling documents. The Court finds that there is insufficient facts to provide probable cause to search the iCloud account for 4-6 November.

39. Investigative Subpoena – Oak Harbor High School – GRANTED
    a. Requested: 7 August 2025
    b. Ruled: 11 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED. Please remember to put your name and contact information in the request for relief section vice the clerk of court.

40. Investigative Subpoena – Reddit – GRANTED
    a. Requested: 7 August 2025
    b. Ruled: 11 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED. Please remember to include your own name and contact information in the request for relief section vice the clerk of court.

41. Warrant – AT&T – GRANTED
    a. Requested: 11 August 2025
    b. Ruled: 13 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED with Attachments A and B AS ISSUED in supplemental ruling documents. Based on the facts in the affidavit, the Court finds for Attachment B: (1) the following items are not supported by probable cause: - i.3. for "email", "video calling", "application visited or accessed", "bookmarks", "applications accessed", "applications and/or third party applications", and "application and/or third party applications". (2) the following items are not sufficiently particular under the Fourth Amendment: - i.3. for "domain accessed"; and - ii.vi. in its entirety: Without more particularity the Court cannot determine if this is supported by probable cause. The Court Decision Details that the DD Form 3057 referenced an "attached Affidavit (Attachment C)"; however, the Court found no such document. The Court considered the document designated as the affidavit without being called "Attachment C" as the mentioned affidavit. The Court considers this a scrivener's error on the DD Form 3057.

42. Warrant – Meta - **DENIED**
    a. Requested: 11 August 2025
    b. Ruled: 13 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The affidavit was not sworn to as required by the Fourth Amendment and JAGMAN 0132Cc.

43. Warrant – Sony - **DENIED**
    a. Requested: 13 August 2025
    b. Ruled: 18 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The Court finds, based on the facts pertinent to Sony Interactive Entertainment and the PlayStation in the common room, that are contained in paragraphs 28-30, and 60-61 of the affidavit: the timeframe in Attachment B is overbroad, to the extent it reaches beyond the day before and the day after 3 June 2025; and the items requested in Attachment B, Section I, paragraph f and Section II, paragraphs c, d, and g are overbroad.

44. Warrant – Meta – GRANTED
    a. Requested: 14 August 2025
    b. Ruled: 18 August 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED with Attachments A and B AS ISSUED in supplemental ruling documents. The Court finds no probable cause to search Facebook because no facts in the probable cause section of the affidavit, paragraphs 53-60, mention Facebook; and Attachment A has been reformed

accordingly. Further, the Court finds the request in Attachment B, Section I, paragraph f, no probable cause to support "information geotags[.]" Further, the Court finds the request that the Court authorize the Government to seize "[a]ll relevant content to the crimes under investigation" overbroad and lacks the particularity required by the Fourth Amendment.

45. Investigative Subpoena – Equifax – GRANTED
    a. Requested: 18 August 2025
    b. Ruled: 18 August 2025 - CDR Jason Pfeil, JAGC, USN

46. Investigative Subpoena – Life360 – GRANTED
    a. Requested: 26 August 2025
    b. Ruled: 26 August 2025 – CDR Jason Pfeil, JAGC, USN

47. Warrant – T-Mobile – **DENIED**
    a. Requested: 26 August 2025
    b. Ruled: 1 September 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED as overbroad and lacks probable cause for much of the information requested in Attachment B.

48. Warrant – T-Mobile – **DENIED**
    a. Requested: 26 August 2025
    b. Ruled: 2 September 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED as overbroad and lacks probable cause.

49. Warrant – T-Mobile – **DENIED**
    a. Requested: 26 August 2025
    b. Ruled: 2 September 2025 – CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED as overbroad and lacks probable cause.

50. Motion – Pretrial Confinement of the Accused – **DENIED**
    a. Requested: 26 August 2025
    b. Ruled: 15 September 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: The court is without authority to grant the relief requested. Specifically, the Confinee requested that the MJ order the government to permit greater access to counsel while he is in pretrial confinement, asserting that overly restrictive conditions at the Brig interfere with his 6th Amendment rights. Article 30a provides limited authority for MJs pre-referral. Specifically, Article 30a(a)(1)(E)(i) directs the President to prescribe regulations for matters related to pre-referral proceedings related to "pre-trial confinement of an accused." Article

30a(a)(2)(D) directs the President to provide such limitations on the relief that may be ordered. The President issued RCM 309(b)(6) authorizing a MJ to review the propriety of PTC and authorizes a MJ to order release from PTC under the provisions of RCM 305(k)(1). The President has not authorized MJs to grant the equitable relief sought by the confinee and the confinee has not argued for release pursuant to RCM 305(k)(1).

51. Warrant – Sony – GRANTED
    a. Requested: 2 September 2025
    b. Ruled: 2 September 2025 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED with Attachments A and B AS ISSUED in supplemental ruling documents. Regarding Attachment B, Section II, paragraph d., the Court only finds the requests for Online search history and system usage information supported by probable cause, and conformed Attachment B to the probable cause. Corrected email address in Attachment A to conform to paragraph 58 in Affidavit.

52. Investigative Subpoena – Life 360 – GRANTED
    a. Requested: 4 September 2025
    b. Ruled: 4 September 2025 - CDR Jason Pfeil, JAGC, USN

53. Investigative Subpoena – Coupeville High School – GRANTED
    a. Requested: 4 September 25
    b. Ruled: 4 September 25 – CDR Jason Pfeil, JAGC, USN

54. Investigative Subpoena – Google – GRANTED
    a. Requested: 9 September 25
    b. Ruled: 9 September 25 – CDR Jason Pfeil, JAGC, USN

55. Warrant – T-Mobile – GRANTED
    a. Requested: 9 September 25
    b. Ruled: 10 September 25 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request GRANTED with attachments A and B AS ISSUED in supplemental ruling documents. The Court reformed Attachment B, Section ii to the information T-Mobile was directed to provide in Attachment B, Section i.

56. Warrant – T-Mobile – GRANTED
    a. Requested: 9 September 25
    b. Ruled: 11 September 25 - CDR Jason Pfeil, JAGC, USN

c. Decision Details: Request GRANTED with attachments A and B AS ISSUED in supplemental ruling documents. The Court reformed Attachment B, Section ii to the information T-Mobile was directed to provide in Attachment B, Section i.

57. Warrant – T-Mobile – GRANTED
    a. Requested: 9 September 25
    b. Ruled: 11 September 25 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: The Court Decision Details that the DD Form 3057 was not dated by the officer administering the oath to the Agent. However, the officer's CAC signature indicated a signature on 9 September 2025 at 13:32:29 which is after the Agent's CAC signature on 9 September 2025 at 13:20:40. The court relied on the date of the officer's CAC signature in finding this was a properly sworn application as required by JAGMAN 0132Cc.

58. Investigative Subpoena – Epiarx – GRANTED
    a. Requested: 16 September 2025
    b. Ruled: 16 September 2025 – CDR Jason Pfeil, JAGC, USN

59. Warrant – T-Mobile - **DENIED**
    a. Requested: 16 September 25
    b. Ruled: 17 September 25 - CDR Jason Pfeil, JAGC, USN
    c. Decision Details: Request DENIED. The Court finds the application is not supported by probable cause. The application requests a warrant investigating allegations of Desertion (Article 85) and Unauthorized Absence (Article 86) (UA). However, the attached Affidavit only discusses alleged violations of False Official Statement (Article 107), Murder (Article 118), and Obstruction of Justice (Article 131b) by CSSN Copeland; it does not provide probable cause to believe that evidence of Desertion and UA will be found in CSSN Resendiz's T-Mobile account.

60. Warrant – T-Mobile – GRANTED
    a. Requested: 29 September 25
    b. Ruled: 30 September 25 – CDR Mishonda Mosley, JAGC, USN

61. Warrant – T-Mobile – GRANTED
    a. Requested: 29 September 2025
    b. Ruled: 30 September 2025 - CDR Mishonda Mosley, JAGC, USN

62. Application for victim designation – **DENIED**
    a. Requested: 8 October 2025

b. Ruled: 8 October 2025 – CAPT Frank Hutchison, JAGC, USN
c. Decision Details: The matter is no longer appropriate for submission under RCM 309 since charges have been referred. Resubmit the application, citing RCM 801(a)(6) vice RCM 309(b)(5), and serve on defense counsel.

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. _____ *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250609 |
| Time: | 0927 |
| Location: | Email to: |
| | matthew.miller@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to Angelina Resendiz (Routing 2560 74974) (Account: [redacted] from 2 May 2025 until present

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as Military Judge
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court
757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____ 0927
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In re Navy Federal Credit Union Records of CSSN Angelina Resendiz, USN** | **APPLICATION FOR ORDER OF DELAYED NOTICE PURSUANT TO 12 U.S.C. § 3409 OF THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978**<br><br>**2 June 2025** |

MOTION

1. Pursuant to 12 U.S.C. § 3409(b)(1), if the Court signs the requested investigative subpoena (**Exhibit B**) the Government applies for this Court to enter an Order delaying the customer notice that may be required to CSSN Angelina Resendiz, USN, under the Right to Financial Privacy Act of 1978 for a period of ninety days.

FACTS

2. a. On 30 May, 2025, Naval Criminal Investigative Service ("NCIS") Investigators commenced an investigation into accusations of Article 86, UCMJ committed by CSSN Angelina Resendiz (the "Investigation.") *See* the Affidavit of Special Agent Matthew Miller of June 2, 2025 attached as **Exhibit A** in support of this Application.

b. The Investigation is being conducted within the lawful jurisdiction of the federal government of the United States.

c. Due to the nature of the allegations, as a necessary investigative step relevant to this legitimate law enforcement inquiry, the Government has submitted a request to this Court for an investigative subpoena *duces tecum* (**Exhibit B**), pursuant to R.C.M 703, to Navy Federal Credit Union seeking the following categories of documents:

i. Financial records;

ii. Basic subscriber information; and

iii. Transaction information.

The draft subpoena *duces tecum* is attached as **Exhibit B** in support of this Application.

d. The documents listed in paragraph 2(c) of this Application are relevant to a legitimate law enforcement inquiry. **Exhibit A**.

e. There is reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same. **Exhibit A**.

LAW AND ARGUMENT

3. In the event the Court makes a finding required in 12 U.S.C. §§ 3409(1) - (3), the Court has the authority to enter an Order delaying the period of providing required customer notice for a period not to exceed ninety days. 12 U.S.C. § 3409(b)(1). The Government has the power to file additional applications for subsequent periods of delay after the expiration of the initial ninety-day period. 12 U.S.C. § 3409(b)(2).

RELIEF REQUESTED

4. Evidence Offered in Support of Motion.

a. Affidavit of NCIS Special Agent Matthew Miller of June 2, 2025 attached hereto as **Exhibit A**.

b. The draft subpoena *duces tecum* of June 2, 2025, attached hereto as **Exhibit B**.

5. Relief Requested.

a. The Government respectfully requests this Court:

i. make a finding that the evidence offered in support of this Application meets the requirements of 12 U.S.C. §§ 3409(1) - (3); and

ii. enter an Order delaying the customer notice that may be required under the Right to Financial Privacy Act of 1978 for a period of ninety days.

Respectfully Submitted,

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In re Navy Federal Credit Union Financial Records of CSSN Angelina Resendiz, USN** | **AFFIDAVIT OF SPECIAL AGENT MATTHEW MILLER**<br><br>**2 June 2025** |

1. I, Special Agent Mathew Miller, am currently employed as a special agent with the Naval Criminal Investigative Service ("NCIS"). I have worked for NCIS for over 10 years. I am currently a Supervisory Special Agent with the Norfolk Field Office.

2. On June 1, 2025, NCIS commenced an investigation into accusations of a violation of Article 86, UCMJ committed by CSSN Angelina Resendiz, USN ("Accused"). I am the Lead Special Agent assigned to this investigation. The NCIS case number for the investigation is 01JUN25NFNF-00237-7MNA.

3. Due to the nature of the allegations, I determined it was a necessary investigative step to pursue and review the following categories of the Accused's financial records from Navy Federal Credit Union: Basic subscriber information and transactions pertaining to account number: [redacted]

4. These financial records are relevant and necessary to the investigation of the allegations against the Accused because the requested records will assist in identifying the location of the Accused and any means of transportation she may have utilized.

5. I have reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is a substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same. I base my opinion on the following evidence and facts that I have observed and/or reviewed:

a. The suicidal ideation previously expressed by the Accused and her distressed state immediately prior to her entering a UA status; and

b. The nature of the offense as being in an unauthorized absence status will mean she will likely change her patterns to avoid being caught if she knows we are tracking her location.

I declare under penalty of perjury that the foregoing is true and correct.

2 June 2025

[redacted]

Matthew Miller

Supervisory Special Agent

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE NAVY FEDERAL CREDIT UNION: APPLICATION OF THE UNITED STATES OF AMERICA FOR ORDER PURSUANT TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier: XXXXXXXX |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

The Court finds that the investigation is being conducted within the lawful jurisdiction of the federal government of the United States and the United States has offered specific and articulable facts showing that the requested documents are relevant to a legitimate law enforcement inquiry.

The Court further determines that there is reason to believe that customer notice required under the Right to Financial Privacy Act of 1978 will result in substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

IT IS THEREFORE ORDERED, that any required customer notice regarding the application of the United States, or the existence of this Order of the Court, shall not be disclosed to the customer of the account(s) listed in Attachment A, or to any other person, for ninety (90) days following the date of this Order, except that Navy Federal Credit Union may disclose this Order to an attorney for Navy Federal Credit Union for the purpose of receiving legal advice. This Order is subject to renewal upon a proper showing under 12 U.S.C. § 3409(b)(2).

IT IS FURTHER ORDERED that the application and this Order are sealed until further order of the Court.

SO ORDERED:

Date: _____ _____

Norfolk, Virginia United States Military Judge

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Angelina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

| | |
|---|---|
| Date: | 20250609 |
| Time: | 1130 |
| Location: | Email to: |
| | matthew.miller@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to Angelina Resendiz (Routing: 2560 74974) (Account: [redacted] from 2 May 2025 until present

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CAPT Frank D. Hutchison, JAGC, USN *Name* on 20250602 *Date* as Military Judge *Issuing Authority*

6 [redacted] Digitally signed by HUTCHISON FRANKIE DELANO [redacted] Date: 2025.06.02 11:30:45 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ 1130
*Name of Server* *Signature* *Date and Time of Service*

*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE NAVY FEDERAL CREDIT UNION:<br>APPLICATION OF THE<br>UNITED STATES OF AMERICA FOR<br>ORDER PURSUANT TO THE<br>RIGHT TO FINANCIAL PRIVACY ACT<br>OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier:<br>01JUN25NFNF-00237-7MNA |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

The Court finds that the investigation is being conducted within the lawful jurisdiction of the federal government of the United States and the United States has offered specific and articulable facts showing that the requested documents are relevant to a legitimate law enforcement inquiry.

The Court further determines that there is reason to believe that customer notice required under the Right to Financial Privacy Act of 1978 will result in substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

IT IS THEREFORE ORDERED, that any required customer notice regarding the application of the United States, or the existence of this Order of the Court, shall not be disclosed to the customer of the account(s) listed in Attachment A, or to any other person, for ninety (90) days following the date of this Order, except that Navy Federal Credit Union may disclose this Order to an attorney for Navy Federal Credit Union for the purpose of receiving legal advice. This Order is subject to renewal upon a proper showing under 12 U.S.C. § 3409(b)(2).

IT IS FURTHER ORDERED that the application and this Order are sealed until further order of the Court.

SO ORDERED:



Date: 2 June 2025
Norfolk, Virginia

United States Military Judge

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**2 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

6. CSSN Resendiz has a bank account with Navy Federal Credit Union. The account number is [redacted] The routing number is 256074974.

## INFORMATION AND RECORDS REQUESTED

7. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Navy Federal Credit Union for the records of CSSN Angelina Resendiz's checking account number [redacted] from 2 May 2025 until present. This includes records regarding withdrawals, deposits ,and transfers to determine where CSSN Resendiz may be located.

## REASON FOR REQUEST

10. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

11. For these reasons, we respectfully request a subpoena for Navy Federal Credit Union to produce the account information associated with CSSN Angelina Resendiz.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring AT&T Wireless, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that AT&T Wireless shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that AT&T Wireless shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that AT&T Wireless may disclose this Order to an attorney for AT&T Wireless for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAU[redacted]
L.SPENCER.[redacted]
Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted]
Date: 2025.06.04 14:49:49 -07'00'

United States Military Judge

4 June 2025
Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following email account:

[redacted] between 29MAY25 through 01JUN25

## II. Records and Other Information to Be Disclosed

AT&T Wireless is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring AT&T Wireless, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that AT&T Wireless shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that AT&T Wireless shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that AT&T Wireless may disclose this Order to an attorney for AT&T Wireless for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following email account:

[redacted] between 29MAY25 through 01JUN25

## II. Records and Other Information to Be Disclosed

AT&T Wireless is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 02JUN25-NFNF-00237-7MNA<br>) **Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require AT&T Wireless, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted] annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. AT&T Wireless is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require AT&T Wireless, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, NCIS interviewed COPELAND and he relayed his telephone number is [redacted] Additionally, COPELAND's command advised COPELAND communicated with his command via telephone number [redacted]

16. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States

requests that AT&T Wireless be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require AT&T Wireless not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN.[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.04 17:02:43 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 4th day of June, 2025.

[redacted]
Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 02JUN25-NFNF-00237-7MNA<br>) **Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require AT&T Wireless, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted] annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. AT&T Wireless is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require AT&T Wireless, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

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14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, NCIS interviewed COPELAND and he relayed his telephone number is [redacted] Additionally, COPELAND's command advised COPELAND communicated with his command via telephone number [redacted]

16. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States

requests that AT&T Wireless be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require AT&T Wireless not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN [redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN [redacted] Date: 2025.06.04 17:02:43 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 4th day of June, 2025.

[redacted]

Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require AT&T Wireless, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted] annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. AT&T Wireless is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require AT&T Wireless, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, NCIS interviewed COPELAND and he relayed his telephone number is [redacted] Additionally, COPELAND's command advised COPELAND communicated with his command via telephone number [redacted]

16. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States

requests that AT&T Wireless be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require AT&T Wireless not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

[redacted]

CDR, JAGC, USN

**From:** Mayo, Lauren A CDR USN (USA)
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA)
**Subject:** Re: Copeland AT&T Order
**Date:** Wednesday, June 4, 2025 5:14:47 PM
**Attachments:** Application for 18 USC 2703(d) with order ICO COPELAND agent signed.pdf

---

LCDR LaPlante,

Attached is a sworn application. The potential crimes that are under investigation are Art. 107 and Art 86.

Please let me know if I can provide any additional information.

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

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**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA)
**Sent:** Wednesday, June 4, 2025 4:32 PM
**To:** Mayo, Lauren A CDR USN (USA)
**Subject:** Copeland AT&T Order

Good afternoon CDR Mayo,

I have reviewed the request for an order from AT&T ICO Copeland. Based on the application, I believe it will meet all the requirements so that I can grant the order. However, your application needs to be sworn to before I can sign the order. Additionally, the application should state at least one potential crime that is being investigated under the UCMJ to ensure I have jurisdiction to sign the order.

I do not want to cause any further delay, so feel free to email the information directly if you

want and then it can be uploaded into NCORS later. Also, please see below for the explanation regarding the need for a sworn statement. Let me know if you have any questions.

Per JAGMAN Section 0132C.c., orders require the applicant to provide a sworn statement. The statement should be sworn before a person authorized to administer oaths under 10 U.S.C. 936 (just like with warrants).

Section 0132C
c. Submission of applications for warrants and orders. All applications for warrants or orders will be presented by a trial counsel in the applicable circuit to the circuit military judge or circuit military judge's designee in the circuit where the warrant or order is sought. Only a trial counsel in the applicable circuit may present the application. The application must be sworn to and signed by the applicant.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted] Date: 2025.06.04 14:57:17 -07'00'

United States Military Judge

4 June 2025
Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account:

254-203-0672 between 29 May 25 through 4 June 2025.

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account:

254-203-0672 between 29 May 25 through 4 June 2025.

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 02JUN25-NFNF-00237-7MNA<br>) **Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number, 254-203-0672, annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. The Government discovered and confirmed via the USS JAMES E WILLIAMS recall roster that RESENDIZ's telephone phone number 254-203-0672.

16. RESNDIZ's telephone number, 254-203-0672, is associated with T-Mobile.

## REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States

requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.04 17:03:17 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 4th day of June, 2025.

[redacted]
Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with AT&T Wireless cell phone number [redacted] (SUBJECT PHONE NUMBER) That is stored at premises controlled by: AT&T Wireless 208 S. Akard Street Dallas, TX 75202** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Matthew Miller, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Matthew Miller, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), and have been so employed since September 2014. I am currently assigned to the NCIS Norfolk Field Office, specifically, NCIS Resident Agency Portsmouth, VA. I received a Bachelor of Arts degree in Political Science from Clemson University in 2000. Prior to my employment with NCIS, I was a Federal Air Marshal with the United Stated Federal Air Marshal Services and a Washington DC Metropolitan Police Officer (MPD). I am a graduate of the Federal Law Enforcement Training Center 's (FLETC) Criminal Investigation Training Program (CITP) (Glynco, GA) and Federal Air Marshal's Investigation Training Program (Artesia, NM). I am also a graduate of NCIS' Special Agent Basic Training Program (SABTP) and MPD's Law Enforcement Training Academy. During my tenure with NCIS, I have conducted numerous criminal investigations as both a lead and participating agent, including but not limited to investigations involving sexual assault, physical assault, child pornography, larceny,

missing persons and death. As part of these investigations, I have conducted numerous interviews, collected items of evidentiary value. I have sworn numerous search and arrest warrants throughout my career in law enforcement and executed and participated in numerous search warrants on behalf of the United States Government.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records as they pertain to Call Detail Records and Cellular Site Analysis.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to CSSN JEREMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 86 (Unauthorized Absence) and Article 107 (False Official Statement) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 86 (Unauthorized Absence) of the UCMJ defines Unauthorized Absence as any person subject to this chapter who, without authority, fails to go to his appointed place of duty at the time prescribed; goes from that place; or absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time

prescribed, is guilty of Unauthorized Absence and shall be punished as a court-martial may direct.

12. Article 107 (False Official Statement)

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other

unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. CSSN Jermiah Copeland, USN, DDG 95, was marked in an unauthorized absence (UA) status beginning on 29 May 2025. On 29 May 2025, at approximately 0900 hrs, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to determine why he was not at work and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of

undress in CSSN's Copeland's barrack's room. One of CSSN Copeland's roommates, PSSN Irbin Gordillocruz, USN, confirmed that he saw CSSN Copeland and CSSN Resendiz on the floor naked of the common room at approximately 0645 on 29 May 2025 when he was leaving for work. CSSN Copeland never reported to work.

23. On 01 June 2025, CSSN Copeland, during an initial interview, he provided that he and CSSN Resendiz got dressed, he borrowed a roommate's vehicle, and took CSSN Resendiz to her residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 on 29 May 2025 and that was the last time he saw her.

24. CSSN Copeland was not located until 1 June when base police found him in his barracks room.

25. Additionally, on 1 June 2025, during CSSN Copeland's initial interview, he provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May 2025. This was confirmed after a review of messages on his phone. He provided that she called an ex-boyfriend from Texas and also a former boyfriend assigned to DDG 95. CSSN Copeland said CSSN Resendiz argued with her former DDG 95 boyfriend about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and cried about past and current romantic relationship. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

26. NCIS interviewed CSSN Copeland's roommates who all provided they did not give a ride to CSSN Copeland or CSSN Resendiz on the morning of 29 May 2025. They also did not lend their vehicles to CSSN Copeland the morning of 29 May 2025.

27. Resendiz last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

28. NCIS obtained a subpoena for CSSN Resendiz's Navy Federal Credit Union banking records which show no subscription-based activity post 28 May 2025.

29. CSSN Resendiz's cellphone was been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

30. NCIS has been in contact with friends and family and as of today, there is no communication from CSSN Resendiz.

31. On 3 June 2025, CSSN Copeland was re-interviewed and confirmed that he was absent from work on 29 May. He stated that he spent time in various lounges in his barracks and visited with friends during the time between 29 May and 1 June. He provided he did not engage in sexual activity with CSSN Resendiz and that she was not naked at any time during her stay at his barracks room. He also provided he did not drive her to her barracks on 29 May, but rather that she left alone.

32. During his 03 June 2025 NCIS interview, CSSN Copeland relayed his telephone number is [redacted] Additionally, CSSN Copeland's command advised Copeland communicated with his command via telephone number [redacted]

33. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

34. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

35. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

36. The criminal investigation in this case is ongoing, and it is likely that information and evidence obtained in the course of the service of this search warrant will result in further information concerning the identity and involvement of suspects in this case. As such, disclosure would give that person an opportunity to destroy evidence, change patterns of behavior, notify co-conspirators, and flee from apprehension and prosecution. Altering the subscriber, customer or owner of the electronic communication information to which the material relate, to the existence and service of this search warrant may have an adverse result, to include endangering the life or physical safety of an individual, flight from prosecution, destruction of, or tampering with evidence, intimidation of potential witnesses, or otherwise seriously jeopardize the investigation or unduly delay a trial.

37. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

38. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

[redacted]

Special Agent Matthew Miller
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 4th day of June, 2025.

[redacted]

LT, JAGC, USN
Trial Counsel

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by AT&T, located at 208 S. Akard Street, Dallas, TX 75202.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by AT&T

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**.

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**..

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence) and Article 107 (False Official Statement) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 28 May 2025 through 1 June 2025.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to any false official statements of the account holder of SUBJECT PHONE NUMBER.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by AT&T

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**.

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other files including all cell site and sector information associated with each connection and/or record associated with the SUBJECT PHONE NUMBER.

1. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 2 June, 2025**.

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence) and Article 107 (False Official Statement) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 28 May 2025 through 1 June 2025.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to any false official statements of the account holder of SUBJECT PHONE NUMBER.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

AT&T RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before 19 June 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

LCDR Paul S. LaPlante, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250605 0947 hours

LCDR Paul S. LaPlante, Military Judge, USN

*Military judge's name and title*

Naval Base Kitsap - Bremerton

*Military installation or location:*

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.05 09:48:04 -07'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

AT&T RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br><br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | ) | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 86, 107 | Unauthorized Absence and False Official Statement |
|---|---|
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

MILLER.MATTHEW.F [redacted] Digitally signed by MILLER.MATTHEW.F [redacted] Date: 2025.06.04 17:23:59 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250604 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.06.04 20:28:37 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number **254-203-0672** (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **present**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 28 May 2025 through present.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to the intent of the account holder of SUBJECT PHONE NUMBER.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **present**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

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other files including all cell site and sector information associated with each connection and/or record associated with the SUBJECT PHONE NUMBER.

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1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

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    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to the intent of the account holder of SUBJECT PHONE NUMBER.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before 19 June 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

LCDR Paul S. LaPlante, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250605 0955 hours

LCDR Paul S. LaPlante, Military Judge, USN

*Military judge's name and title*

Naval Base Kitsap - Bremerton

*Military installation or location:*

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.05 09:56:05 -07'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672 | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN

*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672 | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672 | Case Identifier: 01JUN25NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 85, 86 | Desertion and Unauthorized Absence |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

MILLER.MATTHEW.F[redacted] Digitally signed by MILLER.MATTHEW.F[redacted] Date: 2025.06.04 17:54:04 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| 20250604 | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.04 20:25:09 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br><br>T-MOBILE RECORDS FOR CELL PHONE NUMBER 254-203-0672 | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

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☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

MILLER.MATTHEW.F[redacted] Digitally signed by MILLER.MATTHEW.F[redacted] Date: 2025.06.04 17:54:04 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250604 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.04 20:25:09 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number 254-203-0672 (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 01JUN25NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Matthew Miller, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Matthew Miller, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), and have been so employed since September 2014. I am currently assigned to the NCIS Norfolk Field Office, specifically, NCIS Resident Agency Portsmouth, VA. I received a Bachelor of Arts degree from Clemson University in 2000. Prior to my employment with NCIS, I was a Federal Air Marshal with the United Stated Federal Air Marshal Services and a Washington DC Metropolitan Police Officer (MPD). I am a graduate of the Federal Law Enforcement Training Center 's (FLETC) Criminal Investigation Training Program (CITP) (Glynco, GA) and Federal Air Marshal's Investigation Training Program (Artesia, NM). I am also a graduate of NCIS' Special Agent Basic Training Program (SABTP) and MPD's Law Enforcement Training Academy. During my tenure with NCIS, I have conducted numerous criminal investigations as both a lead and participating agent, including but not limited to investigations involving sexual assault, physical assault, child pornography, larceny, missing persons and death. As part of these investigations, I have conducted numerous interviews, collected items of evidentiary value. I have sworn

numerous search and arrest warrants throughout my career in law enforcement and executed and participated in numerous search warrants on behalf of the United States Government.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records as they pertain to Call Detail Records and Cellular Site Analysis.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number **254-203-0672** (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to CSSN ANGELINA RESENDIZ, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 85 (Desertion) of the Uniform Code of Military Justice (UCMJ) defines Desertion as any person subject tot his chapter who without authority foes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently is guilty of desertion.

12. Article 86 (Unauthorized Absence) of the UCMJ defines Unauthorized Absence as any person subject to this chapter who, without authority, fails to go to his appointed place of duty at the time prescribed; goes from that place; or absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time prescribed, is guilty of Unauthorized Absence and shall be punished as a court-martial may direct.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can use this

information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

23. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. On 29 May 2025, at approximately 0900 hrs, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to determine why he was not at work and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep. CSSN Copeland never reported to work.

24. CSSN Copeland was not located until 1 June when he base police found him in his barracks room.

25. Additionally, on 1 June 2025, during CSSN Copeland's initial interview, he provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May 2025. This was confirmed after a review of messages on his phone. He provided that she called an ex-boyfriend from Texas and also a former boyfriend assigned to DDG 95. CSSN Copeland said CSSN Resendiz argued with her former DDG 95 boyfriend about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and cried about past and current romantic relationship. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

26. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

27. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June 2025 and it was very neat and tidy with no signs of foul play. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

28. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

29. On 2 June 2025, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

30. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

31. On 3 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

32. On 4 June, the USS JAMES E. WILLIAMS provided that the phone number listed for CSSN Resendiz's recall is [redacted]. A check revealed that this phone number is associated with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

33. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

34. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

35. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

36. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

[redacted]

Special Agent Matthew Miller
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 4th day of June, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **In the Matter of the Application for a Warrant to Disclose Information Regarding Account Associated with Google, LLC – Name: Angelina Resendiz; Email Address: angelinaresendiz19@gmail.com** | **CCN: 01JUN25NFNF-00237-7MNA** |

## AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

1. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Google, LLC (hereafter "Google") to disclose to the Government records and other information, including location data, associated with the above-listed name, phone number, email, or Google ID that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, CA 94043. The information to be disclosed by Google and searched by the Government is described in the following paragraphs and in Attachments A and B.

2. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), and have been so employed since September 2014. I am currently assigned to the NCIS Norfolk Field Office, specifically, NCIS Resident Agency Portsmouth, VA. I received a Bachelor of Arts degree from Clemson University in 2000. Prior to my employment with NCIS, I was a Federal Air Marshal with the United Stated Federal Air Marshal Services and a Washington DC Metropolitan Police Officer (MPD). I am a graduate of the Federal Law Enforcement Training Center 's (FLETC) Criminal Investigation Training Program (CITP) (Glynco, GA) and Federal Air Marshal's Investigation Training Program (Artesia, NM). I am also a graduate of NCIS' Special Agent Basic Training Program (SABTP) and MPD's Law Enforcement Training Academy. During my tenure with NCIS, I have conducted numerous criminal investigations as both a lead and participating agent, including but not limited to investigations involving sexual assault, physical assault, child pornography, larceny, missing persons and death. As part of these investigations, I have conducted numerous interviews, collected items of evidentiary value. I have sworn numerous search and arrest warrants throughout my career in law enforcement and executed and participated in numerous search warrants on behalf of the United States Government.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the facts as set forth in this affidavit, there is probable cause to believe that the information described in Attachment A contains evidence, instrumentalities, and fruits of violation of Uniform Code of Military Justice (U.C.M.J.) Article 86, Unauthorized Absence.

## JURISDICTION

5. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (UCMJ) to which a military judge has been detailed."

## LEGAL AUTHORITY

6. The legal authority for this search warrant application regarding the subject account is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

7. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

> (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

8. The Government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(1)(A).

9. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PROBABLE CAUSE

10. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

11. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

12. On 01 June 2025, CSSN Copeland was located in his barracks room located aboard Naval Station Norfolk, Willis Manor, Room 335 by Base Police. He remained in a UA status from 29 May 2025.

13. On 1 June, CSSN Copeland was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May 2025. This was confirmed after a review of messages on his phone. He provided that she called an ex-boyfriend from Texas and then argued on the phone with and ex-boyfriend assigned to DDG 95 about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

14. CSSN Copeland provided that the two of them got dressed and he borrowed a roommate's vehicle and took CSSN Resendiz to her residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

15. 29 May 2025 was the last time anyone reportedly spoke or saw CSSN Resendiz. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs of foul play. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

16. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication.

NMCP Emergency Room and psychology department were negative for her presence when called.

17. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

18. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

19. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

16. Your affiant also received the following muster report from USS JAMES E WILLIAMS, reflecting CSSN Resendiz's UA status:

**Muster Report** 02 JUN 2025

**Enlisted/Officer Report**

**Muster Report**
**LANTFLT 1080/1 (NEW 8/69)**
U.S. Navy Regulations 1990, Article 0806.4 (SUPERCEDES FLT QEN 1080/1)

| COMMAND | DEPT/DIV/WC | TIME/DATE |
|---|---|---|
| 23148 USS JAMES E WILLIAMS (DDG 95) | | 1000, 30 MAY 2025 |

| Personnel Status | | Personnel Totals | |
|---|---|---|---|
| LEAVE | 19 | PRESENT AT QUARTERS | 196 |
| LIBERTY | 32 | | |
| AWAY TEM ADD DUTY | 27 | AUTHORIZED ABSENCES | 78 |
| SICK LIST | 0 | | |
| WATCH | 0 | UNAUTHORIZED ABSENCES | 2 |
| MESS DUTY | 0 | | |
| CONFINED | 0 | TOTAL PERS ASSIGNED (SHIP'S COMPANY) | 276 |
| SPECIAL DETAILS | 0 | | |
| | | ATTACHED TEM ADD DUTY | 0 |
| UNAUTHORIZED ABSENCE | 2 | | |
| | | TOTAL ASSIGNED | 276 |

**UNAUTHORIZED ABSENCES**

| NAME, RATE, AND BRANCH | | | | | DEPT | SSN | HR AND DATE BEGAN |
|---|---|---|---|---|---|---|---|
| [redacted] | | | | | | | |
| RESENDIZ | ANGELINA | P | CSSN | USN | SUP | 641-98-8199 | 0730 30 MAY 2025 |

**CHANGE OF STATUS**

18. On June 1, 2025, your affiant ran a check through the Department of Defense Person Search, for information on CSSN RESENDIZ. The check revealed that the following email address is associated with Angelina Resendiz: [redacted] **(SUBJECT ACCOUNT).**

19. In your affiant's training and experience, I know that cellular devices that are only connected to Wi-Fi and not the cellular network, will still allow a person to log into their email accounts without registering location pings via the cellular networks. As established herein, your affiant believes there is probable cause to search the location data from Google, as it would reveal CSSN RESENDIZ's location if she were logged in via Wi-Fi alone. Additionally, your affiant believes there is probable cause to search CSSN RESENDIZ's Gmail emails during the timeframe of her UA, for evidence pertaining to that Unauthorized Absence.

## DEFINITIONS

18. "Electronic communication service provider" (ECSP) means (a) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934; (b) a provider of electronic communication service, (c) a provider of a remote computing service, (d) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or (e) an officer, employee, or agent of an entity described in subparagraph (a), (b), (c), or (d).

19. "Electronic Communications System" means any wire, radio, electromagnetic, photo optical, or photo electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. 18 U.S.C. § 2510(14).

20. "Electronic storage" means (a) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (b) any storage of such communication by an electronic communication service for purposes of backup protection of such communication. 18 U.S.C. § 2510(17).

21. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

22. "Computer," as used herein, refers to "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device" and includes smartphones, and mobile phones and devices. 18 U.S.C. § 1030(e)(1).

23. "Computer passwords and data security devices," as used herein, consist of information or items designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates what might be termed a digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software of digital code may include programming code that

creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

24. "Internet Protocol Address" (IP Address), as used herein, refers to refers to a unique number used by a computer or other digital device to access the Internet. IP addresses can be "dynamic," meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be "static," if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. A "natting" IP address is a type of IP address that becomes assigned to multiple devices at the same time when those devices are connected to a common router (normally the term is invoked when multiple individuals are connected to the same cellular towers and cellular data network. All devices connected to the same tower will be assigned the same "natting" IP Address.)

25. "Internet Service Providers" or "ISPs" are commercial organizations which provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers, including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer various means by which to access the Internet including telephone based dial-up, broadband based access via a digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called "bandwidth," that the connection supports. Many ISPs assign each subscriber an account name such as a user name or screen name, an e-mail address, and an e-mail mailbox, and the subscriber typically creates a password for the account. By using a computer equipped with a telephone or cable modem, the subscriber can establish communication with an ISP over a telephone line or through a cable system, and can access the Internet by using his or her account name and password.

26. "Remote Computing Service" as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

27. "Log Files" are records automatically produced by computer programs to document electronic events that occur on computers. Computer programs can record a wide range of events including remote access, file transfers, log-on/log-off times, and system errors. Logs are often named based on the types of information they contain. For example, web logs contain specific information about when a website was accessed by remote computers; access logs list specific information about when a computer was accessed from a remote location; and file transfer logs list detailed information concerning files that are remotely transferred.

28. The terms "records," "documents," and "materials" include all information recorded in any form, including the originals and all non-identical copies thereof, whether different from the original by reason of any notation made on such copies or otherwise, including, but not limited to the following:

a. graphic records or representations;

b. photographs;

c. pictures;

d. images, and

e. aural records or representations.

29. The terms "records," "documents," and "materials" include all of the foregoing, in whatever form and by whatever means, the records, documents, or materials, and their drafts, or their modifications may have been created or stored, including (but not limited to): any electrical, electronic, or magnetic form (including but not limited to any information on an electronic or magnetic storage device such as hard disks).

30. "Web hosts" provide the equipment and services required to host and maintain files for one or more websites and to provide rapid Internet connections to those websites. Most hosting is "shared," which means that multiple websites of unrelated companies are on the same server in order to reduce associated costs. When a client develops a Website, the client needs a server and perhaps a web hosting company to host it. "Dedicated hosting," means that the web hosting company provides all of the equipment and assumes all of the responsibility for technical support and maintenance of a website. "Co-location" means a server is located at a dedicated hosting facility designed with special resources, such as a secure cage, regulated power, a dedicated Internet connection, online security and online technical support. Co-location facilities offer customers a secure place to physically house the customers' hardware and equipment as opposed to keeping it in their offices or warehouse, where the potential for fire, theft or vandalism is greater.

31. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

## INFORMATION REGARDING GOOGLE

32. Based on my training and experience, and publicly available information, I have learned that Google provides a variety of online services, including e-mail (Gmail), navigation (Google Maps), online file storage (including Google Drive, Google Photos, and YouTube), messaging (Google Hangouts), and video calling (Google Duo), to the general public. Some services, such as Gmail, online file storage, and messaging, require the user to sign in to the service using their Google account. An individual can obtain a Google account by registering with Google, and the account identifier typically is in the form of a Gmail address. Other services, such as Google Maps and YouTube, can be used while signed in to a Google account, although some aspects of these services can be used even without being signed in to a Google account.

33. Google allows subscribers to obtain e-mail and other accounts at the domain name gmail.com, like the **SUBJECT ACCOUNT** listed in Attachment A. Subscribers obtain a Gmail e-mail account by registering with Google. During the registration process, Google asks subscribers to provide basic personal information. Therefore, the computers of Google are likely to contain stored electronic communications (including retrieved and unretrieved e-mail for Google

subscribers) and information concerning subscribers and their use of Google services, such as account access information, e-mail transaction information, and account application information.

34. In general, an e-mail that is sent to a Google subscriber is stored in the subscriber's "mail box" on Google servers until the subscriber deletes the e-mail. If the subscriber does not delete the message, the message can remain on Google's servers indefinitely. The user can move and store messages in personal folders such as a "sent folder." In recent years, Google, and other ISPs have provided their users with larger storage capabilities associated with the user's e-mail account. Google, and other ISPs have allowed users to store up to one (1) terabyte of information associated with the account on ISP servers. Based on conversations with other law enforcement officers with experience in executing and reviewing search warrants of e-mail accounts, I have learned that search warrants for e-mail accounts and computer systems have revealed stored e-mails sent and/or received many years prior to the date of the search.

35. When the subscriber sends an e-mail, it is initiated at the user's computer or mobile device, transferred via the Internet to Google's servers, and then transmitted to its end destination. Google typically saves a copy of the e-mail sent. Unless the sender of the e-mail specifically deletes the e-mail from the Google server, the e-mail can remain on the system indefinitely.

36. A sent or received e-mail typically includes the content of the message (including attachments), source and destination addresses, the date and time at which the e-mail was sent, and the size and length of the e-mail. If an e-mail user writes a draft message but does not send it, that message may also be saved by Google but may not include all of these categories of data.

37. A Google subscriber can also store files, including e-mails, address books, contact or buddy lists, calendar data, pictures, and other files, on servers maintained and/or owned by Google. In my training and experience, evidence of who was using an e-mail account may be found in address books, contact or buddy lists, e-mail in the account, and attachments to e-mails, including pictures and files.

38. Many subscribers to Google do not store copies of the e-mails stored in their Google account on their home computers. This is particularly true because they access their Google account through the Internet, and thus it is not necessary to copy e-mails to a home computer to use the service. Moreover, an individual may not wish to maintain particular e-mails or files in their residence to ensure others with access to the computer cannot access the e-mails.

39. In my training and experience, generally, e-mail providers like Google ask each of their subscribers to provide certain personal identifying information when registering for an e-mail account. This information can include the subscriber's full name, physical address, telephone numbers (usually a mobile number) and other identifiers, alternative e-mail addresses, and, for paying subscribers, means and source of payment (including any credit card or bank account number). In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and my experience, I know that even if subscribers insert false information to conceal their identity, This information often provide clues to their identity, location, or illicit activities.

40. The mobile number and alternate e-mail information provided to Google by the user are particularly useful in instances where a user needs to recover his/her account in the event of a lost password or account compromise. With these, Google can send a "reset password" link to the alternate e-mail address or an SMS message to the mobile number. Upon receiving the "reset password" link to an SMS mobile number affiliated with that account, the user can then reset the password in order to continue to utilize that particular account. Because both a mobile device number and alternate e-mail address are used to recover access to an account, they both tend to be closely associated with the user of the account. It is important to note that though Google attempts to validate the personal identifying information provided by subscribers, the validation requires additional voluntary input from users. As this additional input is voluntary, Google is not always successful in validating a user's personal identifying information.

41. When creating an account at Google, the user is provided the opportunity to create a display name and an associated "Profile." Google allows a user to personalize their Profile by "adding an image that represents you." The display name and display image a user provides for their Profile is public and can be seen by anyone, even if the user chooses to keep the rest of their Profile hidden from other users.

42. In my training and experience, e-mail providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via Google's website), and other log files that reflect usage of the account. In addition, e-mail providers often have records of the IP address used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the e-mail account.

43. In my training and experience, in some cases, e-mail account users will communicate directly with an e-mail service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. E-mail providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

44. In my training and experience, e-mail users often use e-mail accounts for everyday transactions because it is fast, low cost, and simple to use. People use e-mail to communicate with friends and family, manage accounts, pay bills, and conduct other online business. E-mail users often keep records of these transactions in their e-mail accounts, to include personal identifying information such as name and address.

45. In my training and experience, evidence of who was using an e-mail account may be found in address books, contact or buddy lists, e-mail in the account, and attachments to e-mails, including pictures and files.

46. Google Fit is a health-tracking platform developed by Google for the Android operating system, Wear OS, and iOS. It provides a single set of application program interface for apps and device manufacturers to store and access activity data from fitness apps and sensors on Android and other devices (like wearables, heart rate monitors, etc.). Google Fit uses sensors in a user's activity tracker or mobile device to record physical fitness activities (such as walking, etc.). Google Fit also has location tracking capabilities.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

47. In my training and experience, evidence of who was using a Google ID and from where, and evidence related to criminal activity of the kind described above, may be found in the files and records described in Attachment B. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

48. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Google can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, subscriber information, email and messaging logs, documents, and photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. As an example, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

49. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

50. Data from Google Fit may provide location data for certain physical activities at certain times and indicate spikes in heart rate due to increased activity that may pinpoint the location and activity of the account owner as it relates to the offenses under investigation.

51. Therefore, Google's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Google's services. In my training and experience, such information may constitute evidence of the crimes under investigation, including information that can be used to identify the account's user or users.

52. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. Sections 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Google to disclose to the Government copies of the records and other information (including the content of communications and stored data) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

## CONCLUSION

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

[redacted]

Matthew Miller
SSA, NCIS
Resident Agency Portsmouth, VA

[redacted]he 4th day of June, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**ATTACHMENT A**

Property to Be Searched

This warrant applies to information associated with Name: Angelia Resendiz; Email Address: [redacted] (the "account") that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, California.

# ATTACHMENT B

## Particular Things to be Seized

### I. Information to be disclosed by Google

To the extent that the information described in Attachment A is within the possession, custody, or control of Google, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but is still available to Google, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Google is required to disclose the following information to the Government, in unencrypted form whenever available, for each account or identifier listed in Attachment A for the time period **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP Address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

b. All call, text and data connection location information, related to all specialized carrier records and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) of device in relationship to the network when connected to the network for the SUBJECT ACCOUNT;

c. All records associated with the SUBJECT ACCOUNT, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record.

In the event any of the requested data has been deleted, please recover any and all data that is still recoverable, as well as the date and time of deletions.

### II. Information to be seized by the Government

All information described above in Section I that constitutes fruits, contraband, evidence, and instrumentalities of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) of the UCMJ, those violations involving CSSN Angelina Resendiz, U.S. Navy, and occurring from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**, for each account of identifier listed on Attachment A, information pertaining to the following matters:

i. The locations of the device utilized by the account holder of the SUBJECT ACCOUNT during the period of her absence from 28 May 2025 through present.

ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNT communicated with.

iii. Evidence indicating the chronological and geographical locations of the device utilized by the account holder of the SUBJECT ACCOUNT.

iv. Evidence that aides in identification of co-conspirators in this case.

v. Evidence relating to the intent of the account holder of SUBJECT ACCOUNT.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| GOOGLE RECORDS FOR E-MAIL angelinaresendiz19@gmail.com | |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before 19 June 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

LCDR Paul S. LaPlante, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250605 0934 hours

LCDR Paul S. LaPlante, Military Judge, USN

*Military judge's name and title*

Naval Base Kitsap - Bremerton

*Military installation or location:*

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.05 09:35:36 -07'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS FOR E-MAIL [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

GOOGLE RECORDS FOR E-MAIL [redacted]

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN

*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

*Signature of military judge*

Questions and requests for relief should be directed to:

Christopher

*First name*

Dempsey

*Last name*

757-341-4545

*Phone number*

christopher.dempsey2@navy.mil

*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS FOR E-MAIL [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS FOR E-MAIL [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 85, 86 | Desertion and Unauthorized Absence |
|---|---|
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

MILLER.MATTHEW.F[redacted] Digitally signed by MILLER.MATTHEW.F[redacted] Date: 2025.06.04 15:27:22 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250604 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.04 20:31:22 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The United States of America is investigating potential violations of the UCMJ including Article 107, Article 86, and Article 85. The proposed Order would require TransUnion LLC., a credit reporting agency, located in the United States, to disclose certain records and other information pertaining to Jermiah COPELAND (SSN: [redacted] and Angelina RESENDIZ (SSN: [redacted]), annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. TransUnion LLC., is a provider of credit reporting, as defined in 15 U.S.C. § 1681. Accordingly, the United States may use a court order issued under § 2703(d) to require TransUnion LLC., to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of

competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. NCIS is targeting information pertaining to RESENDIZ's and COPELAND's financial records. This information is relevant to obtain as the transaction history from financial institutions can aid in the identification of the last known location of COPELAND and RESENDIZ.

## REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that TransUnion LLC. be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require TransUnion LLC. not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of consumer credit reporting whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the

targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFA[redacted] Digitally signed by [redacted]
NY.LYNN[redacted]
[redacted] -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 4th day of June, 2025

[redacted]
Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring TransUnion LLC., located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that TransUnion LLC. shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that TransUnion LLC. shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers

of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that TransUnion LLC. may disclose this Order to an attorney for TransUnion LLC. for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following person(s) account:

Jermiah COPELAND (SSN: [redacted]) between 29MAY25 through PRESENT; and

Angelina RESENDIZ (SSN: [redacted]) between 29MAY25 through PRESENT

## II. Records and Other Information to Be Disclosed

TransUnion LLC. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Personal information (including social security numbers, name(s) reported, phone numbers, employers reported);
2. Addresses reported both current and past (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Information about credit cards and other lines of credit (including balances, payment history, credit limits, and any late payments or defaults);
4. Information relating to loans (including auto loans);
5. All information relating to banking accounts (including those that have been recently opened or closed)

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Subject:** RE: Copeland - TransUnion
**Date:** Thursday, June 5, 2025 4:36:47 PM

---

Good afternoon CDR Mayo,

I have done additional research and I have not been able to find any case law or anything else that supports TransUnion falling under the SCA. Is there anything you can point me to on TransUnion's website that shows they consider themselves to be an ECS or RCS?

If I find TransUnion to not be an ECS or RCS, it does not prevent you from obtaining the information pursuant to an investigative subpoena under RCM 309.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Thursday, June 5, 2025 10:06 AM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** Re: Copeland - TransUnion

LCDR LaPlante,

If the attachment is insufficient, I can look into it further. Per the LE guide attached, TransUnion LLC reports that a 2703(d) is what it requires.

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA)
**Sent:** Thursday, June 5, 2025 12:33 PM
**To:** Mayo, Lauren A CDR USN (USA); Dempsey, Christopher B LT USN (USA)
**Subject:** Copeland - TransUnion

Good morning CDR Mayo and LT Dempsey,

I am reviewing your requests ICO of Copeland. But I am not sure that the request for TransUnion falls under the SCA. I reviewed 15 USC 1681, but from what I saw, nothing made me believe that a provider of credit reporting qualifies as an ECS or RCS.

If you could provide your reasoning or case law for why TransUnion falls under the SCA that will help in making my decision.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require Uber Technologies, Inc. to disclosure certain records and other information pertaining to the account associated with, Jermiah Copland (DOB: 23MAY05, Telephone Number [redacted] the **SUBJECT ACCOUNT**. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Uber Technologies, Inc. is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Uber Technologies, Inc. to disclose the items described in Part II of Attachment A. See 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, COPELAND disclosed to NCIS that he does not have an operable vehicle and utilizes a variety of transportation methods.

16. An analysis of COPELAND's geolocation phone data reveals that his cellular phone traveled throughout both Norfolk and Portsmouth, Virginia on Saturday, 31 May 2025.

## REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that Uber Technologies be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Uber Technologies not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor

known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN. [redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN [redacted] Date: 2025.06.05 12:38:48 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this _5th__ day of June, 2025.

[redacted]

Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Uber Technologies, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Uber Technologies shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Uber Technologies may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted]
Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted]
Date: 2025.06.05 14:02:53 -07'00'

United States Military Judge

5 June 2025
Date:

**ATTACHMENT A**

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Jeremiah Copeland (DOB: [redacted] [redacted]

II. Records and Other Information to Be Disclosed

Uber Technologies, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number);

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any trip information to include: the number of trips utilized by the account, a breakdown of the amounts charged to the rider for any trips, the pick-up and drop-off locations (latitude and longitude) for any trips, and the information about the rider(s) and the driver, including the name, and rating.

2. Records of other user profile information to include: ratings (one to five stars), written feedback/comments, and profile photograph(s).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Uber Technologies, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Uber Technologies shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Uber Technologies may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Jeremiah Copeland (DOB: [redacted] [redacted]

II. Records and Other Information to Be Disclosed

Uber Technologies, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number);

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any trip information to include: the number of trips utilized by the account, a breakdown of the amounts charged to the rider for any trips, the pick-up and drop-off locations (latitude and longitude) for any trips, and the information about the rider(s) and the driver, including the name, and rating.

2. Records of other user profile information to include: ratings (one to five stars), written feedback/comments, and profile photograph(s).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The United States of American is investigating potential violations of the UCMJ including Articles 107, 86, and 85. The proposed Order would require Uber Technologies, Inc. to disclosure certain records and other information pertaining to the account associated with, Angelina RESENDIZ [redacted], Telephone Number [redacted]), the **SUBJECT ACCOUNT**. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Uber Technologies, Inc. is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Uber Technologies, Inc. to disclose the items described in Part II of Attachment A. See 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. DoD Person Search revealed that RESENDIZ's email address is [redacted], and her command's recall roster lists her telephone number as [redacted].

16. No vehicle is registered to RESENDIZ.

17. On 3 June 2025, COPELAND stated – contrary to his earlier statement - that RESENDIZ may have taken an Uber or Smartrip to leave his barack's room.

18. A review of RESENDIZ's Navy Federal Credit Union bank statement reveals an Uber charge on May 28th at 0925.

## REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the

events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that Uber Technologies be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Uber Technologies not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.
6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these

documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN.[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.05 12:47:26 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 5th day of June, 2025.

[redacted]

Lauren Mayo [redacted]
CDR, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Uber Technologies, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Uber Technologies shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Uber Technologies may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted] Digitally signed by [redacted] Date: 2025.06.05 10:17:32 -07'00'

United States Military Judge

5 June 2025

Date:

**ATTACHMENT A**

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Angelina RESENDIZ ([redacted], Telephone Number [redacted]);

II. Records and Other Information to Be Disclosed

Uber Technologies, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 4, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number);

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any trip information to include: the number of trips utilized by the account, a breakdown of the amounts charged to the rider for any trips, the pick-up and drop-off locations (latitude and longitude) for any trips, and the information about the rider(s) and the driver, including the name, and rating.

2. Records of other user profile information to include: ratings (one to five stars), written feedback/comments, and profile photograph(s).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Uber Technologies, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Uber Technologies shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Uber Technologies may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Angelina RESENDIZ [redacted], Telephone Number [redacted];

II. Records and Other Information to Be Disclosed

Uber Technologies, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 4, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number);

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any trip information to include: the number of trips utilized by the account, a breakdown of the amounts charged to the rider for any trips, the pick-up and drop-off locations (latitude and longitude) for any trips, and the information about the rider(s) and the driver, including the name, and rating.

2. Records of other user profile information to include: ratings (one to five stars), written feedback/comments, and profile photograph(s).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In re Navy Federal Credit Union Records of CSSN Jeremiah Copeland, USN** | **APPLICATION FOR ORDER OF DELAYED NOTICE PURSUANT TO 12 U.S.C. § 3409 OF THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978**<br><br>**5 June 2025** |

MOTION

1. Pursuant to 12 U.S.C. § 3409(b)(1), if the Court signs the requested investigative subpoena (**Exhibit B**) the Government applies for this Court to enter an Order delaying the customer notice that may be required to CSSN Jeremiah Copeland, USN, under the Right to Financial Privacy Act of 1978 for a period of ninety days.

FACTS

2. a. On 30 May, 2025, Naval Criminal Investigative Service ("NCIS") Investigators commenced an investigation into accusations of Article 86 and Article 107 of the UCMJ committed by CSSN Jeremiah Copeland (the "Investigation.") *See* the Affidavit of Special Agent Tiffany Martinez of June 5, 2025 attached as **Exhibit A** in support of this Application.

b. The Investigation is being conducted within the lawful jurisdiction of the federal government of the United States.

c. Due to the nature of the allegations, as a necessary investigative step relevant to this legitimate law enforcement inquiry, the Government has submitted a request to this Court for an investigative subpoena *duces tecum* (**Exhibit B**), pursuant to R.C.M 703, to Navy Federal Credit Union seeking the following categories of documents:

i. Financial records;

ii. Basic subscriber information; and

iii. Transaction information.

The draft subpoena *duces tecum* is attached as **Exhibit B** in support of this Application.

d. The documents listed in paragraph 2(c) of this Application are relevant to a legitimate law enforcement inquiry. **Exhibit A**.

e. There is reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same. **Exhibit A**.

LAW AND ARGUMENT

3. In the event the Court makes a finding required in 12 U.S.C. §§ 3409(1) - (3), the Court has the authority to enter an Order delaying the period of providing required customer notice for a period not to exceed ninety days. 12 U.S.C. § 3409(b)(1). The Government has the power to file additional applications for subsequent periods of delay after the expiration of the initial ninety-day period. 12 U.S.C. § 3409(b)(2).

RELIEF REQUESTED

4. Evidence Offered in Support of Motion.

a. Affidavit of NCIS Special Agent Tiffany Martinez of June 5, 2025 attached hereto as **Exhibit A**.

b. The draft subpoena *duces tecum* of June 5, 2025, attached hereto as **Exhibit B**.

5. Relief Requested.

a. The Government respectfully requests this Court:

i. make a finding that the evidence offered in support of this Application meets the requirements of 12 U.S.C. §§ 3409(1) - (3); and

ii. enter an Order delaying the customer notice that may be required under the Right to Financial Privacy Act of 1978 for a period of ninety days.

Respectfully Submitted,

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In re Navy Federal Credit Union Financial Records of CSSN JERMIAH COPELAND, USN** | **AFFIDAVIT OF SPECIAL AGENT TIFFANY MARTINEZ**<br><br>**5 June 2025** |

1. I, Special Agent Tiffany Martinez, am currently employed as a special agent with the Naval Criminal Investigative Service ("NCIS"). I am a Special Agent with the Naval Criminal Investigative Service (NCIS) and have been employed for the NCIS since November, 2021. I am a sworn federal law enforcement officer. Your affiant has received approximately 950 hours of training in the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. This program provided instruction on investigations, federal law, and other practical issues for investigators. The Special Agent Basic Training Program sponsored by NCIS consisted of training, including death investigations, military law, firearms, intelligence, and crime scene investigation. Prior to NCIS, I was employed as a Correctional Officer with the Federal Bureau of Prisons for five (5) years. Prior to my tenure as a Correctional Officer, I was a paralegal preparing Motions and Discovery as well as trial preparation for criminal complaints. During the course of my tenure as a Special Agent and previous employments, I have served in the United States Army as a Military Police Office for approximately ten (10) years where I currently hold the rank of Captain. During my time as a Military Police Officer, I completed a 17 week Military Police Basic Officer Law Enforcement Training located in Fort Leonard Wood, MO. My education consists of a Bachelor's of Science degree in Pre-Law from Mountain State University and a Masters of Professional Studies degree in Homeland Security from Pennsylvania State University.

2. On May 30, 2025, NCIS commenced an investigation into accusations of a violation of Article 86 and Article 107 of the UCMJ committed by CSSN Jeremiah Copeland, USN ("Accused"). I am the Lead Special Agent assigned to this investigation. The NCIS case number for the investigation is 02JUN25-NFNF-00237-7MNA

3. Due to the nature of the allegations, I determined it was a necessary investigative step to pursue and review the following categories of the Accused's financial records from Navy Federal Credit Union: Basic subscriber information and transactions pertaining to his social security number: [redacted].

4. These financial records are relevant and necessary to the investigation of the allegations against the Accused because the requested records will assist in identifying the location of the Accused and any means of transportation he may have utilized. It will also assist in determining the scope of his false official statement.

5. I have reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is a substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same. I base my opinion on the following evidence and facts that I have observed and/or reviewed:

a. That the Accused has previously provided false statements to law enforcement; and

b. The nature of the offense as being in an unauthorized absence status will mean he may flee again to avoid being caught if he knows we are investigating him.

I declare under penalty of perjury that the foregoing is true and correct.

5 June 2025

MARTINEZ.TIFFANY.LYNN. Digitally signed by MARTINEZ.TIFFANY.LYNN [redacted] Date: 2025.06.05 15:22:10 -04'00'

Tiffany Martinez

Special Agent

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE NAVY FEDERAL CREDIT UNION: APPLICATION OF THE UNITED STATES OF AMERICA FOR ORDER PURSUANT TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier: 02JUN25-NFNF-00237-7MNA |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

The Court finds that the investigation is being conducted within the lawful jurisdiction of the federal government of the United States and the United States has offered specific and articulable facts showing that the requested documents are relevant to a legitimate law enforcement inquiry.

The Court further determines that there is reason to believe that customer notice required under the Right to Financial Privacy Act of 1978 will result in substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

IT IS THEREFORE ORDERED, that any required customer notice regarding the application of the United States, or the existence of this Order of the Court, shall not be disclosed to the customer of the account(s) listed in Attachment A, or to any other person, for ninety (90) days following the date of this Order, except that Navy Federal Credit Union may disclose this Order to an attorney for Navy Federal Credit Union for the purpose of receiving legal advice. This Order is subject to renewal upon a proper showing under 12 U.S.C. § 3409(b)(2).

IT IS FURTHER ORDERED that the application and this Order are sealed until further order of the Court.

SO ORDERED:

Date: _____ _____

Norfolk, Virginia United States Military Judge

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jeremiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 11 June 2025
Time: 1700
Location: E-mail to:
tiffany.martinez@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to CCSN Jeremiah Copeland, SSN#: 687-07-0405

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 5 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER [redacted] Date: 2025.06.05 14:21:00 -0700'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jeremiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 11 June 2025
Time: 1700
Location: E-mail to:
tiffany.martinez@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to CCSN Jeremiah Copeland, SSN#: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE NAVY FEDERAL CREDIT UNION: APPLICATION OF THE UNITED STATES OF AMERICA FOR ORDER PURSUANT TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier: 02JUN25-NFNF-00237-7MNA |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

It is hereby ordered that the Government may delay customer notice required under 12 USC § 3407(2) as I have found the following:

(1) the investigation being conducted is within the lawful jurisdiction of the Government authority seeking the financial records;

(2) there is reason to believe that the records being sought are relevant to a legitimate law enforcement inquiry; and

(3) there is reason to believe that such notice will result in the destruction of or tampering with evidence; or otherwise seriously jeopardize an investigation.

This delay order is granted for a period of ninety (90) days from the date of this order. Extensions of the delay of notice may be granted for up to ninety days each may be granted by the court upon application, but only in accordance with this subsection. Upon expiration of the period of delay of notification, the customer shall be served with or mailed a copy of the process or request together with a notice as set forth in 12 USC § 3409(c).

It is further ordered that the subject financial institution is prohibited from disclosing that records have been obtained or that a request for records has been made.

SO ORDERED:

Date: 5 June 2025

LAPLANTE.PAUL.SPENCER.[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted] Date: 2025.06.05 14:21:35 -07'00'

United States Military Judge

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JEREMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**5 JUN 2025** |

## FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 1, 2025, CSSN Copeland was found in his barracks room (after prior attempts being unsuccessful).

16. On June 3, 2025, COPELAND disclosed to NCIS that he does not have an operable vehicle and utilizes a variety of transportation methods.

17. An analysis of COPELAND's geolocation phone data reveals that his cellular phone travelled through the Hampton Roads area including Norfolk, VA and Portsmouth, VA on Saturday, 31 May 2025.

18. Through investigative means, NCIS has determined that COPELAND has a bank account at Navy Federal Credit Union and his social security number is: [redacted]

**INFORMATION AND RECORDS REQUESTED**

19. Trial Counsel and law enforcement request one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Navy Federal Credit Union for the records COPELAND's accounts associated with his social security number: [redacted] from 28 May 2025 until present. This includes records regarding withdrawals, deposits, and transfers to determine where CSSN Copeland may have been located and the intent behind his absence and false statements.

**REASON FOR REQUEST**

21. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of COPELAND. Specifically, these records will corroborate the timeline of unauthorized absence and will determine the scope of any false official statements.

22. For these reasons, we respectfully request a subpoena for Navy Federal Credit Union to produce the account information associated with COPELAND.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require Apple, Inc. to disclosure certain records and other information pertaining to the account associated with, Jermiah Copland (DOB: [redacted], Telephone Number [redacted] the **SUBJECT ACCOUNT**. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Apple, Inc. is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Apple, Inc. to disclose the items described in Part II of Attachment A. See 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of

competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, NCIS interviewed COPELAND and he relayed his telephone number is [redacted] Additionally, COPELAND's command advised COPELAND communicated with his command via telephone number [redacted]

16. On June 3, 2025, COPELAND provided his phone to be searched and it is an Apple iPhone 15 pro max.

17. On June 3, 2025, COPELAND disclosed to NCIS that he does not have an operable vehicle and utilizes a variety of transportation methods.

18. An analysis of COPELAND's geolocation phone data reveals that his cellular phone travelled through the Hampton Roads area including Norfolk, VA and Portsmouth, VA on Saturday, 31 May 2025.

## REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are

relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that Apple, Inc. be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Apple, Inc. not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN. [redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN [redacted] Date: 2025.06.05 14:53:41 -04'00'

_____

Tiffany Martinez, Special Agent
Naval Criminal Investigative service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this __ day of June, 2025

_____

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Apple, Inc., an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Apple, Inc. shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Apple, Inc. may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER [redacted] Digitally signed by [redacted] Date: 2025.06.05 14:35:34 -07'00'

United States Military Judge

5 June 2025

Date:

# ATTACHMENT A

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Jeremiah Copeland (DOB: [redacted] [redacted]

II. Records and Other Information to Be Disclosed

Apple, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number), relating to an Apple iCloud account or other accounts;

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any location information within the above timeline.

2. Records of other user profile information.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Apple, Inc., an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Apple, Inc. shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Apple, Inc. may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Jeremiah Copeland (DOB: [redacted]

II. Records and Other Information to Be Disclosed

Apple, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number), relating to an Apple iCloud account or other accounts;

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any location information within the above timeline.

2. Records of other user profile information.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 01JUN25NFNF-00237-7MNA<br>) **Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require Apple, Inc. to disclosure certain records and other information pertaining to the account associated with, Angelina Resendiz (Telephone Number 254-203-0672), the **SUBJECT ACCOUNT**. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Apple, Inc. is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Apple, Inc. to disclose the items described in Part II of Attachment A. See 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of

competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. On June 3, 2025, NCIS interviewed COPELAND and he relayed his telephone number is 804-216-4307. Additionally, COPELAND's command advised COPELAND communicated with his command via telephone number [redacted].

16. On June 3, 2025, USS JAMES E WILLIAMS provided that CSSN RESENDIZ phone number on the recall roster is [redacted] and I confirmed RESENDIZ as the owner of the telephone via T-Mobile subscriber information.

17. On June 3, 2025, COPELAND disclosed to NCIS that he does not have an operable vehicle and utilizes a variety of transportation methods. COPELAND confirmed that RESENDIZ uses an Apple iPhone.

18. An analysis of COPELAND's geolocation phone data reveals that his cellular phone travelled through the Hampton Roads area including Norfolk, VA and Portsmouth, VA on Saturday, 31 May 2025.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that Apple, Inc. be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Apple, Inc. not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYN[redacted] Date: 2025.06.05 14:51:59 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this __ day of June, 2025

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 01JUN25NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Apple, Inc., an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Apple, Inc. shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Apple, Inc. may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted]
Digitally signed by [redacted]
Date: 2025.06.05 14:37:10 -07'00'

United States Military Judge

5 June 2025
Date:

# ATTACHMENT A

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Angelina Resendiz, [redacted].

II. Records and Other Information to Be Disclosed

Apple, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number), relating to an Apple iCloud account or other accounts;

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any location information within the above timeline.

2. Records of other user profile information.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 01JUN25NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Apple, Inc., an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Uber Technologies shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Apple, Inc. shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Apple, Inc. may disclose this Order to an attorney for Uber Technologies for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

# ATTACHMENT A

I. The Account

The Order applies to certain records and information associated with the following account:

A. Name: Angelina Resendiz, [redacted]

II. Records and Other Information to Be Disclosed

Apple, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account") for the period of May 28, 2025 00:00:00 GMT through June 1, 2025 23:59:00 GMT:

A. The following information about the customers or subscribers of the Account:

1. User profile information (including name, email, and phone number), relating to an Apple iCloud account or other accounts;

2. Usage information (including date of account creation and account status);

3. Means and source of payment (including partial credit card, credit card expiration date, associated credit card zip code; and other payment instruments).

B. All records and other information (not including the contents of communications) associated with the Account, including:

1. Records of any location information within the above timeline.

2. Records of other user profile information.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1700 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Account username relating to Angelina Resendiz under phone number 254-203-0672

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250605 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by LAPLANTE PAUL SPENCER [redacted]
Date: 2025.06.05 14:24:27 -07'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 0927 (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1700 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Account username relating to Angelina Resendiz under phone number [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 0927 (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**5 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

2. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

3. CSSN Copeland was not located until 1 June when he base police found him in his barracks room.

4. On 1 June, the Accused was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May. This was confirmed after a review of messages on his phone. He provided that she called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

5. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

6. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

7. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

8. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

9. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

10. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

11. On 4 June, the USS JAMES E. WILLIAMS provided that the phone number listed for CSSN Resendiz's recall is [redacted]. A check revealed that this phone number is associated with T-Mobile.

12. CSSN Resendiz's family has reported she is a regular user of the Snapchat application.

**INFORMATION AND RECORDS REQUESTED**

7. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Snap, Inc. for the account registered to CSSN Angelina Resendiz.

**REASON FOR REQUEST**

10. Trial Counsel and law enforcement request such information because this account will further the investigation by allowing for the submission of additional legal processes.

11. For these reasons, we respectfully request a subpoena for Snap, Inc. to produce the account information associated with CSSN Angelina Resendiz.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY, NORTHERN JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat account : angelina244506 | Case Identifier: 01JUN25NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

This warrant applies to the Snapchat account username [redacted]", an account associated with CSSN Angelina Resendiz, USN. That is Stored at the Premises Controlled by Snapchat, Inc., 2772 Donald Douglas Loop N., Santa Monica, CA 90405. See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 19 June 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

LCDR Paul S. LaPlante

*Rank and name of military judge*

Date and time issued: 20250605 1818 hours

LCDR Paul S. LaPlante

*Military judge's name and title*

Naval Base Kitsap - Bremerton

*Military installation or location:*

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.05 18:19:02 -07'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY-MARINE CORPS TRIAL JUDICIARY, NORTHERN JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

This warrant applies to the Snapchat account username "[redacted]", an account associated with CSSN Angelina Resendiz, USN. That is Stored at the Premises Controlled by Snapchat, Inc., 2772 Donald Douglas Loop N., Santa Monica, CA 90405. See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

_____

*Rank and name of military judge*

Date and time issued: _____ _____ hours _____

*Military judge's name and title*

Naval Station Norfolk, Virginia — *Military installation or location:*

_____ — *Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

| | |
|---|---|
| **From:** | Dempsey, Christopher B LT USN (USA) |
| **To:** | Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA); Mayo, Lauren A CDR USN CNO (USA) |
| **Subject:** | RE: Copeland - Snap Warrant |
| **Date:** | Friday, June 6, 2025 8:05:00 PM |

Thanks for reaching out. Understood – I'll take another look. The Snapchat on his phone only showed that they had communicated, the records themselves disappeared after being reviewed by the user.

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 8:04 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Good evening LT Dempsey,

I have reviewed the warrant request for Snap Chat. At this time, I do not find it establishes probable cause regarding the investigation of alleged violations of Arts. 85, 86, or 107.

Most of the request is for information that occurred prior to any alleged offenses. Further, the affidavit states that Copeland's phone was searched and snapchatting was found. However, there is no detail as to what those said or why they would contribute to probable cause. Please feel free to apply again with an affidavit that contains additional information.

I am just about to leave the office. If there are any other requests tonight or this weekend, please text me and I will review them ASAP.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

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**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>

**Sent:** Friday, June 6, 2025 4:37 PM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Good Evening Sir –

Understood, thank you!

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 2:59 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

LT Dempsey,

I just signed the subpoena and uploaded it to NCORS.

I am mostly done with the guilty plea and will address the Snap warrant as soon as I am done.

If any other urgent requests come in, please text me. Thanks.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

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**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 11:20 AM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Sir –

I've just submitted a fairly urgent subpoena for review. Thank you.

V/r,

LT Dempsey

---

**From:** Dempsey, Christopher B LT USN (USA)
**Sent:** Friday, June 6, 2025 1:37 PM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

All of your concerns are correct – I've resubmitted Attachment B, the affidavit, and the application. In my haste I must have forgotten to save my signatures.

I am going to begin two iCloud warrants now I expect to have to you soon.

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 12:52 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** Copeland - Snap Warrant

Good morning CDR Mayo and LT Dempsey,

I have reviewed your request for a warrant for Copeland's Snap account. I have the following questions:

- You are requesting information from 28 May – present. What is the probable cause to receive information after 2 June considering that he was located on 1 June and interviewed on 2 June?
- What is the probable cause to receive content beyond 29 May considering that per paragraph 30 of the affidavit it appears he did not communicate via Snap after the early morning of 29 May?

Also, LT Dempsey I noticed that you did not sign the bottom of the affidavit. I am not sure if that was intentional or just an oversight. If it was an oversight, please sign it and then re-upload it to

NCORS.

Finally, I am about to start a guilty plea at 1030 PST. I am willing to pause the guilty plea at any time if additional requests come in. The best way to notify me is to text me at [redacted]

Please let me know if you have any questions.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with the Snapchat, Inc. Account: [redacted] that is stored at premises owned, maintained, controlled, or operated by Snapchat, Inc., a company headquartered at 2772 Donald Douglas Loop N., Santa Monica, CA 90405.

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Snapchat, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Snapchat, Inc., Snapchat, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Snapchat, Inc., or have been preserved for Snapchat ID: [redacted] from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Snapchat passwords, Snapchat security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

(a) All activity logs for the account and all other documents for previous snaps, stories, and chats, to include any metadata and/or content;

(b) Content of sent snaps; story content; chat content;

(c) Content of user's memories, Snapchat's cloud-storage service;

(d) All logs, including sender recipient, date, and time, concerning the previous snaps sent to or from the Snapchat account of the above users; to include IP addresses associated to accounts listed above;

(e) The types of service utilized by the user;

(f) The length of service (including start date) and the means and source of any payments associated with the service (including an credit card or bank account number);

(g) All privacy settings and other account settings, including privacy settings for individual snaps, and all records showing which Snapchat users have been blocked by the account;

(h) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in section I, including correspondence, records, photographs, electronic mail, chat logs, and electronic chat messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Desertion) and Article 86 (Unauthorized absence) including, for each account or identifier listed on Attachment A, information pertaining to the following matters, including attempting and conspiring to engage in the following matters from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. Communications between the SUBJECT ACCOUNT and other users relevant to the offense under investigation;

b. The identity of the person(s) who created or used the Snapchat, Inc. account, including records that help reveal the whereabouts of such person(s);

c. Evidence indicating how and when the SUBJECT ACCOUNT was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and the account subscriber;

d. All records pertaining to communications between Snapchat and any person regarding the SUBJECT ACCOUNT;

e. Evidence indicating the subscriber's state of mind as it relates to the crime under investigation;

f. Evidence of the times the accounts or identifiers listed on Attachment A was used;

g. Device backups including camera roll and photo stream data to identify any actors;

h. Credit card and other financial information including but not limited to bills and payment records;

i. Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed on Attachment A and other associated accounts;

j. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNT communicated with;

k. Evidence relating to the intent of the account holder of SUBJECT ACCOUNT.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with the Snapchat account: "[redacted]" (SUBJECT ACCOUNT)**<br><br>**That is stored at Premises Controlled by Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405** | **CCN: 01JUN25NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Tiffany Martinez, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Tiffany Martinez, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) and have been employed for the NCIS since November, 2021. I am a sworn federal law enforcement officer. Your affiant has received approximately 950 hours of training in the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. This program provided instruction on investigations, federal law, and other practical issues for investigators. The Special Agent Basic Training Program sponsored by NCIS consisted of training, including death investigations, military law, firearms, intelligence, and crime scene investigation. Prior to NCIS, I was employed as a Correctional Officer with the Federal Bureau of Prisons for five (5) years. Prior to my tenure as a Correctional Officer, I was a paralegal preparing Motions and Discovery as well as trial preparation for criminal complaints. During the course of my tenure as a Special Agent and previous employments, I have served in the United States Army as a Military Police Office for approximately ten (10) years where I currently hold the rank of

Captain. During my time as a Military Police Officer, I completed a 17 week Military Police Basic Officer Law Enforcement Training located in Fort Leonard Wood, MO. My education consists of a Bachelor's of Science degree in Pre-Law from Mountain State University and a Masters of Professional Studies degree in Homeland Security from Pennsylvania State University.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Snapchat records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Snapchat, Inc. as is relates to account "[redacted]" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN ANGELINA RESENDIZ, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the data obtained from **SUBJECT ACCOUNT**.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic

storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 85 (Desertion) of the Uniform Code of Military Justice (UCMJ) defines Desertion as any person subject tot his chapter who without authority foes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently is guilty of desertion.

12. Article 86 (Unauthorized Absence) of the UCMJ defines Unauthorized Absence as any person subject to this chapter who, without authority, fails to go to his appointed place of duty at the time prescribed; goes from that place; or absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time prescribed, is guilty of Unauthorized Absence and shall be punished as a court-martial may direct.

## BACKGROUND CONCERNING SNAPCHAT

13. In my training and experience, I have learned that Snap Inc. provides a variety of on-line services, including electronic communications access, to the public, namely through the application "Snapchat". Subscribers obtain an account by registering with Snap Inc. During the registration process, Snap Inc. asks subscribers to provide basic personal information.

14. Snapchat is a mobile application made by Snapchat, Inc. and is available through the iPhone App Store and Google Play. The application provides a way to share moments with photos, videos, and text. Snapchat's differentiating feature from other communications is that once the sender is able to set a variable amount of time the message is viewable by the receiver. This time can be between one and ten seconds.

15. At the expiration of the time, the message is deleted from Snapchat's servers. Similarly, the message disappears from the user's devices. If the receiver of a Snapchat message does not access the application on the device the message remains undelivered. Snapchat stores undelivered messages for 30 days. After 30 days the messages are deleted from the company's servers.

16. Snapchat users have the following abilities:

    a. Snaps: A user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Pictures and videos can also be sent from the saved pictures/videos in the gallery of the device. Unless the sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it's been opened in the case of the recipient). Users are able to save a photo or video they've taken locally to their devices or to Memories, which is Snapchat's cloud-storage service.

    b. Stories: A user can add a video or snaps to their "story" Depending on the user's privacy settings, the photos and video added to a Story can be viewed by either all

Snapchatters or just the user's friends for up to 24 hours. Stories can also be saved in Memories. Our Stories is a collection of user submitted snaps from different locations and events. A Snapchat user, with the location services of their device turned on, can contribute to a collection of snaps regarding the event.

c. Memories: Snapchat's cloud-storage service. Users can save their sent or unsent Snap, posted stories, and photos and videos from their phone's gallery in Memories. A user can also edit and send snaps and create stories from these memories. Snaps, stories, and other photos and videos saved in memories are backed up by us and ma remain in memories until deleted by the user.

d. Chat: A user can also type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the chat feature. A user sends a chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

e. Snapcash: Snapchat also offers money transfer service called Snapcash. Users are able to transfer up to $2,500 per week using this service. Snapcash transactions are only permitted using Visa and Mastercard debit cards issued by a United States Financial Institution. Money transfers can only occur if the sender and received both have Snapchat installed and have linked an appropriate debit card to their accounts. To facilitate these transactions, Snapchat retains information about the method and source of payment including debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers.

17. Information that Snapchat possesses and maintains:

a. Personally Identifying Information: When a user creates an account they make a unique Snapchat username. This is the name visible to other Snapchat users. A user also enters a date of birth. This is supposed to prevent anyone under the age of 13 from using Snapchat. An email address is required to register a Snapchat. A new user also has to provide a mobile phone number. This phone number is verified during the registration process. Snapchat sends an activation code that must be entered before proceeding with the registration step. However, a user may elect to bypass entering a phone.

b. Usage information: While a Snapchat message may disappear, the record of who sent it and when still exists. Snapchat records and retains log files and information that is roughly analogous to the call detail records maintained by telecommunication companies. This includes the date, time, sender, and recipient of a snap. Additionally, Snapchat stores the number of messages exchanged, which users they communicate with the most, message status including if and when the message was opened, and whether the receiver used the native screen capture function of their device to take a picture of the snap before it disappeared.

c. Device information: Snapchat stores device information such as the model, operating system, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique service identifiers such as the Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat.

d. Device Phonebook and Photos: If a user consents, Snapchat can access from their device's electronic phonebook or contacts list and images.

e. Financial information: Snapchat retains information about the method and source of payment of customers who use the Snapcash service. This includes debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers. Snapcash generates a receipt for any transaction. The receipts are programmed to automatically delete after the sender and recipient have seen the message and swiped out of the Chat screen, unless either taps to save the message. Snapchat maintains transactional records for ten days. These records include information about the sender and receiver, the transaction amount, and date/times tamps of when the message weas sent, received, and opened.

f. Message Content: Snapchat's motto is "delete is our default." Snapchat deletes a snap once it has been viewed. If the message is not read, because the user has not opened up the application, the message is stored for 30 days before being deleted. However, just because the snap no longer appears the user does not mean it is gone. For example, For example, Snapchat has a feature called Replay. This allows users to view a previously viewed snap once per day. This feature is disabled by default and the user must opt-in to use Replay. Also, if a Snapchat user posts an image or video to the MyStory feature it can be viewed by their

friends for 24 hours. If the user posted to the Our Storie feature, the snaps are archived and can be viewed through Snapchat.

18. Therefore, the computers of Snapchat are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and account application.

## PROBABLE CAUSE

19. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

20. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

21. CSSN Copeland was not located until 1 June when he base police found him in his barracks room.

22. On 1 June, the Accused was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May. This was confirmed after a review of messages on his phone. He provided that she called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

23. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

24. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

25. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed

medication. NMCP Emergency Room and psychology department were negative for her presence when called.

26. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

27. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

28. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

29. CSSN Resendiz's family has reported she is a regular user of the Snapchat application. They also provided that her username is "[redacted]".

30. Additionally, family and friends reported CSSN Resendiz utilizes Snapchat on a daily basis and has a 400 day snapchat streak with her sister.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

31. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime

(e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

32. Based on the aforementioned factual information, I respectfully submit that probable cause exists to believe that evidence, fruits, and instrumentalities of violations of Articles 85 and 86 of the UCMJ and is located within information associated with the **SUBJECT ACCOUNT**.

33. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional NCIS agents, law enforcement personnel, and forensic support personnel, to search the **SUBJECT ACCOUNT** for, and seize, the items specified in Attachment B.

## CONCLUSION

31. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

MARTINEZ.TIFFANY.LYNN [redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN [redacted]

Special Agent Tiffany Martinez
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 5 day of June, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* Snapchat account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 85, 86 | Desertion and Unauthorized Absence |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent Tiffany Martinez

*Applicant's printed name and title*

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.05 20:17:12 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250605 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.05 20:20:12 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Cox Communications, 6205-B Peachtree Dunwoody Road Atlanta, GA 30328
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1809 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Records relating to the IP Address 174.77.94.243, including the location. The relevant time zone is EST and the dates are 1 June 2025 at 25:54:45 Z and 2 June 2025 at 00:00:38 Z.

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250605 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER [redacted]
Date: 2025.06.05 18:09:15 -07'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 1809 (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Cox Communications, 6205-B Peachtree Dunwoody Road Atlanta, GA 30328
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1700 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Records relating to the IP Address 174.77.94.243, including the location. The relevant time zone is EST and the dates are 1 June 2025 at 25:54:45 Z and 2 June 2025 at 00:00:38 Z.

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as Military Judge
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court
757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____ 0927
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**5 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. There were two failed login attempts on 1 June 2025 and 2 June 2025 (UTC time) for IP 174.77.94.243. The data is as follows:

2025-06-02 00:00:38 Z 174.77.94.243 Failed Login

Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/135.0.0.0 Safari/537.36,gzip(gfe),gzip(gfe)

2025-06-01 23:54:45 Z 174.77.94.243 Failed Login

8. This IP address belongs to Cox Communications.

## INFORMATION AND RECORDS REQUESTED

9. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cox Communications for the records IP address for IP 174.77.94.243 to determine where that IP address is located.

## REASON FOR REQUEST

10. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

11. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

[redacted]
C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY, NORTHERN JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

Snapchat accounts : [redacted]

Case Identifier: 02JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

_____

*Rank and name of military judge*

Date and time issued: _____ _____ hours _____

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

_____

*Signature of military judge*

Questions and requests for relief should be directed to:

Christopher

*First name*

Dempsey

*Last name*

757-341-4545

*Phone number*

christopher.dempsey2@navy.mil

*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with the Snapchat, Inc. Accounts: [redacted] and phone number [redacted] that is stored at premises owned, maintained, controlled, or operated by Snapchat, Inc., a company headquartered at 2772 Donald Douglas Loop N., Santa Monica, CA 90405.

## ATTACHMENT B

### Items to be Seized

I. Information to be disclosed by Snapchat, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Snapchat, Inc., Snapchat, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Snapchat, Inc., or have been preserved for Snapchat IDs: [redacted] and phone number [redacted] from **12AM (Eastern Standard Time) on 28 May, 2025** through **2 June 2025**:

All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Snapchat passwords, Snapchat security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

(a) All activity logs for the account and all other documents for previous snaps, stories, and chats, to include any metadata and/or content;

(b) Content of sent snaps; story content; chat content;

(c) Content of user's memories, Snapchat's cloud-storage service;

(d) All logs, including sender recipient, date, and time, concerning the previous snaps sent to or from the Snapchat account of the above users; to include IP addresses associated to accounts listed above;

(e) The types of service utilized by the user;

(f) The length of service (including start date) and the means and source of any payments associated with the service (including an credit card or bank account number);

(g) All privacy settings and other account settings, including privacy settings for individual snaps, and all records showing which Snapchat users have been blocked by the account;

(h) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information relating to communications from **12AM (Eastern Standard Time) on 28 May, 2025** through **29 May 2025 at 0900 EST:**

a. Communications between the SUBJECT ACCOUNTS and other users relevant to the offense under investigation from

b. All records pertaining to communications between Snapchat and any person regarding the SUBJECT ACCOUNTS; and

c. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNTS communicated with.

All information described above in section I, except for communications, that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence) and Article 107 (False Official Statement) including, for each account or identifier listed on Attachment A, information pertaining to the following matters, including attempting and conspiring to engage in the following matters from **12AM (Eastern Standard Time) on 28 May, 2025** through **2 June 2025**:

d. The identity of the person(s) who created or used the Snapchat, Inc. account, including records that help reveal the whereabouts of such person(s);

e. Evidence indicating how and when the SUBJECT ACCOUNTS was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and the account subscriber;

f. Evidence indicating the subscriber's state of mind as it relates to the crime under investigation;

g. Evidence of the times the accounts or identifiers listed on Attachment A was used;

h. Device backups including camera roll and photo stream data to identify any actors;

i. Credit card and other financial information including but not limited to bills and payment records;

j. Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed on Attachment A and other associated accounts;

k. Evidence relating to the intent of the account holder of SUBJECT ACCOUNTS.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with the Snapchat account: "[redacted]" and phone number [redacted] (SUBJECT ACCOUNTS)**<br><br>**That is stored at Premises Controlled by Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405** | **CCN: 01JUN25NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Tiffany Martinez, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Tiffany Martinez, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) and have been employed for the NCIS since November, 2021. I am a sworn federal law enforcement officer. Your affiant has received approximately 950 hours of training in the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. This program provided instruction on investigations, federal law, and other practical issues for investigators. The Special Agent Basic Training Program sponsored by NCIS consisted of training, including death investigations, military law, firearms, intelligence, and crime scene investigation. Prior to NCIS, I was employed as a Correctional Officer with the Federal Bureau of Prisons for five (5) years. Prior to my tenure as a Correctional Officer, I was a paralegal preparing Motions and Discovery as well as trial preparation for criminal complaints. During the course of my tenure as a Special Agent and previous employments, I have served in the United States Army as a

Military Police Office for approximately ten (10) years where I currently hold the rank of Captain. During my time as a Military Police Officer, I completed a 17 week Military Police Basic Officer Law Enforcement Training located in Fort Leonard Wood, MO. My education consists of a Bachelor's of Science degree in Pre-Law from Mountain State University and a Masters of Professional Studies degree in Homeland Security from Pennsylvania State University.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Snapchat records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Snapchat, Inc. as is relates to account [redacted]" and phone number [redacted] (**SUBJECT ACCOUNTS**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the data obtained from **SUBJECT ACCOUNT**.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 85 (Desertion) of the Uniform Code of Military Justice (UCMJ) defines Desertion as any person subject tot his chapter who without authority foes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently is guilty of desertion.

12. Article 107 (False Official Statement) of the UCMJ defines a False Official Statement as any person subject to this chapter who, with intent to deceive, makes any other false official statement knowing it to be false.

## BACKGROUND CONCERNING SNAPCHAT

13. In my training and experience, I have learned that Snap Inc. provides a variety of on-line services, including electronic communications access, to the public, namely through the application "Snapchat". Subscribers obtain an account by registering with Snap Inc. During the registration process, Snap Inc. asks subscribers to provide basic personal information.

14. Snapchat is a mobile application made by Snapchat, Inc. and is available through the iPhone App Store and Google Play. The application provides a way to share moments with photos, videos, and text. Snapchat's differentiating feature from other communications is that once the sender is able to set a variable amount of time the message is viewable by the receiver. This time can be between one and ten seconds.

15. At the expiration of the time, the message is deleted from Snapchat's servers. Similarly, the message disappears from the user's devices. If the receiver of a Snapchat message does not access the application on the device the message remains undelivered. Snapchat stores undelivered messages for 30 days. After 30 days the messages are deleted from the company's servers.

16. Snapchat users have the following abilities:

    a. Snaps: A user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Pictures and videos can also be sent from the saved pictures/videos in the gallery of the device. Unless the sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it's been opened in the case of the recipient). Users are able to save a photo or video they've taken locally to their devices or to Memories, which is Snapchat's cloud-storage service.

    b. Stories: A user can add a video or snaps to their "story" Depending on the user's privacy settings, the photos and video added to a Story can be viewed by either all Snapchatters or just the user's friends for up to 24 hours. Stories can also be saved in Memories. Our Stories is a collection of user submitted snaps from

different locations and events. A Snapchat user, with the location services of their device turned on, can contribute to a collection of snaps regarding the event.

c. Memories: Snapchat's cloud-storage service. Users can save their sent or unsent Snap, posted stories, and photos and videos from their phone's gallery in Memories. A user can also edit and send snaps and create stories from these memories. Snaps, stories, and other photos and videos saved in memories are backed up by us and ma remain in memories until deleted by the user.

d. Chat: A user can also type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the chat feature. A user sends a chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

e. Snapcash: Snapchat also offers money transfer service called Snapcash. Users are able to transfer up to $2,500 per week using this service. Snapcash transactions are only permitted using Visa and Mastercard debit cards issued by a United States Financial Institution. Money transfers can only occur if the sender and received both have Snapchat installed and have linked an appropriate debit card to their accounts. To facilitate these transactions, Snapchat retains information about the method and source of payment including debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers.

17. Information that Snapchat possesses and maintains:

a. Personally Identifying Information: When a user creates an account they make a unique Snapchat username. This is the name visible to other Snapchat users. A user also enters a date of birth. This is supposed to prevent anyone under the age of 13 from using Snapchat. An email address is required to register a Snapchat. A new user also has to provide a mobile phone number. This phone number is verified during the registration process. Snapchat sends an activation code that must be entered before proceeding with the registration step. However, a user may elect to bypass entering a phone.

b. Usage information: While a Snapchat message may disappear, the record of who sent it and when still exists. Snapchat records and retains log files and information that is roughly analogous to the call detail records maintained by telecommunication companies. This includes the date, time, sender, and recipient of a snap. Additionally, Snapchat stores the number of messages exchanged, which users they communicate with the most, message status including if and when the message was opened, and whether the receiver used the native screen capture function of their device to take a picture of the snap before it disappeared.

c. Device information: Snapchat stores device information such as the model, operating system, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique service identifiers such as the Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat.

d. Device Phonebook and Photos: If a user consents, Snapchat can access from their device's electronic phonebook or contacts list and images.

e. Financial information: Snapchat retains information about the method and source of payment of customers who use the Snapcash service. This includes debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers. Snapcash generates a receipt for any transaction. The receipts are programmed to automatically delete after the sender and recipient have seen the message and swiped out of the Chat screen, unless either taps to save the message. Snapchat maintains transactional records for ten days. These records include information about the sender and receiver, the transaction amount, and date/times tamps of when the message weas sent, received, and opened.

f. Message Content: Snapchat's motto is "delete is our default." Snapchat deletes a snap once it has been viewed. If the message is not read, because the user has not opened up the application, the message is stored for 30 days before being deleted. However, just because the snap no longer appears the user does not mean it is gone. For example, For example, Snapchat has a feature called Replay. This allows users to view a previously viewed snap once per day. This feature is disabled by default and the user must opt-in to use Replay. Also, if a Snapchat user posts an image or video to the MyStory feature it can be viewed by their

friends for 24 hours. If the user posted to the Our Storie feature, the snaps are archived and can be viewed through Snapchat.

18. Therefore, the computers of Snapchat are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and account application.

## PROBABLE CAUSE

19. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

20. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

21. CSSN Copeland was not located until 1 June when base police found him in his barracks room.

22. On 1 June, the Accused was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May. This was confirmed after a review of messages on his phone. He provided that she called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

23. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

24. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not locate in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

25. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed

medication. NMCP Emergency Room and psychology department were negative for her presence when called.

26. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

27. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

28. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

29. On June 3, 2025, NCIS interviewed CSSN Copeland and he relayed his telephone number is [redacted] Additionally, CSSN Copeland's command advised Copeland communicated with his command via telephone number [redacted].

30. CSSN Copeland signed a Permissive Authorization for Search and Seizure of his phone. That search revealed his Snapchat username to be jermiah1738. Snapchat communications exist between CSSN Copeland and CSSN Resendiz. CSSN Copeland was also on Snapchat throughout the evening on 28 May 2025 and the early morning of 29 May 2025 communicating with others.

31. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

32. On 2 June 2025, CSSN Copeland was re-interviewed and confirmed that he was absent from work on 29 May. He stated that he spent time in various lounges in his barracks and visited with friends during the time between 29 May and 1 June. He provided he did not engage in sexual activity with CSSN Resendiz and that she was not naked at any time during her stay at his barracks room. He also provided he did not drive her to her barracks on 29 May, but rather that she left alone.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

31. As explained herein, information stored in connection with the **SUBJECT ACCOUNTS** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic

communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

32. Based on the aforementioned factual information, I respectfully submit that probable cause exists to believe that evidence, fruits, and instrumentalities of violations of Articles 85 and 86 of the UCMJ and is located within information associated with the **SUBJECT ACCOUNTS**.

33. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional NCIS agents, law enforcement personnel, and forensic support personnel, to search the **SUBJECT ACCOUNTS** for, and seize, the items specified in Attachment B.

## CONCLUSION

33. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN.[redacted] Date: 2025.06.06 11:09:24 -04'00'

Special Agent Tiffany Martinez
Naval Criminal Investigative Service

Subscribed and sworn to before me on the _____ day of _____, 2025.

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with the Snapchat account: "[redacted]" and phone number [redacted] (SUBJECT ACCOUNTS)**<br><br>**That is stored at Premises Controlled by Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405** | **CCN: 01JUN25NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Tiffany Martinez, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Tiffany Martinez, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) and have been employed for the NCIS since November, 2021. I am a sworn federal law enforcement officer. Your affiant has received approximately 950 hours of training in the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. This program provided instruction on investigations, federal law, and other practical issues for investigators. The Special Agent Basic Training Program sponsored by NCIS consisted of training, including death investigations, military law, firearms, intelligence, and crime scene investigation. Prior to NCIS, I was employed as a Correctional Officer with the Federal Bureau of Prisons for five (5) years. Prior to my tenure as a Correctional Officer, I was a paralegal preparing Motions and Discovery as well as trial preparation for criminal complaints. During the course of my tenure as a Special Agent and previous employments, I have served in the United States Army as a

Military Police Office for approximately ten (10) years where I currently hold the rank of Captain. During my time as a Military Police Officer, I completed a 17 week Military Police Basic Officer Law Enforcement Training located in Fort Leonard Wood, MO. My education consists of a Bachelor's of Science degree in Pre-Law from Mountain State University and a Masters of Professional Studies degree in Homeland Security from Pennsylvania State University.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Snapchat records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Snapchat, Inc. as is relates to account "[redacted]" and phone number [redacted] (**SUBJECT ACCOUNTS**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the data obtained from **SUBJECT ACCOUNT**.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

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(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

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different locations and events. A Snapchat user, with the location services of their device turned on, can contribute to a collection of snaps regarding the event.

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18. Therefore, the computers of Snapchat are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and account application.

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20. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

21. CSSN Copeland was not located until 1 June when base police found him in his barracks room.

22. On 1 June, the Accused was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May. This was confirmed after a review of messages on his phone. He provided that she called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

23. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

24. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not locate in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

25. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed

medication. NMCP Emergency Room and psychology department were negative for her presence when called.

26. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

27. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

28. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

29. On June 3, 2025, NCIS interviewed CSSN Copeland and he relayed his telephone number is [redacted]. Additionally, CSSN Copeland's command advised Copeland communicated with his command via telephone number [redacted].

30. CSSN Copeland signed a Permissive Authorization for Search and Seizure of his phone. That search revealed his Snapchat username to be [redacted]. Snapchat communications exist between CSSN Copeland and CSSN Resendiz. CSSN Copeland was also on Snapchat throughout the evening on 28 May 2025 and the early morning of 29 May 2025 communicating with others.

31. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

32. On 2 June 2025, CSSN Copeland was re-interviewed and confirmed that he was absent from work on 29 May. He stated that he spent time in various lounges in his barracks and visited with friends during the time between 29 May and 1 June. He provided he did not engage in sexual activity with CSSN Resendiz and that she was not naked at any time during her stay at his barracks room. He also provided he did not drive her to her barracks on 29 May, but rather that she left alone.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

31. As explained herein, information stored in connection with the **SUBJECT ACCOUNTS** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic

communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

32. Based on the aforementioned factual information, I respectfully submit that probable cause exists to believe that evidence, fruits, and instrumentalities of violations of Articles 85 and 86 of the UCMJ and is located within information associated with the **SUBJECT ACCOUNTS**.

33. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional NCIS agents, law enforcement personnel, and forensic support personnel, to search the **SUBJECT ACCOUNTS** for, and seize, the items specified in Attachment B.

## CONCLUSION

33. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN.[redacted] Date: 2025.06.06 11:09:24 -04'00'

Special Agent Tiffany Martinez
Naval Criminal Investigative Service

Subscribed and sworn to before me on the _____ day of _____, 2025.

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Snapchat accounts : [redacted] and [redacted] | Case Identifier: 02JUN25NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 86, 107 | False Official Statement and Unauthorized Absence |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent Tiffany Martinez

*Applicant's printed name and title*

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.06 11:11:48 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| 20250606 | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.06 13:28:09 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA)
**Subject:** Fw: Copeland - Snap Warrant
**Date:** Tuesday, June 10, 2025 1:03:38 PM

---

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 8:06 PM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Thanks for reaching out. Understood – I'll take another look. The Snapchat on his phone only showed that they had communicated, the records themselves disappeared after being reviewed by the user.

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 8:04 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Good evening LT Dempsey,

I have reviewed the warrant request for Snap Chat. At this time, I do not find it establishes probable

cause regarding the investigation of alleged violations of Arts. 85, 86, or 107.

Most of the request is for information that occurred prior to any alleged offenses. Further, the affidavit states that Copeland's phone was searched and snapchatting was found. However, there is no detail as to what those said or why they would contribute to probable cause. Please feel free to apply again with an affidavit that contains additional information.

I am just about to leave the office. If there are any other requests tonight or this weekend, please text me and I will review them ASAP.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 4:37 PM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Good Evening Sir –

Understood, thank you!

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 2:59 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

LT Dempsey,

I just signed the subpoena and uploaded it to NCORS.

I am mostly done with the guilty plea and will address the Snap warrant as soon as I am done.

If any other urgent requests come in, please text me.  Thanks.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA  98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 11:20 AM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

Sir –

I've just submitted a fairly urgent subpoena for review.  Thank you.

V/r,

LT Dempsey

---

**From:** Dempsey, Christopher B LT USN (USA)
**Sent:** Friday, June 6, 2025 1:37 PM
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Copeland - Snap Warrant

All of your concerns are correct – I've resubmitted Attachment B, the affidavit, and the application.  In my haste I must have forgotten to save my signatures.

I am going to begin two iCloud warrants now I expect to have to you soon.

V/r,

LT Dempsey

---

**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA) <paul.s.laplante.mil@us.navy.mil>
**Sent:** Friday, June 6, 2025 12:52 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** Copeland - Snap Warrant

Good morning CDR Mayo and LT Dempsey,

I have reviewed your request for a warrant for Copeland's Snap account. I have the following questions:

- You are requesting information from 28 May – present. What is the probable cause to receive information after 2 June considering that he was located on 1 June and interviewed on 2 June?
- What is the probable cause to receive content beyond 29 May considering that per paragraph 30 of the affidavit it appears he did not communicate via Snap after the early morning of 29 May?

Also, LT Dempsey I noticed that you did not sign the bottom of the affidavit. I am not sure if that was intentional or just an oversight. If it was an oversight, please sign it and then re-upload it to NCORS.

Finally, I am about to start a guilty plea at 1030 PST. I am willing to pause the guilty plea at any time if additional requests come in. The best way to notify me is to text me at [redacted]

Please let me know if you have any questions.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary
365 S. Barclay St., Bldg. 433
Bremerton, WA 98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Cox Communications, 6205-B Peachtree Dunwoody Road Atlanta, GA 30328
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1700 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Records relating to the IP Address 216.54.97.75, including the location. The relevant time zone is PDT and the date is 6 June at 07:44:00 PDT.

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250606 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by LAPLANTE PAUL SPENCER [redacted]
Date: 2025.06.06 11:55:47 -07'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 0927 (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Cox Communications, 6205-B Peachtree Dunwoody Road Atlanta, GA 30328
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250606 |
| Time: | 1700 |
| Location: | Email to: |
| | tiffany.martinez@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Records relating to the IP Address 216.54.97.75, including the location. The relevant time zone is PDT and the date is 6 June at 07:44:00 PDT.

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as Military Judge
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court
757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545 christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____ 0927
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**5 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. An iCloud 2703(d) order revealed that her account and cell phone were accessing IP address: 216.54.97.75 as recently as Jun 6 at 07:44:00 PDT.

8. This IP address belongs to Cox Communications.

## INFORMATION AND RECORDS REQUESTED

9. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cox Communications for the records IP address for IP 216.54.97.75 to determine where that IP address is located.

## REASON FOR REQUEST

10. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

11. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

[redacted]
C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY, NORTHERN JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

Apple iCloud account [redacted]

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 20 June 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

LCDR Paul S. LaPlante

*Rank and name of military judge*

Date and time issued: 20250606 1619 hours

LCDR Paul S. LaPlante

*Military judge's name and title*

Naval Base Kitsap - Bremerton

*Military installation or location:*

[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.06 16:20:06 -07'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

Christopher

*First name*

Dempsey

*Last name*

757-341-4545

*Phone number*

christopher.dempsey2@navy.mil

*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Apple iCloud account : angelinaresendiz19@gmail.com | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|
| *First name* | *Last name* / *Title* |

**NAVY-MARINE CORPS TRIAL JUDICIARY, NORTHERN JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Apple iCloud account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

_____

*Rank and name of military judge*

Date and time issued: _____ _____ hours _____

*Military judge's name and title*

Naval Station Norfolk, Virginia — _____

*Military installation or location:* — *Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Apple iCloud account : [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA); Dempsey, Christopher B LT USN (USA)
**Subject:** Re: Copeland - Apple Warrant
**Date:** Friday, June 6, 2025 7:11:14 PM
**Attachments:** RESENDIZ iCLOUD Attachment (B) tems to be Seized Corrected.docx

---

LCDR LaPlante,

Attached is the correct version. I will upload to NCORS now. Thanks!

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Laplante, Paul S LCDR USN COMNAVLEGSVCOM DC (USA)
**Sent:** Friday, June 6, 2025 6:43 PM
**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Subject:** Copeland - Apple Warrant

Good afternoon CDR Mayo and LT Dempsey,

I am reviewing your request for a warrant from Apple. However, it appears that Attachment B is mostly a copy and paste of the Snap Chat warrant application. Can you please double check that and upload changes into NCORS. Once you have done that, please email me and I will review it.

Very Respectfully,

LCDR Paul LaPlante, JAGC, USN
Military Judge, Northwest Judicial Circuit
Navy-Marine Corps Trial Judiciary

365 S. Barclay St., Bldg. 433
Bremerton, WA  98314-5260
Cell: [redacted]
Office: (360) 627-2476
paul.s.laplante.mil@us.navy.mil

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

This warrant applies to information associated with the Snapchat, Inc. Account: [redacted] that is stored at the premises controlled by Apple Inc., One Apple Park Way, Cupertino, CA 95014.

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Apple, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple, Inc., Apple, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Apple, Inc., or have been preserved for the iCloud account of e-mail: angelinaresendiz19@gmail.com from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Apple passwords, Apple security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

b. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

c. All past and current usernames associated with the **SUBJECT ACCOUNTS**;

d. The dates and times at which the **SUBJECT ACCOUNTS** was created, and IP address at the time of sign-up;

e. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNTS**, as well as any other log file information;

f. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNTS**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNTS** and the date and time of those accesses;

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

**II. Information to be seized by the government**

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Unauthorized Absence) and Article 86 (Desertion) of the UCMJ.

a. The identity of the person(s) who created or used the iCloud account, including records which help reveal the whereabouts of such person(s) for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

b. Evidence indicating how and when the **SUBJECT ACCOUNTS** were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

c. All content of emails (including attachments) between the **SUBJECT ACCOUNTS** and other email addresses relating to the crimes under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

d. Evidence indicating the **SUBJECT ACCOUNTS** owners' or users' state of mind as it relates to the crime under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

e. Evidence of the times the accounts or identifiers listed on Attachment A was used for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

f. Passwords and encryption keys, and other access information that may be necessary to access the accounts or identifiers listed on Attachment A and other associated accounts for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

## III. Method of Service/Delivery

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Tiffany using electronic means (tiffany.martinez@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Apple, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple, Inc., Apple, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Apple, Inc., or have been preserved for the iCloud account of e-mail: [redacted] from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Apple passwords, Apple security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

b. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

c. All past and current usernames associated with the **SUBJECT ACCOUNTS**;

d. The dates and times at which the **SUBJECT ACCOUNTS** was created, and IP address at the time of sign-up;

e. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNTS**, as well as any other log file information;

f. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNTS**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNTS** and the date and time of those accesses;

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

**II. Information to be seized by the government**

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Unauthorized Absence) and Article 86 (Desertion) of the UCMJ.

a. The identity of the person(s) who created or used the iCloud account, including records which help reveal the whereabouts of such person(s) for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

b. Evidence indicating how and when the **SUBJECT ACCOUNTS** were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

c. All content of emails (including attachments) between the **SUBJECT ACCOUNTS** and other email addresses relating to the crimes under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

d. Evidence indicating the **SUBJECT ACCOUNTS** owners' or users' state of mind as it relates to the crime under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

e. Evidence of the times the accounts or identifiers listed on Attachment A was used for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

f. Passwords and encryption keys, and other access information that may be necessary to access the accounts or identifiers listed on Attachment A and other associated accounts for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

## III. Method of Service/Delivery

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Tiffany using electronic means (tiffany.martinez@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Apple, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple, Inc., Apple, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Apple, Inc., or have been preserved for the iCloud account of e-mail: angelinaresendiz19@gmail.com from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Snapchat passwords, Snapchat security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

(a) All activity logs for the account and all other documents for previous snaps, stories, and chats, to include any metadata and/or content;

(b) Content of sent snaps; story content; chat content;

(c) Content of user's memories, Snapchat's cloud-storage service;

(d) All logs, including sender recipient, date, and time, concerning the previous snaps sent to or from the Snapchat account of the above users; to include IP addresses associated to accounts listed above;

(e) The types of service utilized by the user;

(f) The length of service (including start date) and the means and source of any payments associated with the service (including an credit card or bank account number);

(g) All privacy settings and other account settings, including privacy settings for individual snaps, and all records showing which Snapchat users have been blocked by the account;

(h) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in section I, including correspondence, records, photographs, electronic mail, chat logs, and electronic chat messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Desertion) and Article 86 (Unauthorized absence) including, for each account or identifier listed on Attachment A, information pertaining to the following matters, including attempting and conspiring to engage in the following matters from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. Communications between the SUBJECT ACCOUNT and other users relevant to the offense under investigation;

b. The identity of the person(s) who created or used the Snapchat, Inc. account, including records that help reveal the whereabouts of such person(s);

c. Evidence indicating how and when the SUBJECT ACCOUNT was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and the account subscriber;

d. All records pertaining to communications between Snapchat and any person regarding the SUBJECT ACCOUNT;

e. Evidence indicating the subscriber's state of mind as it relates to the crime under investigation;

f. Evidence of the times the accounts or identifiers listed on Attachment A was used;

g. Device backups including camera roll and photo stream data to identify any actors;

h. Credit card and other financial information including but not limited to bills and payment records;

i. Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed on Attachment A and other associated accounts;

j. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNT communicated with;

k. Evidence relating to the intent of the account holder of SUBJECT ACCOUNT.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with the iCloud account registered to:**<br>**"[redacted]"**<br>**(SUBJECT ACCOUNT)**<br><br>**That is Stored at the Premises Controlled by Apple Inc., One Apple Park Way, Cupertino, CA 95014.** | **CCN: 01JUN25NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Tiffany Martinez, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I, Tiffany Martinez, am a Special Agent with the Naval Criminal Investigative Service (NCIS), having been duly appointed to affect Searches and Seizures in the United States and it's territories, make the following statement in support of a request for a search warrant.

2. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) and have been employed for the NCIS since November, 2021. I am a sworn federal law enforcement officer. Your affiant has received approximately 950 hours of training in the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. This program provided instruction on investigations, federal law, and other practical issues for investigators. The Special Agent Basic Training Program sponsored by NCIS consisted of training, including death investigations, military law, firearms, intelligence, and crime scene investigation. Prior to NCIS, I was employed as a Correctional Officer with the Federal Bureau of Prisons for five (5) years. Prior to my tenure as a Correctional Officer, I was a paralegal preparing Motions and Discovery as well as trial preparation for criminal complaints. During the course of my tenure as a Special Agent and previous employments, I have served in the United States Army as a

Military Police Office for approximately ten (10) years where I currently hold the rank of Captain. During my time as a Military Police Officer, I completed a 17 week Military Police Basic Officer Law Enforcement Training located in Fort Leonard Wood, MO. My education consists of a Bachelor's of Science degree in Pre-Law from Mountain State University and a Masters of Professional Studies degree in Homeland Security from Pennsylvania State University.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Snapchat records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Apple, Inc. as is relates to the email [redacted]" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN ANGELINA RESENDIZ, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the data obtained from **SUBJECT ACCOUNT**.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 85 (Desertion) of the Uniform Code of Military Justice (UCMJ) defines Desertion as any person subject tot his chapter who without authority foes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently is guilty of desertion.

12. Article 86 (Unauthorized Absence) of the UCMJ defines Unauthorized Absence as any person subject to this chapter who, without authority, fails to go to his appointed place of duty at the time prescribed; goes from that place; or absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time prescribed, is guilty of Unauthorized Absence and shall be punished as a court-martial may direct.

## BACKGROUND CONCERNING iCLOUD

33. In my training and experience, I have learned that Apple Inc. provides a variety of on-line services, including electronic mail ("email") access, to the public. Apple Inc. allows subscribers to obtain email accounts at the domain name icloud.com, like the email account listed in Attachment A. Subscribers obtain an account by registering with Apple Inc. During the registration process, Apple Inc. asks subscribers to provide basic personal information. Therefore, the computers of Apple Inc. are likely to contain stored electronic communications, including retrieved and unretrieved email for Apple Inc. subscribers, and information concerning subscribers and their use of Apple Inc. services, such as account access information, email transaction information, and account application information. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

34. An Apple Inc. subscriber can also store with the provider files in addition to emails, such as address books, contact or buddy lists, calendar data, pictures other than ones attached to emails, and other files, on servers maintained and/or owned by Apple Inc. In my training and experience, evidence of who was using an email account may be found in address books, calendar data, contact or buddy lists, email in the account, and attachments to emails, including pictures and files.

35. In my training and experience, email providers generally ask their subscribers to provide certain personal identifying information when registering for an email account. Such information can include the subscriber's full name, physical address, telephone numbers and other identifiers, and alternative email addresses. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and my experience, I know that even if subscribers insert false information to conceal their identity, I know that this information often provide clues to their identity, location or illicit activities.

36. In my training and experience, email providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as

logging into the account via the provider's website), and other log files that reflect usage of the account. In addition, email providers often have records of the Internet Protocol address ("IP address") used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the email account.

37. In my training and experience, in some cases, email account users will communicate directly with an email service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. Email providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

38. As explained herein, information stored in connection with an email account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with an email account can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, email communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the account at a relevant time. Further, information maintained by the email provider can show how and when the account was accessed or used. For example, as described below, email providers typically log the Internet Protocol (IP) addresses from which users access the email account along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the email account access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the account owner. Additionally, information stored at the user's account may further indicate the geographic location of the account user at a particular time (e.g., location information integrated into an image or video sent via email). Last, stored electronic data may provide relevant insight into the email account owner's state of mind as it relates to the offense under investigation. For example, information in the email account may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications to conceal them from law enforcement).

39. In general, an email that is sent to an Apple Inc. subscriber is stored in the subscriber's "mail box" on Apple Inc. servers until the subscriber deletes the email. If the subscriber does not delete the message, the message can remain on Apple Inc. servers indefinitely. Even if the

subscriber deletes the email, it may continue to be available on Apple Inc.'s servers for a certain period of time.

## PROBABLE CAUSE

13. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status after not arriving for work from 30 May-1 June 2025

14. CSSN Jermiah Copeland, USN, DDG 95, was also UA beginning on 29 May 2025. Around approximately 0900 on 29 May, FCC Brad Parker, USN, arrived at the barracks room of CSSN Copeland to get him to come to the ship and notified him that he was going to be labeled as UA. FCC Parker observed CSSN Copeland and CSSN Angelina Resendiz, USN, together in a state of undress and asleep.

15. CSSN Copeland was not located until 1 June when he base police found him in his barracks room.

16. On 1 June, the Accused was interviewed and provided that CSSN Resendiz came to his barracks room to have dinner and have a couple drinks on the afternoon/evening of 28 May. This was confirmed after a review of messages on his phone. He provided that she called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. CSSN Copeland stated CSSN Resendiz became emotional and began to cry. CSSN Copeland stated the relationship with CSSN Resendiz was platonic and he is a friend from work and no sexual acts have happened between them.

17. CSSN Copeland provided that the two of them got dressed and a roommate took him and CSSN Resendiz to Resendiz's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000 29 May 2025 and that was the last time he saw her.

18. This was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

19. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

20. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

21. The whereabouts of CSSN Resendiz are still unknown. Her cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA.

22. On 2 June 2025, CSSN Copeland was re-interviewed and provided that he did not take CSSN Resendiz to her barracks, but rather she left his barracks room alone. He also provided that she had her backpack with her when she arrived at his barracks on 28 May 2025.

23. A 2703(d) order provided that her Apple iCloud account is tied to the e-mail address [redacted] and may currently be in use intermittently and as recently as 6 June:

| | | | | | |
|---|---|---|---|---|---|
| 12 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:10:25.498 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 13 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:09:48.352 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 14 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:07:49.685 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 15 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:07:02.109 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 16 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:05:09.577 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 17 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:04:51.176 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 18 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:03:38.755 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |
| 19 | 17523465603 | Service=FMIP | timestamp="Fri Jun 06 07:03:22.479 PDT 2025" | Device Type and OS=fmflocatord/7.0 iPhone15,2/22D82-INTER-PARTITION | 216.54.97.75 |

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

31. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

32. Based on the aforementioned factual information, I respectfully submit that probable cause exists to believe that evidence, fruits, and instrumentalities of violations of Articles 85 and 86 of the UCMJ and is located within information associated with the **SUBJECT ACCOUNT**.

33. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional NCIS agents, law enforcement personnel, and forensic support personnel, to search the **SUBJECT ACCOUNT** for, and seize, the items specified in Attachment B.

## CONCLUSION

24. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

MARTINEZ.TIFFANY.LYNN [redacted] Digitally signed by [redacted] Date: 2025.06.06 15:18:27 -04'00'

Special Agent Tiffany Martinez
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 6 day of _____, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>Apple iCloud account [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 85, 86 | Desertion and Unauthorized Absence |
|---|---|
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent Tiffany Martinez

*Applicant's printed name and title*

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.06 15:04:24 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250606 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.06.06 15:20:14 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 7 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 7 of 25, and Article 30a Proceedings (Continued).



# 30a PROCEEDINGS

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**6 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. NCIS learned that CSSN Resendiz's Apple Pay was used on 30 May 2025.

## INFORMATION AND RECORDS REQUESTED

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Equifax

## REASON FOR REQUEST

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

10. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

[redacted]

L. A. MAYO
CDR, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Angelina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, EQUIFAX
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 20250606
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
chirstopher.dempsey2.navy.mil

☒ **2. To produce the following items on the date and location listed:** All records related to accounts associated with SSN: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250606 (*Date*) as Military Judge (*Issuing Authority*)

LAPLANTE.PAUL.SPENCER.[redacted]
Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted]
Date: 2025.06.06 15:30:40 -07'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Angelina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, EQUIFAX
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 20250606
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
chirstopher.dempsey2.navy.mil

☒ **2. To produce the following items on the date and location listed:** All records related to accounts associated with SSN [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250606 (*Date*) as Military Judge (*Issuing Authority*)

*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Apple, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple, Inc., Apple, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Apple, Inc., or have been preserved for the iCloud account of e-mail: [redacted] from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Apple passwords, Apple security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

b. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

c. All past and current usernames associated with the **SUBJECT ACCOUNTS**;

d. The dates and times at which the **SUBJECT ACCOUNTS** was created, and IP address at the time of sign-up;

e. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNTS**, as well as any other log file information;

f. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNTS**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNTS** and the date and time of those accesses;

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

**II. Information to be seized by the government**

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Unauthorized Absence) and Article 86 (Desertion) of the UCMJ.

a. The identity of the person(s) who created or used the iCloud account, including records which help reveal the whereabouts of such person(s) for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

b. Evidence indicating how and when the **SUBJECT ACCOUNTS** were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

c. All content of emails (including attachments) between the **SUBJECT ACCOUNTS** and other email addresses relating to the crimes under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

d. Evidence indicating the **SUBJECT ACCOUNTS** owners' or users' state of mind as it relates to the crime under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

e. Evidence of the times the accounts or identifiers listed on Attachment A was used for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

f. Passwords and encryption keys, and other access information that may be necessary to access the accounts or identifiers listed on Attachment A and other associated accounts for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

## III. Method of Service/Delivery

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Tiffany using electronic means (tiffany.martinez@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**ATTACHEMENT B**

**Items to be Seized**

I. Information to be disclosed by Apple, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple, Inc., Apple, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Apple, Inc., or have been preserved for the iCloud account of e-mail: angelinaresendiz19@gmail.com from **12AM (Eastern Standard Time) on 28 May, 2025** through **present**:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Apple passwords, Apple security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

b. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

c. All past and current usernames associated with the **SUBJECT ACCOUNTS**;

d. The dates and times at which the **SUBJECT ACCOUNTS** was created, and IP address at the time of sign-up;

e. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNTS**, as well as any other log file information;

f. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNTS**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNTS** and the date and time of those accesses;

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

**II. Information to be seized by the government**

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of violations of Article 85 (Unauthorized Absence) and Article 86 (Desertion) of the UCMJ.

a. The identity of the person(s) who created or used the iCloud account, including records which help reveal the whereabouts of such person(s) for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

b. Evidence indicating how and when the **SUBJECT ACCOUNTS** were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

c. All content of emails (including attachments) between the **SUBJECT ACCOUNTS** and other email addresses relating to the crimes under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

d. Evidence indicating the **SUBJECT ACCOUNTS** owners' or users' state of mind as it relates to the crime under investigation for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

e. Evidence of the times the accounts or identifiers listed on Attachment A was used for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**;

f. Passwords and encryption keys, and other access information that may be necessary to access the accounts or identifiers listed on Attachment A and other associated accounts for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

g. All information and content contained within the **SUBJECT ACCOUNTS**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user, for the timeframe of **12AM (Eastern Standard Time) on 28 May, 2025** through **present**.

## III. Method of Service/Delivery

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Tiffany using electronic means (tiffany.martinez@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Verizon, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Verizon shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Verizon shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted] Date: 2025.06.07 14:34:24 -07'00'

United States Military Judge

7 June 2025

Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through present

## II. Records and Other Information to Be Disclosed

Verizon is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Verizon, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Verizon shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Verizon shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

## ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through present

## II. Records and Other Information to Be Disclosed

Verizon is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require Verizon, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted], annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Verizon is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Verizon, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA on 31 May 2025.

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. NCIS obtained phone call logs from RESENDIZ's Tmobile account.

16. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to Petty Officer Daniel RICH.

17. In the early morning hours of 29 May 2025, RESENDIZ's phone records reveal an approximately 2 minute long completed from call from RESENDIZ to RICH.

18. RICH and RESENDEZ are stationed together on board USS JAMES E. WILLIAMS.

19. Interviews indicate a close personal relationship between GILLESPIE and RESENDIZ.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described

above, and to determine the nature and scope of their activities. Accordingly, the United States requests that Verizon be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Verizon not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN.[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN.1[redacted] Date: 2025.06.07 16:25:42 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative
Service Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 7th day of June, 2025.

[redacted]

CDR, JAGC,
USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Verizon, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Verizon shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Verizon shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER.[redacted] Digitally signed by LAPLANTE.PAUL.SPENCER[redacted] Date: 2025.06.07 14:32:06 -07'00'

United States Military Judge

7 June 2025
Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through present

## II. Records and Other Information to Be Disclosed

Verizon is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring Verizon, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Verizon shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Verizon shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through present

## II. Records and Other Information to Be Disclosed

Verizon is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require Verizon, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number 910-549-9482, annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. Verizon is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require Verizon, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

## THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving

for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS COPELAND stated, he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining, the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025, COPELAND was found by Base Police entering Naval Station Norfolk.

10. NCIS interview all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA on 31 May 2025.

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. NCIS obtained phone call logs from RESENDIZ's Tmobile account.

16. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to Petty Office Michael GILLESPIE.

17. From midnight until roughly 0900 on 29 May 2025, RESENDIZ's phone records indicate approximately one hundred and eighty incoming calls from GILLESPIE to RESENDIZ.

18. GILLESPIE and RESENDEZ are stationed together on board USS JAMES E. WILLIAMS.

19. Interviews indicate a former romantic relationship between GILLESPIE and RESENDIZ.

20. On the early morning of 29 May 2025, GILLESPIE was on duty on board USS JAMES E. WILLIAMS. He requested permission to leave duty early to deal with a personal matter.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States

requests that Verizon be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require Verizon not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18

U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the

targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of

the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN[redacted] Date: 2025.06.07 16:27:48 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative
Service Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 7th day of June, 2025.

[redacted]

Lauren May
CDR, JAGC,
USN

**DEPARTMENT OF THE NAVY AND MARINE CORPS TRIAL JUDICIARY CENTRAL JUDICIAL CIRCUIT**

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| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**8 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday, May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. CSSN Resendiz has a bank account with Navy Federal Credit Union. The account number is [redacted] The routing number is [redacted]

8. A subpoena was signed and submitted 2 Jun for records from Navy Federal Credit Union from May until present (then-2 June).

**INFORMATION AND RECORDS REQUESTED**

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Navy Federal Credit Union for the records of CSSN Angelina Resendiz's checking account number [redacted] from 2 June 2025 until present. This includes records regarding withdrawals, deposits, and transfers to determine where CSSN Resendiz may be located.

**REASON FOR REQUEST**

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

10. For these reasons, we respectfully request a subpoena for Navy Federal Credit Union to produce the account information associated with CSSN Angelina Resendiz.

[redacted]
P. T. CANNADAY
LT, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

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| **In re Navy Federal Credit Union Financial Records of CSSN Angelina Resendiz, USN** | **AFFIDAVIT OF SPECIAL AGENT MATTHEW MILLER**<br><br>**2 June 2025** |

1. I, Special Agent Mathew Miller, am currently employed as a special agent with the Naval Criminal Investigative Service ("NCIS"). I have worked for NCIS for over 10 years. I am currently a Supervisory Special Agent with the Norfolk Field Office.

2. On June 1, 2025, NCIS commenced an investigation into accusations of a violation of Article 86, UCMJ committed by CSSN Angelina Resendiz, USN ("Accused"). I am the Lead Special Agent assigned to this investigation. The NCIS case number for the investigation is 01JUN25NFNF-00237-7MNA.

3. Due to the nature of the allegations, I determined it was a necessary investigative step to pursue and review the following categories of the Accused's financial records from Navy Federal Credit Union: Basic subscriber information and transactions pertaining to account number: [redacted].

4. These financial records are relevant and necessary to the investigation of the allegations against the Accused because the requested records will assist in identifying the location of the Accused and any means of transportation she may have utilized.

5. I have reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is a substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same. I base my opinion on the following evidence and facts that I have observed and/or reviewed:

a. The suicidal ideation previously expressed by the Accused and her distressed state immediately prior to her entering a UA status; and

b. The nature of the offense as being in an unauthorized absence status will mean she will likely change her patterns to avoid being caught if she knows we are tracking her location.

I declare under penalty of perjury that the foregoing is true and correct.

2 June 2025

[redacted]

Matthew Miller

Supervisory Special Agent

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

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| IN RE NAVY FEDERAL CREDIT UNION: APPLICATION OF THE UNITED STATES OF AMERICA FOR ORDER PURSUANT TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier: 01JUN25NFNF-7MNA |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

The Court finds that the investigation is being conducted within the lawful jurisdiction of the federal government of the United States and the United States has offered specific and articulable facts showing that the requested documents are relevant to a legitimate law enforcement inquiry.

The Court further determines that there is reason to believe that customer notice required under the Right to Financial Privacy Act of 1978 will result in substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

IT IS THEREFORE ORDERED, that any required customer notice regarding the application of the United States, or the existence of this Order of the Court, shall not be disclosed to the customer of the account(s) listed in Attachment A, or to any other person, for ninety (90) days following the date of this Order, except that Navy Federal Credit Union may disclose this Order to an attorney for Navy Federal Credit Union for the purpose of receiving legal advice. This Order is subject to renewal upon a proper showing under 12 U.S.C. § 3409(b)(2).

IT IS FURTHER ORDERED that the application and this Order are sealed until further order of the Court.

SO ORDERED:

Date: _____ _____

Norfolk, Virginia United States Military Judge

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. _____ *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250608 |
| Time: | 0927 |
| Location: | Email to: |
| | matthew.miller@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to Angelina Resendiz (Routing [redacted]) (Account: [redacted]) from 2 June 2025 until present

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250608 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by LAPLANTE PAUL SPENCER [redacted]
Date: 2025.06.08 12:33:04 -07'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday, JAGC, USN
*Name of Government Counsel*

757-341-4545 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 0927 (*Date and Time of Service*)

*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Anglina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. _____ *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Navy Federal Credit Union, 820 Follin Lane SE, Vienna, VA 22180
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

| | |
|---|---|
| Date: | 20250608 |
| Time: | 0927 |
| Location: | Email to: |
| | matthew.miller@NCIS.navy.mil |
| | christopher.dempsey2@navy.mil |

☒ **2. To produce the following items on the date and location listed:** Financial Records relating to Angelina Resendiz (Routing [redacted]) (Account: [redacted]) from 2 June 2025 until present

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday, JAGC, USN
*Name of Government Counsel*

757-341-4545 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ 0927 (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

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| IN RE NAVY FEDERAL CREDIT UNION: APPLICATION OF THE UNITED STATES OF AMERICA FOR ORDER PURSUANT TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978, 12 U.S.C. § 3409(B)(1) | Case Identifier: 01JUN25NFNF-7MNA |

**ORDER PURSUANT TO 12 U.S.C. § 3409(B)(1)**

The United States has submitted an application pursuant to the Right to Financial Privacy Act, 12 U.S.C. § 3409(b)(1), requesting that the Court enter an Order delaying the period of providing required customer notice for a period not to exceed ninety (90) days.

The Court finds that the investigation is being conducted within the lawful jurisdiction of the federal government of the United States and the United States has offered specific and articulable facts showing that the requested documents are relevant to a legitimate law enforcement inquiry.

The Court further determines that there is reason to believe that customer notice required under the Right to Financial Privacy Act of 1978 will result in substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

IT IS THEREFORE ORDERED, that any required customer notice regarding the application of the United States, or the existence of this Order of the Court, shall not be disclosed to the customer of the account(s) listed in Attachment A, or to any other person, for ninety (90) days following the date of this Order, except that Navy Federal Credit Union may disclose this Order to an attorney for Navy Federal Credit Union for the purpose of receiving legal advice. This Order is subject to renewal upon a proper showing under 12 U.S.C. § 3409(b)(2).

IT IS FURTHER ORDERED that the application and this Order are sealed until further order of the Court.

SO ORDERED:

Date: 8 June 2025

Bremerton, Washington

LAPLANTE.PAUL.SPENCER.[redacted]
Digitally signed by LAPLANTE.PAUL.SPENCER[redacted]
Date: 2025.06.08 12:35:23 -07'00'

United States Military Judge

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

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|---|---|
| **In re Navy Federal Credit Union Records of CSSN Angelina Resendiz, USN** | **APPLICATION FOR ORDER OF DELAYED NOTICE PURSUANT TO 12 U.S.C. § 3409 OF THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978**<br><br>8 **June 2025** |

MOTION

1. Pursuant to 12 U.S.C. § 3409(b)(1), if the Court signs the requested investigative subpoena the Government applies for this Court to enter an Order delaying the customer notice that may be required to CSSN Angelina Resendiz, USN, under the Right to Financial Privacy Act of 1978 for a period of ninety days.

FACTS

2. a. On 30 May, 2025, Naval Criminal Investigative Service ("NCIS") Investigators commenced an investigation into accusations of Article 86, UCMJ committed by CSSN Angelina Resendiz (the "Investigation.") *See* the Affidavit of Special Agent Matthew Miller of June 2, 2025 attached in support of this Application.

b. The Investigation is being conducted within the lawful jurisdiction of the federal government of the United States.

c. Due to the nature of the allegations, as a necessary investigative step relevant to this legitimate law enforcement inquiry, the Government has submitted a request to this Court for an investigative subpoena *duces tecum*, pursuant to R.C.M 703, to Navy Federal Credit Union seeking the following categories of documents:

i. Financial records;

ii. Basic subscriber information; and

iii. Transaction information.

The draft subpoena *duces tecum* is attached in support of this Application.

d. The documents listed in paragraph 2(c) of this Application are relevant to a legitimate law enforcement inquiry.

e. There is reason to believe that if the Accused is provided the customer notice that may be required under the Right to Financial Privacy Act of 1978 that there is substantial risk of destruction of endangering life or physical safety, flight from prosecution, or seriously jeopardizing an investigation or official proceeding or unduly delaying the same.

LAW AND ARGUMENT

3. In the event the Court makes a finding required in 12 U.S.C. §§ 3409(1) - (3), the Court has the authority to enter an Order delaying the period of providing required customer notice for a period not to exceed ninety days. 12 U.S.C. § 3409(b)(1). The Government has the power to file additional applications for subsequent periods of delay after the expiration of the initial ninety-day period. 12 U.S.C. § 3409(b)(2).

RELIEF REQUESTED

4. Evidence Offered in Support of Motion.

a. Affidavit of NCIS Special Agent Matthew Miller of June 2, 2025 attached hereto

b. The draft subpoena *duces tecum* of June 8, 2025, attached.

5. Relief Requested.

a. The Government respectfully requests this Court:

i. make a finding that the evidence offered in support of this Application meets the requirements of 12 U.S.C. §§ 3409(1) - (3); and

ii. enter an Order delaying the customer notice that may be required under the Right to Financial Privacy Act of 1978 for a period of ninety days.

Respectfully Submitted

[redacted]

P. T. CANNADAY
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**NORTHWEST JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

LAPLANTE.PAUL.SPENCER[redacted]
Digitally signed by LAPLANTE.PAUL.SPENCER.[redacted]
Date: 2025.06.08 12:40:23 -07'00'

United States Military Judge

8 June 2025
Date:

## ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account:

[redacted] between 1 May 25 through 28 May 2025.

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

## ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account:

[redacted] between 1 May 25 through 28 May 2025.

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) Case Identifier: 02JUN25-NFNF-00237-7MNA<br>) **Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number, 254-203-0672, annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

3. COPELAND stated RESENDIZ called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

4. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, COPELAND, and an unknown female on the floor naked.

5. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

6. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

7. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND and RESENDIZ were in a state of undress and RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

8. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

9. COPELAND's movements after dropping RESENDIZ off at Miller Hall are unknown. However, we know after speaking with Command, COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025.

10. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

11. RESENDIZ's residence is located at Miller Hall, Unit 1083B. RESENDIZ last entered her room, according to the door swipes, on 28 May 2025 at 1227 and at 2004 on 28 May 2025, into the common area only.

12. NCIS subpoenaed RESENDIZ's Navy Federal Credit Union banking records which show no activity since 28 May 2025.

13. RESENDIZ's cellphone has been pinged for last known location. The last known was approximately Latitude 36.896558 Longitude -76.435536, which appears to be located in Suffolk, VA

14. NCIS has been in contact with friends and family and as of today, there is no communication from RESENDIZ.

15. The Government discovered and confirmed via the USS JAMES E WILLIAMS recall roster that RESENDIZ's telephone phone number is 254-203-0672.

16. NCIS received RESENDIZ's mental health records. In them, she said that when she has mental health episodes, she goes on walks. NCIS has not been able to identify where RESENDIZ generally goes on these walks.

17. NCIS received RESENDIZ's phone records from 28 May to 4 June. They did not include any phone call with an ex-boyfriend in Texas mentioned by COPELAND. They also did not help identify where RESENDIZ generally goes when she has mental breakdowns.

18. RESENDIZ's telephone number, [redacted], is associated with T-Mobile.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight

from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

MARTINEZ.TIFFANY.LYNN.[redacted] Digitally signed by MARTINEZ.TIFFANY.LYNN.[redacted] Date: 2025.06.08 13:55:33 -04'00'

Tiffany Martinez, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 8th day of June, 2025.

[redacted]

Patricia Cannaday
LT, JAGC, USN

[redacted]

## Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Sent:** Tuesday, June 10, 2025 4:22 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033
**Signed By:** jason.a.pfeil.mil@us.navy.mil

CDR Mayo:

No need to apologize; thank you very much.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 10, 2025 4:17 PM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>
**Subject:** Re: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

CDR Pfeil,

My apologies. The request is for CashApp.

V/r,

CDR Mayo

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

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**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Sent:** Tuesday, June 10, 2025 4:11 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good afternoon, CDR Mayo:

Reviewing this investigative subpoena, I noted the following discrepancy between paragraphs 8 and 10:

**INFORMATION AND RECORDS REQUESTED**

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cash App

**REASON FOR REQUEST**

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

10. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

Please clarify by reply email to this message if the subpoena requested is for CashApp or Cox Communications.

V/r,

Jason A. Pfeil

CDR, JAGC, USN

Military Judge

Navy-Marine Corps Trial Judiciary

Central Judicial Circuit

9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511

Ph: 757-341-4567 (NO VOICEMAIL)

Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Monday, June 9, 2025 3:30 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Investigative Subpoena, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

| | |
|---|---|
| **From:** | Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **To:** | Doherty, Matthew C LT USN (USA) |
| **Cc:** | Mayo, Lauren A CDR USN CNO (USA); Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **Subject:** | RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (2), N-OE-24-1444 |
| **Date:** | Monday, June 16, 2025 3:49:27 PM |

LT Doherty:

Copy and thank you. Given that SN Copeland has had defense counsel detailed, I wanted to make sure that marking this request ex parte was not inadvertently selected out of habit.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Doherty, Matthew C LT USN (USA) <matthew.c.doherty2.mil@us.navy.mil>
**Sent:** Monday, June 16, 2025 3:45 PM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (2), N-OE-24-1444

Your Honor,

Good afternoon, Sir. The application for an investigative subpoena was submitted ex parte because the Government understands it to be a pre-referral investigative subpoena that may be submitted ex parte pursuant to RCM 309(b)(1) and 703(g)(3)(C). I am not tracking a rule that affects the ability to submit ex parte following a ruling for continued pre-trial confinement, but if there is such a limiting rule, the Government can modify its request. Standing by for any questions or concerns, Your Honor.

V/R,

Matthew C. Doherty

LT, JAGC, USN
Special Trial Counsel
Office of Special Trial Counsel Detachment Norfolk
9620 Maryland Ave, Ste. 201
Norfolk, VA 23511
757-341-4511

Controlled by: Department of the Navy
Controlled by: Office of Special Trial Counsel
CUI Category: PRVCY
Distribution/Dissemination Control: FEDCON
POC: LT Matthew C. Doherty, matthew.c.doherty2.mil@us.navy.mil

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---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, June 16, 2025 3:24 PM
**To:** Doherty, Matthew C LT USN (USA) <matthew.c.doherty2.mil@us.navy.mil>
**Cc:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (2), N-OE-24-1444

Good afternoon, LT Doherty:

I have received this requested subpoena.

Given that CSSN Copeland is in PTC, and will remain in PTC pursuant to my finding that continued pretrial confinement is warranted, what is the reason that this requested investigative subpoena was submitted *ex parte*?

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge

Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Monday, June 16, 2025 11:46 AM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (2), N-OE-24-1444

An RCM 309 submission of type: Investigative Subpoena, has been submitted by the Government on case U.S. v. Copeland (2), N-OE-24-1444. Please login to NCORS to view the submission.

Log Into NCORS

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| | |
|---|---|
| **From:** | Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA) |
| **Cc:** | Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **Subject:** | RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033 |
| **Date:** | Tuesday, June 10, 2025 4:22:01 PM |

CDR Mayo:

No need to apologize; thank you very much.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 10, 2025 4:17 PM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>
**Subject:** Re: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

CDR Pfeil,

My apologies. The request is for CashApp.

V/r,

CDR Mayo

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Sent:** Tuesday, June 10, 2025 4:11 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good afternoon, CDR Mayo:

Reviewing this investigative subpoena, I noted the following discrepancy between paragraphs 8 and 10:

**INFORMATION AND RECORDS REQUESTED**

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cash App

**REASON FOR REQUEST**

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

10. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

Please clarify by reply email to this message if the subpoena requested is for CashApp or Cox Communications.

V/r,

Jason A. Pfeil

CDR, JAGC, USN

Military Judge

Navy-Marine Corps Trial Judiciary

Central Judicial Circuit

9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511

Ph: 757-341-4567 (NO VOICEMAIL)

Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Monday, June 9, 2025 3:30 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Investigative Subpoena, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**9 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. NCIS learned that CSSN Resendiz's Cash App was used on 25 May 2025.

## INFORMATION AND RECORDS REQUESTED

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cash App

## REASON FOR REQUEST

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Resendiz. Specifically, these records will identify CSSN Resendiz's location and the scope of potential involvement by other parties.

10. For these reasons, we respectfully request a subpoena for Cox Communications to produce this information.

[redacted]

L. A. MAYO[redacted]
CDR, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Angelina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, Block, Inc
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

| | |
|---|---|
| Date: | 20250609 |
| Time: | 1700 |
| Location: | tiffany.martinez@NCIS@navy.mil |
| | lauren.a.mayo2.mil@us.navy.mil |

☒ **2. To produce the following items on the date and location listed:** All transactions from 9 May 2025 to present for accounts associated with Angelina Resendiz, SSN: [redacted], telephone number 2[redacted], DOB: [redacted], email: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 10 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.10 16:23:33 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** CDR Lauren Mayo, JAGC, USN; 757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Angelina Resendiz
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, Block, Inc
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 20250609
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** All transactions from 9 May 2025 to present for accounts associated with Angelina Resendiz, SSN: [redacted], telephone number [redacted], DOB: [redacted], email: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by LCDR Paul S. LaPlante (*Name*) on 20250609 (*Date*) as Military Judge (*Issuing Authority*)

*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033
**Date:** Thursday, June 12, 2025 1:21:26 PM

---

Good afternoon, CDR Mayo:

The requested return date for this subpoena is today. I will sign as-is; however, LFCU may push back on same-day response requirement. If you want me to sign as-is, please let me know. If not, please let me know the compliance NLT date.

Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Thursday, June 12, 2025 12:42 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Investigative Subpoena, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033
**Date:** Thursday, June 12, 2025 2:56:26 PM

---

Done!

I hope you have a great day.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Thursday, June 12, 2025 2:54 PM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

CDR Pfeil,

Copy. Would you please change the compliance date to NLT 14 June?

Thank you!

v/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Thursday, June 12, 2025 1:21 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good afternoon, CDR Mayo:

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Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

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**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Thursday, June 12, 2025 12:42 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA)

<mishonda.m.mosley.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>

**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Investigative Subpoena, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**12 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. A review of CSSN Copeland's NFCU bank records reveal that he visited a Langley Federal Credit Union on Hampton Blvd between 0400 EST and 0500 EST on 02JUNE25

8. The morning of 02JUNE25 is when a screenshot of a google location pin was taken on CSSN Copeland's cellphone.

## INFORMATION AND RECORDS REQUESTED

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena for Langley Federal Credit Union for CCTV footage at the ATM and building from 02JUN25 from 0400 EST to 0500EST at the Hampton Blvd location.

## REASON FOR REQUEST

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland. Specifically, these records will identify CSSN Copeland's various locations on the morning the google pin was taken.

10. For these reasons, we respectfully request a subpoena for Langley Federal Credit Union to produce this information.

[redacted]
L. A. MAYO[redacted]
CDR, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, Langley Federal Credit Union
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 20250614
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:**

CCTV footage at the ATM and building from 02JUN25 from 0400 EST to 0500EST at the 2701 Hampton Blvd. Norfolk, Virginia location

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN on 12 June 2025 as Military Judge
*Name* *Date* *ing Authority*

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.12 14:57:35 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court
757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____ _____
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

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*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 20250612
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:**

CCTV footage at the ATM and building from 02JUN25 from 0400 EST to 0500EST at the 2701 Hampton Blvd. Norfolk, Virginia location

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**16 JUN 2025** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. Additionally, NCIS spoke with her mother in Texas and she conveyed CSSN Resendiz has attempted suicide in the past and suffers from depression, for which she is prescribed medication. NMCP Emergency Room and psychology department were negative for her presence when called.

6. On 2 June 25, NCIS spoke to FCC Brad Parker, USN, JAMES E WILLIAMS, to verify CSSN Resendiz's work schedule. FCC Parker stated CSSN Resendiz was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC Parker stated CSSN Resendiz failed to report all three (3) days.

7. NCIS learned that CSSN Copeland's Cash App was used multiple times from 31 May through 3 June.

## INFORMATION AND RECORDS REQUESTED

8. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Cash App

## REASON FOR REQUEST

9. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland. Specifically, these records will identify CSSN Copeland's location and purchase history.

10. For these reasons, we respectfully request a subpoena for Block, Inc to produce this information.

[redacted]

L. A. MAYO
CDR, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, Block, Inc
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 20250618
Time: 1700
Location: tiffany.martinez@NCIS@navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** All transactions from 31 May 2025 to 3 June 2025

for accounts associated with Jermiah Copeland DOB: [redacted] Telephone Number: [redacted], Social Security: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 16 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.16 16:32:32 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** CDR Lauren Mayo, JAGC, USN; 757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

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Issued by _____ (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court
757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

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_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **In the Matter of the Application for a Warrant to Disclose Information Regarding Account Associated with Google, LLC – Name: Jermiah Copeland; Email Address: Jermiahcopeland7@gmail.com** | **CCN: 02JUN25-NFNF-00237-7MNA** |

## AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

1. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Google, LLC (hereafter "Google") to disclose to the Government records and other information, including location data, associated with the above-listed name, phone number, email, or Google ID that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, CA 94043. The information to be disclosed by Google and searched by the Government is described in the following paragraphs and in Attachments A and B.

2. I, Jessica Gokey, am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the facts as set forth in this affidavit, there is probable cause to believe that the information described in Attachment A contains evidence, instrumentalities, and fruits of violation of Uniform Code of Military Justice (U.C.M.J.) Article 107 (False Statements), Article 118 (Murder), and Article 131b (Obstructing Justice).

## JURISDICTION

5. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (UCMJ) to which a military judge has been detailed."

## LEGAL AUTHORITY

6. The legal authority for this search warrant application regarding the subject account is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

7. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

> (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

8. The Government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(1)(A).

9. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PROBABLE CAUSE

10. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

11. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple of drinks.

12. COPELAND stated RESENDIZ called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

13. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

14. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on May 29, 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

15. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

16. GORDILLOCRUZ stated he could tell the female was breathing by her chest moving up and down. GORDILLOCRUZ stated that he had never seen the female before and has not seen her since.

17. COPELAND stated that he was late for work on the morning of May 29, 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt.

FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

18. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

19. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

20. COPELAND's movements after dropping RESENDIZ off at Miller Hall are unknown. However, we know after speaking with Command, COPELAND was marked UA for the days of 29-31 May 2025 and on 01 June 2025.

21. On 01 June 2025, according to COPELAND's roommate, CALISSE, COPELAND went to dinner at Chipotle with CALISSE AND GORDILLOCRUZ around 1900. Then, after eating, at around 2000, COPELAND asked CALISSE if he could use CALISSE'S car, a white Jeep (Virginia license plate TCA-1173), to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND is unaccounted for from 2000, 1 Jun 2025 to 0630, 2 Jun 2025.

22. On 02 June 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER stated RESENDIZ was scheduled to work day shift Friday, May 30, 2025 - Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

23. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

24. RESENDIZ's cellphone last pinged on May 29, 2025, and the location was at the X-2 barracks.

25. During the search of COPELAND's room on June 04, 2025, after being analyzed it was determined there was a potential blood trail leading from inside the closet onto the carpet of the room. NCIS will also be removing the carpet from COPELAND's room and the common room for further testing for DNA and/or trace evidence.

26. On June 08, 2025, NCIS received confirmation from USACIL that the swab taken from the inside of COPELAND's closet had tested positive for human blood.

27. NCIS also observed a blood spatter in the stair well closest to COPELAND's room of COPELAND's barracks. This blood tested positive for human blood and was positively identified through DNA testing as RESENDIZ's blood.

28. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google Maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

29. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on June 02, 2025, from 3:45AM to 5:57AM the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

30. On June 09, 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the duffel bag.

31. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

32. On June 10, 2025, around 0200, COPELAND was taken into custody at the Chesapeake Brig.

33. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

34. On June 10, 2025, the Office of the Chief Medical Examiner (OCME) identified the remains located in the duffel bag to be those of CSSN Angelina RESENDIZ.

35. At the autopsy, although CSSN Angelina RESENDIZ's body was in an extreme state of decomposition, the red cross tattoo on her back was still identifiable.

36. NCIS has been forensically searching the iPhone taken from COPELAND. Within the data, Digital Forensic Expert John DAVISON was able to piece together the movements of the cellphone on the night of 01JUN25 and the morning of 02JUN25.

37. NCIS was able to obtain video footage from Gate 2 of Naval Station Norfolk from 02JUN25, showing COPELAND leaving base driving a white Jeep, now known to belong to COPELAND's roommate, CALISSE.

38. NCIS was able to see from COPELAND's cell phone data that on 02JUN25, COPELAND goes to the area where RESENDIZ's body was found inside the duffel bag and returned back to Naval Station Norfolk at approximately 0550.

## DEFINITIONS

39. "Electronic communication service provider" (ECSP) means (a) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934; (b) a provider of electronic communication service, (c) a provider of a remote computing service, (d) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or (e) an officer, employee, or agent of an entity described in subparagraph (a), (b), (c), or (d).

40. "Electronic Communications System" means any wire, radio, electromagnetic, photo optical, or photo electronic facilities for the transmission of wire or electronic communications, and any

computer facilities or related electronic equipment for the electronic storage of such communications. 18 U.S.C. § 2510(14).

41. "Electronic storage" means (a) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (b) any storage of such communication by an electronic communication service for purposes of backup protection of such communication. 18 U.S.C. § 2510(17).

42. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

43. "Computer," as used herein, refers to "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device" and includes smartphones, and mobile phones and devices. 18 U.S.C. § 1030(e)(1).

44. "Computer passwords and data security devices," as used herein, consist of information or items designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates what might be termed a digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software of digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

45. "Internet Protocol Address" (IP Address), as used herein, refers to refers to a unique number used by a computer or other digital device to access the Internet. IP addresses can be "dynamic," meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be "static," if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. A "natting" IP address is a type of IP address that becomes assigned to multiple devices at the same time when those devices are connected to a common router (normally the term is invoked when multiple individuals are connected to the same cellular towers and cellular data network. All devices connected to the same tower will be assigned the same "natting" IP Address.)

46. "Internet Service Providers" or "ISPs" are commercial organizations which provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers, including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer various means by which to access the Internet including telephone based dial-up, broadband based access via a digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called "bandwidth," that the connection supports. Many ISPs assign each subscriber an account name such as a user name or screen name, an e-mail address, and an e-mail mailbox, and the subscriber typically

creates a password for the account. By using a computer equipped with a telephone or cable modem, the subscriber can establish communication with an ISP over a telephone line or through a cable system, and can access the Internet by using his or her account name and password.

47. "Remote Computing Service" as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

48. "Log Files" are records automatically produced by computer programs to document electronic events that occur on computers. Computer programs can record a wide range of events including remote access, file transfers, log-on/log-off times, and system errors. Logs are often named based on the types of information they contain. For example, web logs contain specific information about when a website was accessed by remote computers; access logs list specific information about when a computer was accessed from a remote location; and file transfer logs list detailed information concerning files that are remotely transferred.

49. The terms "records," "documents," and "materials" include all information recorded in any form, including the originals and all non-identical copies thereof, whether different from the original by reason of any notation made on such copies or otherwise, including, but not limited to the following:

a. graphic records or representations;

b. photographs;

c. pictures;

d. images, and

e. aural records or representations.

50. The terms "records," "documents," and "materials" include all of the foregoing, in whatever form and by whatever means, the records, documents, or materials, and their drafts, or their modifications may have been created or stored, including (but not limited to): any electrical, electronic, or magnetic form (including but not limited to any information on an electronic or magnetic storage device such as hard disks).

51. "Web hosts" provide the equipment and services required to host and maintain files for one or more websites and to provide rapid Internet connections to those websites. Most hosting is "shared," which means that multiple websites of unrelated companies are on the same server in order to reduce associated costs. When a client develops a Website, the client needs a server and perhaps a web hosting company to host it. "Dedicated hosting," means that the web hosting company provides all of the equipment and assumes all of the responsibility for technical support and maintenance of a website. "Co-location" means a server is located at a dedicated hosting facility designed with special resources, such as a secure cage, regulated power, a dedicated Internet connection, online security and online technical support. Co-location facilities offer

customers a secure place to physically house the customers' hardware and equipment as opposed to keeping it in their offices or warehouse, where the potential for fire, theft or vandalism is greater.

52. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

## INFORMATION REGARDING GOOGLE

53. Based on my training and experience, and publicly available information, I have learned that Google provides a variety of online services, including e-mail (Gmail), navigation (Google Maps), online file storage (including Google Drive, Google Photos, and YouTube), messaging (Google Hangouts), and video calling (Google Duo), to the general public. Some services, such as Gmail, online file storage, and messaging, require the user to sign in to the service using their Google account. An individual can obtain a Google account by registering with Google, and the account identifier typically is in the form of a Gmail address. Other services, such as Google Maps and YouTube, can be used while signed in to a Google account, although some aspects of these services can be used even without being signed in to a Google account.

54. Google allows subscribers to obtain e-mail and other accounts at the domain name gmail.com, like the **SUBJECT ACCOUNT** listed in Attachment A. Subscribers obtain a Gmail e-mail account by registering with Google. During the registration process, Google asks subscribers to provide basic personal information. Therefore, the computers of Google are likely to contain stored electronic communications (including retrieved and unretrieved e-mail for Google subscribers) and information concerning subscribers and their use of Google services, such as account access information, e-mail transaction information, and account application information.

55. In general, an e-mail that is sent to a Google subscriber is stored in the subscriber's "mail box" on Google servers until the subscriber deletes the e-mail. If the subscriber does not delete the message, the message can remain on Google's servers indefinitely. The user can move and store messages in personal folders such as a "sent folder." In recent years, Google, and other ISPs have provided their users with larger storage capabilities associated with the user's e-mail account. Google, and other ISPs have allowed users to store up to one (1) terabyte of information associated with the account on ISP servers. Based on conversations with other law enforcement officers with experience in executing and reviewing search warrants of e-mail accounts, I have learned that search warrants for e-mail accounts and computer systems have revealed stored e-mails sent and/or received many years prior to the date of the search.

56. When the subscriber sends an e-mail, it is initiated at the user's computer or mobile device, transferred via the Internet to Google's servers, and then transmitted to its end destination. Google typically saves a copy of the e-mail sent. Unless the sender of the e-mail specifically deletes the e-mail from the Google server, the e-mail can remain on the system indefinitely.

57. A sent or received e-mail typically includes the content of the message (including attachments), source and destination addresses, the date and time at which the e-mail was sent, and

the size and length of the e-mail. If an e-mail user writes a draft message but does not send it, that message may also be saved by Google but may not include all of these categories of data.

58. A Google subscriber can also store files, including e-mails, address books, contact or buddy lists, calendar data, pictures, and other files, on servers maintained and/or owned by Google. In my training and experience, evidence of who was using an e-mail account may be found in address books, contact or buddy lists, e-mail in the account, and attachments to e-mails, including pictures and files.

59. Many subscribers to Google do not store copies of the e-mails stored in their Google account on their home computers. This is particularly true because they access their Google account through the Internet, and thus it is not necessary to copy e-mails to a home computer to use the service. Moreover, an individual may not wish to maintain particular e-mails or files in their residence to ensure others with access to the computer cannot access the e-mails.

60. In my training and experience, generally, e-mail providers like Google ask each of their subscribers to provide certain personal identifying information when registering for an e-mail account. This information can include the subscriber's full name, physical address, telephone numbers (usually a mobile number) and other identifiers, alternative e-mail addresses, and, for paying subscribers, means and source of payment (including any credit card or bank account number). In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and my experience, I know that even if subscribers insert false information to conceal their identity, This information often provide clues to their identity, location, or illicit activities.

61. The mobile number and alternate e-mail information provided to Google by the user are particularly useful in instances where a user needs to recover his/her account in the event of a lost password or account compromise. With these, Google can send a "reset password" link to the alternate e-mail address or an SMS message to the mobile number. Upon receiving the "reset password" link to an SMS mobile number affiliated with that account, the user can then reset the password in order to continue to utilize that particular account. Because both a mobile device number and alternate e-mail address are used to recover access to an account, they both tend to be closely associated with the user of the account. It is important to note that though Google attempts to validate the personal identifying information provided by subscribers, the validation requires additional voluntary input from users. As this additional input is voluntary, Google is not always successful in validating a user's personal identifying information.

62. When creating an account at Google, the user is provided the opportunity to create a display name and an associated "Profile." Google allows a user to personalize their Profile by "adding an image that represents you." The display name and display image a user provides for their Profile is public and can be seen by anyone, even if the user chooses to keep the rest of their Profile hidden from other users.

63. In my training and experience, e-mail providers typically retain certain transactional information about the creation and use of each account on their systems. This information can

include the date on which the account was created, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via Google's website), and other log files that reflect usage of the account. In addition, e-mail providers often have records of the IP address used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the e-mail account.

64. In my training and experience, in some cases, e-mail account users will communicate directly with an e-mail service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. E-mail providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

65. In my training and experience, e-mail users often use e-mail accounts for everyday transactions because it is fast, low cost, and simple to use. People use e-mail to communicate with friends and family, manage accounts, pay bills, and conduct other online business. E-mail users often keep records of these transactions in their e-mail accounts, to include personal identifying information such as name and address.

66. In my training and experience, evidence of who was using an e-mail account may be found in address books, contact or buddy lists, e-mail in the account, and attachments to e-mails, including pictures and files.

67. Google Fit is a health-tracking platform developed by Google for the Android operating system, Wear OS, and iOS. It provides a single set of application program interface for apps and device manufacturers to store and access activity data from fitness apps and sensors on Android and other devices (like wearables, heart rate monitors, etc.). Google Fit uses sensors in a user's activity tracker or mobile device to record physical fitness activities (such as walking, etc.). Google Fit also has location tracking capabilities.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

68. In my training and experience, evidence of who was using a Google ID and from where, and evidence related to criminal activity of the kind described above, may be found in the files and records described in Attachment B. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

69. In your affiant's training and experience, I know that cellular devices that are only connected to Wi-Fi and not the cellular network will still allow a person to log into their email accounts without registering location pings via the cellular networks. As established herein, your affiant

believes there is probable cause to search the location data from Google, as it would reveal CSSN COPELAND's location if he were logged in via Wi-Fi alone. Additionally, your affiant believes there is probable cause to search CSSN COPELAND's Google account, Google Maps data, search history, and communications during the timeframe of his interactions with CSSN RESENDIZ, and following, before he was placed in pre-trial confinement. CSSN Copeland's behavior after the disappearance of CSSN RESENDIZ indicates some level of confusion and uncertainty with what to do. As such, it is likely, as a Google user, he sought information from the internet on what steps to take.

70. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Google can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, subscriber information, email and messaging logs, documents, and photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. As an example, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

71. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

72. Data from Google Fit may provide location data for certain physical activities at certain times and indicate spikes in heart rate due to increased activity that may pinpoint the location and activity of the account owner as it relates to the offenses under investigation.

73. Therefore, Google's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Google's services. In my training and experience, such information may constitute evidence of the crimes under investigation, including information that can be used to identify the account's user or users.

74. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. Sections 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Google to disclose to the Government copies of the records and other information (including the content of communications and stored data) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

## CONCLUSION

75. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2025.06.20 12:13:25 -04'00'

Jessica Gokey
SA, NCIS

[redacted] day of JUN, 2025.

Patricia Cannaday
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with Name: Jermiah Copeland; Email Address: [redacted] (the "account") that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, California.



[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.20 15:13:47 -04'00'

# ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with Name: Jermiah Copeland; Email Address: [redacted] (the "account") that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, California.

# ATTACHMENT B

## Particular Things to be Seized

### I. Information to be disclosed by Google

To the extent that the information described in Attachment A is within the possession, custody, or control of Google, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but is still available to Google, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Google is required to disclose the following information to the Government, in unencrypted form whenever available, for each account or identifier listed in Attachment A for the time period **12AM (Eastern Standard Time "EST") on 28 May, 2025 through 12AM on 10 June 2025**:

a. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP Address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

b. All call, text and data connection location information, related to all specialized carrier records and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) of device in relationship to the network when connected to the network for the SUBJECT ACCOUNT;

c. All records associated with the SUBJECT ACCOUNT, to include all stored communication or files, including e-mail, voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record.

In the event any of the requested data has been deleted, please recover any and all data that is still recoverable, as well as the date and time of deletions.

### II. Information to be seized by the Government

All information described above in Section I that constitutes fruits, contraband, evidence, and instrumentalities of violations of Article 107 (False Statements), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the UCMJ, those violations involving CSSN Jermiah Copeland,



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.06.20 15:15:34 -04'00'

U.S. Navy, and occurring from **12AM (Eastern Standard Time) on 28 May, 2025** through **12 AM (EST) on 10 June 2025**, for each account of identifier listed on Attachment A, information pertaining to the following matters:

i. The locations of the device utilized by the account holder of the SUBJECT ACCOUNT during the period from 28 May 2025 through 10 June 2025.

ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNT communicated with.

iii. Evidence indicating the chronological and geographical locations of the device utilized by the account holder of the SUBJECT ACCOUNT.

iv. Search history of the SUBJECT ACCOUNT, including Google Maps search history.

v. Evidence that aides in identification of any co-conspirators in this case.

vi. Evidence relating to the intent of the account holder of SUBJECT ACCOUNT.

# ATTACHMENT B

## Particular Things to be Seized

### I. Information to be disclosed by Google

To the extent that the information described in Attachment A is within the possession, custody, or control of Google, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but is still available to Google, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Google is required to disclose the following information to the Government, in unencrypted form whenever available, for each account or identifier listed in Attachment A for the time period **12AM (Eastern Standard Time "EST") on 28 May, 2025 through 12AM on 10 June 2025**:

a. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers, and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP Address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

b. All call, text and data connection location information, related to all specialized carrier records and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) of device in relationship to the network when connected to the network for the SUBJECT ACCOUNT;

c. All records associated with the SUBJECT ACCOUNT, to include all stored communication or files, including e-mail, voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record.

In the event any of the requested data has been deleted, please recover any and all data that is still recoverable, as well as the date and time of deletions.

### II. Information to be seized by the Government

All information described above in Section I that constitutes fruits, contraband, evidence, and instrumentalities of violations of Article 107 (False Statements), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the UCMJ, those violations involving CSSN Jermiah Copeland, U.S. Navy, and occurring from **12AM (Eastern Standard Time) on 28 May, 2025** through **12 AM (EST) on 10 June 2025**, for each account of identifier listed on Attachment A, information pertaining to the following matters:

i. The locations of the device utilized by the account holder of the SUBJECT ACCOUNT during the period from 28 May 2025 through 10 June 2025.

ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNT communicated with.

iii. Evidence indicating the chronological and geographical locations of the device utilized by the account holder of the SUBJECT ACCOUNT.

iv. Search history of the SUBJECT ACCOUNT, including Google Maps search history.

v. Evidence that aides in identification of any co-conspirators in this case.

vi. Evidence relating to the intent of the account holder of SUBJECT ACCOUNT.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS: E-MAIL [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 4 July 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250620 1509 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted] Digitally signed by PFEIL.JASON.ANDREW[redacted] Date: 2025.06.20 15:10:26 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Patricia | Cannaday |
| *First name* | *Last name* |
| 757-341-4509 | patricia.t.cannaday.mil@us.navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS FOR E-MAIL [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

GOOGLE RECORDS: E-MAIL [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A, incorporated herein by reference

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized," incorporated herein by reference

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

Patricia
*First name*

Cannaday
*Last name*

757-341-4509
*Phone number*

patricia.t.cannaday.mil@us.navy.mil
*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>GOOGLE RECORDS FOR E-MAIL [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* GOOGLE RECORDS: E-MAIL [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A, incorporated herein by reference

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized," incorporated herein by reference

The basis for the search is evidence of a crime.

| Articles 118, 107, and 134 | Murder, False Statements, and Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C), incorporated herein by reference

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.06.20 12:14:54 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250620 | LT Patricia Cannaday, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | CANNADAY.PATRICIA.TYLER[redacted] Digitally signed by CANNADAY.PATRICIA.TYLER[redacted] Date: 2025.06.20 12:25:29 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with the Snapchat, Inc. Accounts: [redacted] and phone number [redacted] that is stored at premises owned, maintained, controlled, or operated by Snapchat, Inc., a company headquartered at 2772 Donald Douglas Loop N., Santa Monica, CA 90405.

**ATTACHMENT B**

**Items to be Seized**

I. Information to be disclosed by Snapchat, Inc.

To the extent that the information described in Attachment A is within the possession, custody, or control of Snapchat, Inc., Snapchat, Inc. is required to disclose the following information to the government for the account or identifier listed in Attachment A. such information should include the below-described content of the subject account including any messages, records, files, logs, or information that have been deleted, but are still available to Snapchat, Inc., or have been preserved for Snapchat IDs: [redacted] and phone number [redacted] from **12AM (Eastern Standard Time) on 28 May, 2025 through 10 June 2025 at 12AM**:

All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Snapchat passwords, Snapchat security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

(a) All activity logs for the account and all other documents for previous snaps, stories, and chats, to include any metadata and/or content;

(b) Content of sent snaps; story content; chat content;

(c) Content of user's memories, Snapchat's cloud-storage service;

(d) All logs, including sender recipient, date, and time, concerning the previous snaps sent to or from the Snapchat account of the above users; to include IP addresses associated to accounts listed above;

(e) The types of service utilized by the user;

(f) The length of service (including start date) and the means and source of any payments associated with the service (including an credit card or bank account number);

(g) All privacy settings and other account settings, including privacy settings for individual snaps, and all records showing which Snapchat users have been blocked by the account;

(h) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information relating to communications from **12AM (Eastern Standard Time) on 28 May, 2025 through 10 June 2025 at 12 AM EST:**

a. Communications between the SUBJECT ACCOUNTS and other users relevant to the offense under investigation from

b. All records pertaining to communications between Snapchat and any person regarding the SUBJECT ACCOUNTS; and

c. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT ACCOUNTS communicated with.

All information described above in section I, except for communications, that constitutes fruits, evidence and instrumentalities of violations of Article 131b (Obstructing Justice), Article 118 (Murder), and Article 107 (False Official Statement) including, for each account or identifier listed on Attachment A, information pertaining to the following matters, including attempting and conspiring to engage in the following matters from **12AM (Eastern Standard Time) on 28 May, 2025 through 12AM 10 June 2025**:

d. The identity of the person(s) who created or used the Snapchat, Inc. account, including records that help reveal the whereabouts of such person(s);

e. Evidence indicating how and when the SUBJECT ACCOUNTS was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and the account subscriber;

f. Evidence indicating the subscriber's state of mind as it relates to the crime under investigation;

g. Evidence of the times the accounts or identifiers listed on Attachment A was used;

h. Device backups including camera roll and photo stream data to identify any actors;

i. Credit card and other financial information including but not limited to bills and payment records;

j. Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed on Attachment A and other associated accounts;

k. Evidence relating to the intent of the account holder of SUBJECT ACCOUNTS.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with the Snapchat account: [redacted] and phone number [redacted] (SUBJECT ACCOUNTS)**<br><br>**That is stored at Premises Controlled by Snapchat, Inc., 2772 Douglas Loop N., Santa Monica, CA 90405** | **CCN: 02JUN25-NFNF-00237-7HNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent Jessica Gokey, being first duly sworn, hereby depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Google, LLC (hereafter "Google") to disclose to the Government records and other information, including location data, associated with the above-listed name, phone number, email, or Google ID that is stored at premises owned, maintained, controlled, or operated by Google, a company headquartered at 1600 Amphitheatre Parkway, Mountain View, CA 94043. The information to be disclosed by Google and searched by the Government is described in the following paragraphs and in Attachments A and B.

2. I, Jessica Gokey, am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended

the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Snapchat records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Snapchat, Inc. as is relates to account "[redacted]" and phone number [redacted] (**SUBJECT ACCOUNTS**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstructing Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –
>
> > (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –
>
> > (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and
> >
> > (B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 134 (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) defines Obstructing Justice as engaging in conduct in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending, with intent to influence, impede, or otherwise obstruct the due administration of justice.

12. Article 107 (False Official Statement) of the UCMJ defines a False Official Statement as any person subject to this chapter who, with intent to deceive, makes any other false official statement knowing it to be false.

13. Article 118 (Murder) of the UCMJ defines Murder as, without justification or excuse, unlawfully killing a human being, when he has premeditated design to kill; intends to kill or inflict great bodily harm; is engaged in an act which is inherently dangerous to another and evinces a wanton disregard of human life; or is engaged in the perpetration or attempted perpetration of… sexual assault… aggravated sexual contact, robbery or aggravated arson.

## BACKGROUND CONCERNING SNAPCHAT

14. In my training and experience, I have learned that Snap Inc. provides a variety of on-line services, including electronic communications access, to the public, namely through the application "Snapchat". Subscribers obtain an account by registering with Snap Inc. During the registration process, Snap Inc. asks subscribers to provide basic personal information.

15. Snapchat is a mobile application made by Snapchat, Inc. and is available through the iPhone App Store and Google Play. The application provides a way to share moments with photos, videos, and text. Snapchat's differentiating feature from other communications is that once the sender is able to set a variable amount of time the message is viewable by the receiver. This time can be between one and ten seconds.

16. At the expiration of the time, the message is deleted from Snapchat's servers. Similarly, the message disappears from the user's devices. If the receiver of a Snapchat message does not access the application on the device the message remains undelivered. Snapchat stores undelivered messages for 30 days. After 30 days the messages are deleted from the company's servers.

17. Snapchat users have the following abilities:

a. Snaps: A user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Pictures and videos can also be sent from the saved pictures/videos in the gallery of the device. Unless the sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it's been opened in the case of the recipient). Users are able to save a photo or video they've taken locally to their devices or to Memories, which is Snapchat's cloud-storage service.

b. Stories: A user can add a video or snaps to their "story" Depending on the user's privacy settings, the photos and video added to a Story can be viewed by either all Snapchatters or just the user's friends for up to 24 hours. Stories can also be saved in Memories. Our Stories is a collection of user submitted snaps from different locations and events. A Snapchat user, with the location services of their device turned on, can contribute to a collection of snaps regarding the event.

c. Memories: Snapchat's cloud-storage service. Users can save their sent or unsent Snap, posted stories, and photos and videos from their phone's gallery in Memories. A user can also edit and send snaps and create stories from these memories. Snaps, stories, and other photos and videos saved in memories are backed up by us and ma remain in memories until deleted by the user.

d. Chat: A user can also type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the chat feature. A user sends a chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

e. Snapcash: Snapchat also offers money transfer service called Snapcash. Users are able to transfer up to $2,500 per week using this service. Snapcash transactions are only permitted using Visa and Mastercard debit cards issued by a United States Financial Institution. Money transfers can only occur if the sender and received both have Snapchat installed and have linked an appropriate debit card to their accounts. To facilitate these transactions, Snapchat retains information about the method and source of payment including debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers.

18. Information that Snapchat possesses and maintains:

a. Personally Identifying Information: When a user creates an account they make a unique Snapchat username. This is the name visible to other Snapchat users. A user also enters a date of birth. This is supposed to prevent anyone under the age of 13 from using Snapchat. An email address is required to register a Snapchat. A new user also has to provide a mobile phone number. This phone number is verified during the registration process. Snapchat sends an activation code that must be entered before proceeding with the registration step. However, a user may elect to bypass entering a phone.

b. Usage information: While a Snapchat message may disappear, the record of who sent it and when still exists. Snapchat records and retains log files and information that is roughly analogous to the call detail records maintained by telecommunication companies. This includes the date, time, sender, and recipient of a snap. Additionally, Snapchat stores the number of messages exchanged, which users they communicate with the most, message status including if and when the message was opened, and whether the receiver used the native screen capture function of their device to take a picture of the snap before it disappeared.

c. Device information: Snapchat stores device information such as the model, operating system, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique service identifiers such as the Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat.

d. Device Phonebook and Photos: If a user consents, Snapchat can access from their device's electronic phonebook or contacts list and images.

e. Financial information: Snapchat retains information about the method and source of payment of customers who use the Snapcash service. This includes debit card information such as the card number, expiration date, CVV security code, and billing address zip code. Additionally, the company may have the date of birth and social security number of those involved in money transfers. Snapcash generates a receipt for any transaction. The receipts are programmed to automatically delete after the sender and recipient have seen the message and swiped out of the Chat screen, unless either taps to save the message. Snapchat maintains transactional records for ten days. These records include information

about the sender and receiver, the transaction amount, and date/times tamps of when the message weas sent, received, and opened.

f. Message Content: Snapchat's motto is "delete is our default." Snapchat deletes a snap once it has been viewed. If the message is not read, because the user has not opened up the application, the message is stored for 30 days before being deleted. However, just because the snap no longer appears the user does not mean it is gone. For example, For example, Snapchat has a feature called Replay. This allows users to view a previously viewed snap once per day. This feature is disabled by default and the user must opt-in to use Replay. Also, if a Snapchat user posts an image or video to the MyStory feature it can be viewed by their friends for 24 hours. If the user posted to the Our Storie feature, the snaps are archived and can be viewed through Snapchat.

19. Therefore, the computers of Snapchat are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and account application.

## PROBABLE CAUSE

20. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

21. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple of drinks.

22. COPELAND stated RESENDIZ called an "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

23. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

24. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on May 29, 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

25. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ

was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

26. GORDILLOCRUZ stated he could tell the female was breathing by her chest moving up and down. GORDILLOCRUZ stated that he had never seen the female before and has not seen her since.

27. COPELAND stated that he was late for work on the morning of May 29, 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

28. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

29. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

30. COPELAND's movements after dropping RESENDIZ off at Miller Hall are unknown. However, we know after speaking with Command, COPELAND was marked UA for the days of 29-31 May 2025 and on 01 June 2025.

31. On 01 June 2025, according to COPELAND's roommate, CALISSE, COPELAND went to dinner at Chipotle with CALISSE AND GORDILLOCRUZ around 1900. Then, after eating, at around 2000, COPELAND asked CALISSE if he could use CALISSE'S car, a white Jeep (Virginia license plate TCA-1173), to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND is unaccounted for from 2000, 1 Jun 2025 to around 0600, 2 Jun 2025.

32. COPELAND did not own a car and had to communicate with others to borrow various vehicles for transportation.

33. On 02 June 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER stated RESENDIZ was scheduled to work day shift Friday, May 30, 2025 - Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

34. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

35. RESENDIZ's cellphone last pinged on May 29, 2025, and the location was at the X-2 barracks.

36. During the search of COPELAND's room on June 04, 2025, after analysis, it was determined there was a potential blood trail leading from inside the closet onto the carpet of the room. NCIS will also be removing the carpet from COPELAND's room and the common room for further testing for DNA and/or trace evidence.

37. On June 08, 2025, NCIS received confirmation from USACIL that the swab taken from the inside of COPELAND's closet had tested positive for human blood.

38. NCIS also observed a blood spatter in the stairwell closest to COPELAND's room of COPELAND's barracks. This blood tested positive for human blood and was positively identified through DNA testing as RESENDIZ's blood.

39. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google Maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screenshot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

40. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on June 02, 2025, from 3:45AM to 5:57AM the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

41. On June 09, 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the duffel bag.

42. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

43. On June 03, 2025, COPELAND was interviewed and his phone was taken, pursuant to a CASS. However, he had access to a second phone which was observed in his barracks room. Although he said that the phone would not turn on, when NCIS placed it on a charger, it turned on.

44. On June 07, 2025, COPELAND was placed on restriction. However, he was not restricted from using electronic devices.

45. On June 10, 2025, around 0200, COPELAND was taken into custody at the Chesapeake Brig.

46. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

47. On June 10, 2025, the Office of the Chief Medical Examiner (OCME) identified the remains located in the duffel bag to be those of CSSN Angelina RESENDIZ.

48. At the autopsy, although CSSN Angelina RESENDIZ's body was in an extreme state of decomposition, the red cross tattoo on her back was still identifiable.

49. NCIS has been forensically searching the iPhone taken from COPELAND. Within the data, Digital Forensic Expert John DAVISON was able to piece together the movements of the cellphone on the night of 01JUN25 and the morning of 02JUN25.

50. NCIS was able to obtain video footage from Gate 2 of Naval Station Norfolk from 02JUN25, showing COPELAND leaving base driving a white Jeep, now known to belong to COPELAND's roommate, CALISSE.

51. NCIS was able to see from COPELAND's cell phone data that on 02JUN25, COPELAND goes to the area where RESENDIZ's body was found inside the duffel bag and returned back to Naval Station Norfolk at approximately 0550.

52. On June 3, 2025, NCIS interviewed CSSN Copeland and he relayed his telephone number is [redacted]. Additionally, CSSN Copeland's command advised Copeland communicated with his command via telephone number [redacted].

53. CSSN Copeland signed a Permissive Authorization for Search and Seizure of his phone. That search revealed his Snapchat username to be jermiah1738. From the review of his cellphone, it is clear CSSN Copeland regularly used Snapchat during the period reviewed (28 May – 03 Jun) and was speaking with multiple individuals.

54. Telephone number [redacted] is associated with New Cingular Wireless owned by AT&T Wireless.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

55. As explained herein, information stored in connection with the **SUBJECT ACCOUNTS** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

56. Based on the aforementioned factual information, I respectfully submit that probable cause exists to believe that evidence, fruits, and instrumentalities of violations of Articles 85 and 86 of the UCMJ and is located within information associated with the **SUBJECT ACCOUNTS**.

57. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional NCIS agents, law enforcement personnel, and forensic support personnel, to search the **SUBJECT ACCOUNTS** for, and seize, the items specified in Attachment B.

## CONCLUSION

58. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2025.06.20 14:40:49 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Sworn to and attested to me on this 20 day of JUN, 2025.

[redacted]

Patricia Cannaday
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SNAPCHAT ACCOUNTS: jermiah1738 and 804-216-4307 | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A, incorporated herein by reference

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized," incorporated herein by reference

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN

*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Patricia | Cannaday |
| *First name* | *Last name* |
| 757-341-4509 | patricia.t.cannaday.mil@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SNAPCHAT ACCOUNTS: jermiah1738 and 804-216-4307 | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SNAPCHAT ACCOUNTS: [redacted] and [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A, incorporated herein by reference

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized," incorporated herein by reference

The basis for the search is evidence of a crime.

| Articles 118, 107, and 134 | Murder, False Statements, and Obstruction of Justice |
|---|---|
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C), incorporated herein by reference

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.06.20 14:42:04 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250620 | LT Patricia Cannaday, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | CANNADAY.PATRICIA.TYLER[redacted] Digitally signed by CANNADAY.PATRICIA.TYLER[redacted] Date: 2025.06.20 14:52:43 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

10 Jul 25

To: JAGC, USN, Military Judge
From: LT Patricia Cannaday, JAGC, USN, Special Trial Counsel

Subj: APPLICATION FOR INVESTIGATIVE SUBPOENA ICO US V. COPELAND

Ref: (a) Uniform Code of Military Justice, Article 30a
(b) Rule for Courts-Martial 309(b)
(c) Rule for Courts-Martial 703(g)(3)(C)

Encl: (1) Draft DD Form 453 ICO US v. Copeland

1. The Government respectfully requests an investigative subpoena to obtain subscriber information regarding user name: u/ovenisitirl.

2. NCIS obtained a screenshot from a social media post on the publicly accessed Reddit forum "r/navy" where username "u/[redacted] posted publicly under the title "Recent Assault/murder of navy soldier." In the post, u/ovenistirl states that they went to school with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95). u/ovenistirl alleges S/COPELAND "has always been a sex offender. He sexually assaulted multiple girls including myself all throughout elementary – middle school some even all the way into high school. We reported him numerous times to school authorities and police but were never taken seriously. My point is, It was clear the kind of person he was/was bound to become and no one did a damn thing to help any of us. This is the result you get when you ignore victims and laugh in their faces when they try to speak out. Not only did he get away with this from the age of 11 until now. But he also took an innocent girls life. Such a shame."

3. The Government believes it is important to obtain the subscriber information in order to identify this potential victim.

4. Thank you for your time and consideration. If there are any questions or concerns, I can be reached via email at patricia.t.cannaday.mil@us.navy.mil or via phone at 757-341-4509.

[redacted]

P. T. CANNADAY [redacted]
LT, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.

_____
*Subject of Investigation / Accused*

MCIO Case No. _____ *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: _____
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: _____
Time: _____
Location: _____
_____
_____

☐ **2. To produce the following items on the date and location listed:** _____

_____

_____

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:** _____

_____

_____

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as _____
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** _____

_____
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by _____
*Name of Government Counsel*

_____
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted], annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLOCRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

3. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

4. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the

night.

6. During an interview with GORDILLOCRUZ, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

7. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

8. GORDILLOCRUZ stated he had never seen the female before and has not seen her since.

9. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

10. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

13. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at

Chipotle with CALISSE and GORDILLOCRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. The blood found in the closet and in the stairwell has been contributed to RESENDIZ's DNA profile.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the duffel bag to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number 619-451-7956 belongs to CALISSE.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.14 13:17:03 -04'00'

Jessica Gokey, Special Agent Naval
Criminal Investigative Service
Norfolk, Virginia

14th CRD
SUBSCRIBED AND SWORN to before me on this 7th day of June, 2025.

[redacted]

LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted], annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLOCRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

3. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

4. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the

night.

6. During an interview with GORDILLOCRUZ, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

7. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

8. GORDILLOCRUZ stated he had never seen the female before and has not seen her since.

9. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

10. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

13. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at

Chipotle with CALISSE and GORDILLOCRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. The blood found in the closet and in the stairwell has been contributed to RESENDIZ's DNA profile.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the duffel bag.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the duffel bag to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number 509-450-3128 belongs to GORDILLOCRUZ.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.14 13:17:32 -04'00'

Jessica Gokey, Special Agent Naval
Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 14th CBD day of June, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted], annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLOCRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

3. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

4. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the

night.

6. During an interview with GORDILLOCRUZ, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

7. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

8. GORDILLOCRUZ stated he had never seen the female before and has not seen her since.

9. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

10. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

13. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at

Chipotle with CALISSE and GORDILLOCRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. The blood found in the closet and in the stairwell has been contributed to RESENDIZ's DNA profile.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the duffel bag.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the duffel bag to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to MONAGHAN.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.14 13:17:50 -04'00'

Jessica Gokey, Special Agent Naval
Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 14th CBD day of June, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

10 Jul 25

To: JAGC, USN, Military Judge
From: LT Patricia Cannaday, JAGC, USN, Special Trial Counsel

Subj: APPLICATION FOR INVESTIGATIVE SUBPOENA ICO US V. COPELAND

Ref: (a) Uniform Code of Military Justice, Article 30a
(b) Rule for Courts-Martial 309(b)
(c) Rule for Courts-Martial 703(g)(3)(C)

Encl: (1) Draft DD Form 453 ICO US v. Copeland

1. The Government respectfully requests an investigative subpoena to obtain subscriber information regarding user name: u/ovenisitirl.

2. NCIS obtained a screenshot from a social media post on the publicly accessed Reddit forum "r/navy" where username "u/ovenistirl" posted publicly under the title "Recent Assault/murder of navy soldier." In the post, u/ovenistirl states that they went to school with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95). u/ovenistirl alleges S/COPELAND "has always been a sex offender. He sexually assaulted multiple girls including myself all throughout elementary – middle school some even all the way into high school. We reported him numerous times to school authorities and police but were never taken seriously. My point is, It was clear the kind of person he was/was bound to become and no one did a damn thing to help any of us. This is the result you get when you ignore victims and laugh in their faces when they try to speak out. Not only did he get away with this from the age of 11 until now. But he also took an innocent girls life. Such a shame."

3. The Government believes it is important to obtain the subscriber information in order to identify this potential victim.

4. Thank you for your time and consideration. If there are any questions or concerns, I can be reached via email at patricia.t.cannaday.mil@us.navy.mil or via phone at 757-341-4509.

[redacted]

P. T. CANNADAY
LT, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: REDDIT INC. C/O CORPORATION SERVICE COMPANY
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 20250724
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Subscriber information as it relates to the following account:

u/ovenistirl

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 18 July 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW [redacted]
Date: 2025.07.18 09:16:09 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Patricia Cannaday
757-341-4509 patricia.t.cannaday.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday
*Name of Government Counsel*

757-341-4509 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

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Date: 20250724
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Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

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Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday
*Name of Government Counsel*

757-341-4509 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted], annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLACRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

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11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

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Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. All of these samples were later tested and confirmed to contain the DNA of RESENDIZ.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to CALISSE.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.18 08:40:22 -04'00'

Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 18th day of July 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
4
Date: 2025.07.21 13:39:04 -04'00'

United States Military Judge

Date: 21 July 2025

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.07.21 13:38:21 -04'00'

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number [redacted] annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLACRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

3. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

4. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the

night.

6. During an interview with GORDILLACRUZ, at approximately 0645 on 29 May 2025, GORDILLACRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

7. GORDILLACRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

8. GORDILLOCRUZ stated he had never seen the female before and has not seen her since.

9. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

10. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

13. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at

Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. All of these samples were later tested and confirmed to contain the DNA of RESENDIZ.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to GORDILLACRUZ.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.18 08:40:39 -04'00'

Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 18th day of July 2025.

[redacted]

LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.07.21 14:08:07 -04'00'

United States Military Judge

Date: 21 July 2025

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.07.21 14:07:50 -04'00'

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | Case Identifier: 02JUN25-NFNF-00237-7MNA<br>**Filed Under Seal** |

APPLICATION OF THE UNITED STATES

FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d)

The United States of America, moving by and through its undersigned counsel, respectfully submits under seal this *ex parte* application for an Order pursuant to 18 U.S.C. § 2703(d). The proposed Order would require T-Mobile, an Internet Service Provider located in the United States, to disclose certain records and other information pertaining to Telephone Number 856-479-3880, annotated in Attachment A. The records and other information to be disclosed are described in Attachment A to the proposed Order. In support of this application, the United States asserts:

LEGAL BACKGROUND

1. T-Mobile is a provider of an electronic communications service, as defined in 18 U.S.C. § 2510(15), and/or a remote computing service, as defined in 18 U.S.C. § 2711(2). Accordingly, the United States may use a court order issued under § 2703(d) to require T-Mobile, to disclose the items described in Part II of Attachment A. *See* 18 U.S.C. § 2703(c)(2) and 10 U.S.C. 846(c)(3) (Part II.A of Attachment A); 18 U.S.C. § 2703(c)(1) (Part II.B of Attachment A).

2. This Court has jurisdiction to issue the proposed Order because it is "a court of competent jurisdiction," as defined in 18 U.S.C. § 2711. *See* 18 U.S.C. § 2703(d). Specifically, the Court is a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), to which a military judge has been detailed. *See* 18 U.S.C. § 2711(3)(C).

3. A court order under § 2703(d) "shall issue only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). Accordingly, the next section of this application sets forth specific and articulable facts showing that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation.

THE RELEVANT FACTS

1. On May 28, 2025, CSSN Angelina RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, which is occupied by CSSN Jermiah COPELAND.

2. COPELAND shares his barracks room with three other roommates: (1) ISSA Irbin GORDILLACRUZ, (2) AR John CALISSE, and (3) YN3 Sean MONOGHAN.

3. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

4. COPELAND stated RESENDIZ called a "ex-boyfriend from Texas" and was confronting the person about returning personal items. COPELAND stated that RESENDIZ became emotional and began to cry.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the

night.

6. During an interview with GORDILLACRUZ, at approximately 0645 on 29 May 2025, GORDILLACRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND, and an unknown female on the floor naked.

7. GORDILLACRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ's breasts and could see COPELAND's head resting on RESENDIZ's stomach area. GORDILLOCRUZ stated he could not see if RESENDIZ was wearing anything below COPELAND's head. GORDILLOCRUZ stated COPELAND was also naked but his back was facing upwards.

8. GORDILLOCRUZ stated he had never seen the female before and has not seen her since.

9. When interviewed by NCIS, COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER recognized RESENDIZ and stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

10. COPELAND continued explaining that the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

11. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

12. COPELAND's specific movements after dropping RESENDIZ off at Miller Hall remain unknown. However, COPELAND did not return to work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025, and 01 June 2025. On 01 June 2025, COPELAND checked into work.

13. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at

Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND also took CALISSE's EZ Pass. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

14. On 02 JUNE 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER states RESENDIZ was scheduled to work day shift Friday, May 30, 2025 – Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

15. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

16. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

17. During a search of COPELAND's room on 02 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. All of these samples were later tested and confirmed to contain the DNA of RESENDIZ.

18. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

19. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

20. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

21. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

22. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

23. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

24. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to MONAGHAN.

REQUEST FOR ORDER

4. The facts set forth in the previous section show that there are reasonable grounds to believe that the records and other information described in Part II of Attachment A are relevant and material to an ongoing criminal investigation. Specifically, these items will help the United States to identify and locate the individual(s) who are responsible for the events described above, corroborate the account of any suspects, confirm timelines and locations of interested parties, and to determine the nature and scope of their activities. Accordingly, the United States requests that T-Mobile be directed to produce all items described in Part II of Attachment A to the proposed Order.

5. The United States further requests that the Order require T-Mobile not to notify any person, including the subscribers or customers of the account(s) listed in Part I of Attachment A, of the existence of the Order for 180 days from the date of the Order. *See* 18 U.S.C. § 2705(b). This Court has authority under 18 U.S.C. § 2705(b) to issue "an order

commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.* In this case, such an order would be appropriate because the requested Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested Order will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

6. The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Very Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.07.18 08:40:54 -04'00'

Jessica Gokey, Special Agent Naval
Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED AND SWORN to before me on this 18th day of July 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that T-Mobile may disclose this Order to an attorney for T-Mobile for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.07.21 14:15:30 -04'00'

United States Military Judge

Date: 21 July 2025

# ATTACHMENT A

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.07.21 14:15:15 -04'00'

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | | |
|---|---|---|
| IN RE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER PURSUANT TO 18 U.S.C. § 2703(d) | ) | Case Identifier 02JUN25-NFNF-00237-7MNA |
| | ) | **Filed Under Seal** |

ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an Order requiring T-Mobile, an electronic communications service provider and/or a remote computing service located in the United States, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that T-Mobile shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that T-Mobile shall not disclose the existence of the application of the United States, or the existence of this Order of the Court, to the subscribers of the account(s) listed in Attachment A, or to any other person, for 180 days from the date of this Order, except that Verizon may disclose this Order to an attorney for Verizon for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

_____

United States Military Judge

Date:

**ATTACHMENT A**

## I. The Account(s)

The Order applies to certain records and information associated with the following account phone number:

[redacted] between 29MAY25 through 2JUN25

## II. Records and Other Information to Be Disclosed

T-Mobile is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment ("Account"):

A. The following information about the customers or subscribers of the Account:

1. Names (including subscriber names, user names, and screen names);
2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
3. Local and long-distance telephone connection records with location of cellular telephone at the time of the connection;
4. Location history and/or data pings for the cellular telephone;
5. Records of session times and durations, location of telephone during data sessions, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
5. Length of service (including start date) and types of service utilized;
6. Telephone or instrument numbers (including MAC addresses);
7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses (including carrier grade natting addresses or ports)); and

B. All records and other information (not including the contents of communications) relating to the Account, including:

1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;

2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication (such as source and destination email addresses, IP addresses, and telephone numbers).

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO MILITARY RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by _____, and my official title is _____. I am a custodian of records for _____. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of _____, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of _____; and

c. such records were made by _____ as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Military Rules of Evidence.

_____ _____

Date Signature

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

ICLOUD RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 26 August 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250812 1627 hours

CDR Jason A. Pfeil, JAGC, USN

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.12 16:28:21 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>ICLOUD RECORDS FOR ACCOUNT [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

ICLOUD RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 86, 107, 118, 120, 120c. 128, 128b, 131b | False Official Statement, Murder, Sexual Assault, Obstruction of Justice, et. al. |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent
*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.04 09:58:33 -04'00'
*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250804 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military* [redacted] |
| Naval Station Norfolk | |
| *Military installation or location* | *Signature of official administering oath* |

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

ICLOUD RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |
|---|---|
| Articles 86, 107, 118, 120, 120c. 128, 128b, 131b | False Official Statement, Murder, Sexual Assault, Obstruction of Justice, et. al. |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent
*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.04 09:58:33 -04'00'
*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250804 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military jud* [redacted] |
| Naval Station Norfolk | |
| *Military installation or location* | *Signature of official administering oath* |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| **IN THE MATTER OF THE SEARCH OF:** | **Case Identifier:** |
|---|---|
| **Information Associated with the Apple Inc. iCloud Account Associated with the Apple ID: jermiahcopeland@gmail.com with associated Directory Services Identifier (DSID) listed as 17163425203**<br><br>**That is Stored at the Premises Controlled by Apple Inc., Attention: Privacy and Law Enforcement Compliance, One Apple Park Way, Cupertino, CA 95014.** | **01JUN25-NFNF-00237-7HNA** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Apple Inc. (hereafter "Apple") to disclose

to the government records and other information, including the contents of communications, associated with the Apple iCloud account associated with Apple ID (the **SUBJECT ACCOUNT):**

a. [redacted]
b. Directory Services Identifier (DSID) listed as [redacted]

and seize information associated with that account that is stored at premises owned, maintained, controlled, or operated by Apple Inc., a company headquartered at **One Apple Park Way, Cupertino, CA 95014**, CA. The information to be disclosed by Apple Inc. and searched by the government is described in the following paragraphs and in Attachments A and B.

4. This application seeks a warrant to search all responsive records and information under the control of Apple Inc., a provider subject to the jurisdiction of this court, regardless of where Apple Inc. has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Apple Inc.'s possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.

5. Your Affiant anticipates executing this warrant by using this warrant to require Apple Inc. to disclose to the government copies of the records and other information (including the content of communications) described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. I have set forth only those facts that I believe are necessary to establish probable cause that evidence, fruits, and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 118 (Murder), Article 120 (Rape and Sexual Assault Generally), Article 120c (Other Sexual Misconduct), Article 128b (Domestic Violence) and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) are present in the information associated with the above listed **SUBJECT ACCOUNT.** Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

## JURISDICTION

7. As defined in 18 U.S.C. §2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. §§2703(a), (b)(l)(A), (c)(l)(A), and 10 U.S.C. § 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of Title 10 (UCMJ)."

## PERTINENT STATUTES UNDER THE UNIFORM CODE OF MILITARY JUSTICE

8. Article 86 (Unauthorized Absence): Any member of the armed forces who failed to go to his appointed place of duty at the time prescribed.

9. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

10. Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images): The accused knowingly and wrongfully broadcasted or distributed a visual image; The visual image is an intimate visual image of another person or a visual image of sexually explicit conduct involving another person; The person depicted in the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct was like to: Cause harm. Harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct or harm substantially the depicted person with respect to that persons health, safety, business, calling, career, financial condition, reputation, or personal relationships; and conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

11. Article 118 (Murder): Intent to kill or inflict great bodily harm; A certain named or described person is dead; Death resulted from the act or omission of the accused; the killing was unlawful; and at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

12. Article 120 (Rape and Sexual Assault Generally)): Accused commits a sexual act upon another person without the consent of the other person.

13. Article 120c (Other Sexual Misconduct): Accused knowingly distributed a certain recording of another person's private area; Recording was made without the other person's consent; Accused knew or reasonably should have known that said recording was made without the other person's consent; Accused knew or reasonably should have known that said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

14. Article 128 (Assault Consummated by a Battery): Accused does bodily harm to another person.

15. Article 128b (Domestic Violence): Assaulting a spouse, an intimate partner, or an immediate family member of that person by strangulation or suffocation; Accused assault a spouse, an intimate partner, or an immediate family member of the accused; Accused did so

by strangulation or suffocation; and the strangulation or suffocation was done with unlawful force or violence.

16. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## OTHER LEGAL AUTHORITY

17. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant. A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection -
>
> > (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service -
>
> > (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and
> >
> > (B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents

of any such communications for purposes of providing any services other than storage or computer processing.

18. The government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(l)(A).

19. 18 U.S.C. §§ 2703(b)(l)(A) and 2703(c)(l)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## DEFINITIONS

20. "Electronic communication service provider" (ECSP) means (a) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934; (b) a provider of electronic communication service, (c) a provider of a remote computing service, (d) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or (e) an officer, employee, or agent of an entity described in subparagraph (a), (b), (c), or (d).

21. "Electronic Communications System" means any wire, radio, electromagnetic, photo optical, or photo electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. 18 U.S.C. § 2510(14).

22. "Electronic storage" means (a) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (b) any storage of such communication by an electronic communication service for purposes of backup protection of such communication. 18 U.S.C. § 2510(17).

23. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

24. "Computer," as used herein, refers to "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device" and includes smartphones, and mobile phones and devices. 18 U.S.C. § 1030(e)(l).

25. "Computer passwords and data security devices," as used herein, consist of information or items designed to restrict access to or hide computer software,

documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates what might be termed a digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software of digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

26. "Internet Protocol Address" (IP Address), as used herein, refers to refers to a unique number used by a computer or other digital device to access the Internet. IP addresses can be "dynamic," meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be "static," if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. A "natting" IP address is a type ofIP address that becomes assigned to multiple devices at the same time when those devices are connected to a common router (normally the term is invoked when multiple individuals are connected to the same cellular towers and cellular data network. All devices connected to the same tower will be assigned the same "natting" IP Address.)

27. "Internet Service Providers" or "ISPs" are commercial organizations which provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers, including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer various means by which to access the Internet including telephone based dial-up, broadband based access via a digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called "bandwidth," that the connection supports. Many ISPs assign each subscriber an account name such as a user name or screen name, an e-mail address, and an e-mail mailbox, and the subscriber typically creates a password for the account. By using a computer equipped with a telephone or cable modem, the subscriber can establish communication with an ISP over a telephone line or through a cable system, and can access the Internet by using his or her account name and password."

28. Remote Computing Service" as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

29. "Log Files" are records automatically produced by computer programs to document electronic events that occur on computers. Computer programs can record a wide range of events including remote access, file transfers, log-on/log-off times, and system errors. Logs are often named based on the types of information they contain. For example, web logs contain specific information about when a website was accessed by remote computers; access logs list specific information about when a computer was accessed from a remote location; and file transfer logs list detailed information concerning files that are remotely

transferred.

30. The terms "records," "documents," and "materials" include all information recorded in any form, including the originals and all non-identical copies thereof, whether different from the original by reason of any notation made on such copies or otherwise, including, but not limited to the following:

a. graphic records or representations;

b. photographs;

c. pictures;

d. images, and

e. aural records or representations.

31. The terms "records," "documents," and "materials" include all of the foregoing, in whatever form and by whatever means, the records, documents, or materials, and their drafts, or their modifications may have been created or stored, including (but not limited to): any electrical, electronic, or magnetic form (including but not limited to any information on an electronic or magnetic storage device such as hard disks).

32. "Web hosts" provide the equipment and services required to host and maintain files for one or more websites and to provide rapid Internet connections to those websites. Most hosting is "shared," which means that multiple websites of unrelated companies are on the same server in order to reduce associated costs. When a client develops a Website, the client needs a server and perhaps a web hosting company to host it. "Dedicated hosting," means that the web hosting company provides all of the equipment and assumes all of the responsibility for technical support and maintenance of a website. "Co-location" means a server is located at a dedicated hosting facility designed with special resources, such as a secure cage, regulated power, a dedicated Internet connection, online security and online technical support. Co-location facilities offer customers a secure place to physically house the customers' hardware and equipment as opposed to keeping it in their offices or warehouse, where the potential for fire, theft or vandalism is greater.

33. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

## TECHNICAL BACKGROUND ON APPLE INC.

34. Apple Inc. ("Apple") is a United States company that produces the iPhone, iPad, and iPod Touch, all of which use the iOS operating system, and desktop and laptop

computers based on the Mac OS operating system.

35. Apple provides a variety of services that can be accessed from Apple devices or, in some cases, other devices via web browsers or mobile and desktop applications ("apps"). As described in further detail below, these services include email, instant messaging, and file storage:

a. Apple provides email service to its users through email addresses at the domain names mac.com, me.com, and icloud.com.

b. iMessage and FaceTime allow users of Apple devices to communicate in real-time. iMessage enables users of Apple devices to exchange instant messages ("iMessages") containing text, photos, videos, locations, and contacts, while FaceTime enables those users to conduct video calls.

c. iCloud is a file hosting, storage, and sharing service provided by Apple. iCloud can be utilized through numerous iCloud-connected services, and can also be used to store iOS device backups and data associated with third-party apps.

d. iCloud-connected services allow users to create, store, access, share, and synchronize data on Apple devices or via icloud.com on any Internet-connected device. For example, iCloud Mail enables a user to access Apple-provided email accounts on multiple Apple devices and on icloud.com. iCloud Photo Library and My Photo Stream can be used to store and manage images and videos taken from Apple devices, and iCloud Photo Sharing allows the user to share those images and videos with other Apple subscribers. iCloud Drive can be used to store presentations, spreadsheets, and other documents. iCloud Tabs enables iCloud to be used to synchronize webpages opened in the Safari web browsers on all of the user's Apple devices. iWorks Apps, a suite of productivity apps (Pages, Numbers, and Keynote), enables iCloud to be used to create, store, and share documents, spreadsheets, and presentations. iCloud Keychain enables user to keep website username and passwords, credit card information, and Wi-Fi network information synchronized across multiple Apple devices.

e. Game Center, Apple's social gaming network, allows users of Apple devices to play and share games with each other.

f. Find My iPhone allows owners of Apple devices to remotely identify and track the location of, display a message on, and wipe the contents of those devices.

g. Location Services allows apps and websites to use information from

cellular, Wi- Fi, Global Positioning System ("GPS") networks, and Bluetooth, to determine a user's approximate location.

h. App Store and iTunes Store are used to purchase and download digital content. iOS apps can be purchased and downloaded through App Store on iOS devices, or through iTunes Store on desktop and laptop computers running either Microsoft Windows or Mac OS. Additional digital content, including music, movies, and television shows, can be purchased through iTunes Store on iOS devices and on desktop and laptop computers running either Microsoft Windows or Mac OS.

36. Apple services are accessed through the use of an "Apple ID," an account created during the setup of an Apple device or through the iTunes or iCloud services. A single Apple ID can be linked to multiple Apple services and devices, serving as a central authentication and syncing mechanism.

37. An Apple ID takes the form of the full email address submitted by the user to create the account; it can later be changed. Users can submit an Apple-provided email address (often ending in@icloud.com, @me.com, or @mac.com) or an email address associated with a third- party email provider (such as Gmail, Yahoo, or Hotmail). The Apple ID can be used to access most Apple services (including iCloud, iMessage, and FaceTime) only after the user accesses and responds to a "verification email" sent by Apple to that "primary" email address. Additional email addresses ("alternate," "rescue," and "notification" email addresses) can also be associated with an Apple ID by the user.

38. Apple captures information associated with the creation and use of an Apple ID. During the creation of an Apple ID, the user must provide basic personal information including the user's full name, physical address, and telephone numbers. The user may also provide means of payment for products offered by Apple. The subscriber information and password associated with an Apple ID can be changed by the user through the "My Apple ID" and "iForgot" pages on Apple's website. In addition, Apple captures the date on which the account was created, the length of service, records of log-in times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to and utilize the account, the Internet Protocol address ("IP address") used to register and access the account, and other log files that reflect usage of the account.

39. Additional information is captured by Apple in connection with the use of an Apple ID to access certain services. For example, Apple maintains connection logs with IP addresses that reflect a user's sign-on activity for Apple services such as iTunes Store and

App Store, iCloud, Game Center, and the My Apple ID and iForgot pages on Apple's website. Apple also maintains records reflecting a user's app purchases from App Store and iTunes Store, "call invitation logs" for FaceTime calls, and "mail logs" for activity over an Apple-provided email account. Records relating to the use of the Find My iPhone service, including connection logs and requests to remotely lock or erase a device, are also maintained by Apple.

40. Apple also maintains information about the devices associated with an Apple ID. When a user activates or upgrades an iOS device, Apple captures and retains the user's IP address and identifiers such as the Integrated Circuit Card ID number ("ICCID"), which is the serial number of the device's SIM card. Similarly, the telephone number of a user's iPhone is linked to an Apple ID when the user signs in to FaceTime or iMessage. Apple also may maintain records of other device identifiers, including the Media Access Control address ("MAC address"), the unique device identifier ("UDID"), and the serial number. In addition, information about a user's computer is captured when iTunes is used on that computer to play content associated with an Apple ID, and information about a user's web browser may be captured when used to access services through icloud.com and apple.com. Apple also retains records related to communications between users and Apple customer service, including communications regarding a particular Apple device or service, and the repair history for a device.

41. Apple provides users with five gigabytes of free electronic space on iCloud, and users can purchase additional storage space. That storage space, located on servers controlled by Apple, may contain data associated with the use of iCloud-connected services, including: email (iCloud Mail); images and videos (iCloud Photo Library, My Photo Stream, and iCloud Photo Sharing); documents, spreadsheets, presentations, and other files (iWorks and iCloud Drive); and web browser settings and Wi-Fi network information (iCloud Tabs and iCloud Keychain). iCloud can also be used to store iOS device backups, which can contain a user's photos and videos, iMessages, Short Message Service ("SMS") and Multimedia Messaging Service ("MMS") messages, voicemail messages, call history, contacts, calendar events, reminders, notes, app data and settings, and other data. Records and data associated with third-party apps may also be stored on iCloud; for example, the iOS app for WhatsApp, an instant messaging service, can be configured to regularly back up a user's instant messages on iCloud. Some of this data is stored on Apple's servers in an encrypted form but can nonetheless be decrypted by Apple.

42. In my training and experience, evidence of who was using an Apple ID and from where, and evidence related to criminal activity of the kind described above, may be found in the files and records described above. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United

States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

43. For example, the stored communications and files connected to an Apple ID may provide direct evidence of the offenses under investigation. Based on my training and experience, instant messages, emails, voicemails, photos, videos, and documents are often created and used in furtherance of criminal activity, including to communicate and facilitate the offenses under investigation.

44. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Apple can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, subscriber information, email and messaging logs, documents, and photos and videos (and the data associated with the foregoing, such as geo- location, date and time) may be evidence of who used or controlled the account at a relevant time. As an example, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

45. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

46. Other information connected to an Apple ID may lead to the discovery of additional evidence. For example, the identification of apps downloaded from App Store and iTunes Store may reveal services used in furtherance of the crimes under investigation or services used to communicate with co-conspirators. In addition, emails, instant messages, Internet activity, documents, and contact and calendar information can lead to the identification of co-conspirators and instrumentalities of the crimes under investigation.

47. Therefore, Apple's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Apple's services. In my training and experience, such information may constitute evidence of the crimes under investigation including information that can be used to identify the account's user or users.

**FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE FOR ALLEGATIONS RELATING TO CSSN MONIQUE [redacted] TO SEARCH THE SUBJECT ACCOUNT**

48. On November 06, 2024, NCIS interviewed CSSN [redacted] USN, USS HARRY S TRUMAN (CVN-75) after [redacted] made a report of Sexual Assault against CSSN Jermiah COPELAND (SUBJECT), USN USS JAMES E. WILLIAMS (DDG-95).

49. [redacted] stated she was sexually assaulted by COPELAND on 04NOV24 in a bar is Oslo, Norway while on deployment. [redacted] recalled she went to Heidi's Bier Bar with a group of Sailors. [redacted] relayed she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple people approached her and stated COPELAND was showing other a video of him having sexual intercourse with her. [redacted] stated she called COPELAND and confronted him about the sexual encounter and video. However, COPELAND denied having sexual intercourse with her and denied having a recording. COPELAND threatened to kill himself via text following the phone call.

50. On November 06, 2024, NCIS interviewed CSSA Jacqueline BITA, USN, CVN-75, who was reported to have seen the video from COPELAND. BITA stated while at the bar in Norway, [redacted] was drinking and intoxicated. BITA explained COPELAND had not been part of the original group who went to the bar together, however, he had shown up later in the evening. BITA stated she observed COPELAND assisting [redacted] to the bathroom. A little while later in the evening, BITA stated she was speaking with another sailor, SR Jada KNIGHT, USN, VAW-126, and COPELAND approached them, saying words to the effect of "You'll never believe what happened, if I show you, you can't tell anyone." BITA stated COPELAND then showed her and KNIGHT a video of COPELAND having sexual intercourse with [redacted] BITA stated [redacted] could be identified in the video based on her hair style and the outfit she was wearing. BITA opined she could not tell if [redacted] was conscious in the video. BITA stated COPELAND was "happy and laughing", while BITA and KNIGHT were "shocked" at the video. BITA opined COPELAND was in his "right mind" the night of the assault, however, after being confronted by [redacted] COPELAND knew "he had messed up."

51. On November 6, 2024, NCIS conducted a search for the cellphone belonging to COPELAND. COPELAND's person was searched and the cellphone was not discovered. COPELAND stated he gave his cellphone to CSSN Kaulise COUSINS, USN, CVN-75. NCIS approached and searched COUSINS, who stated he never possessed COPELAND's cellphone. COPELAND's berthing, rack, and locker was searched by NCIS however, COPELAND's cellphone was not recovered.

52. On November 08, 2024, NCIS interviewed CSSA Jakobie GANT, USN, CVN-75, who stated on 05NOV24, he was approached by COPELAND, who relayed he had sexual intercourse with [redacted] the night prior. GANT opined COPELAND was excited about it. GANT stated COPELAND showed him a video of him engaging in sexual intercourse with [redacted] GANT stated he did not see [redacted] face in the video. GANT stated he was very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. GANT stated [redacted] was face down against a toilet.

53. On November 18, 2024, NCIS interviewed KNIGHT, who stated approximately 30 minutes after arriving at the bar in Norway, she was approached by COPELAND. KNIGHT stated COPELAND asked her not to tell anyone about what he was going to show her. KNIGHT recalled COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. KNIGHT stated COPELAND indicated [redacted] was the female in the video. KNIGHT stated the video depicted COPELAND's smiling face before panning to him thrusting in and out of her vagina.

54. On November 18, 2024, NCIS interviewed COPELAND, who opined the sexual encounter was with consent due to [redacted] taking him by the hand and pulling him into the bathroom stall and removing her pants. COPELAND stated during the sexual encounter, he did pull out his cellphone and begin recording. COPELAND stated he was unsure if [redacted] was aware of him recording the sexual encounter. COPELAND did admit to showing the video to KNIGHT and others without [redacted] knowledge. COPELAND again stated he had given his cellphone to COUSINS but denied throwing the phone away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered.

55. On December 20, 2024, NCIS interviewed COPELAND, who stated he had purchased a new cellphone. COPELAND stated the video he took of the sexual intercourse with [redacted] had been taken on Instagram Reels, and the video automatically deleted after a period of time of being posted. COPELAND provided screenshots of messages he exchanged with [redacted] from 5 November 2024, indicating even if it was a new phone the data from that time period remained or was transferred over from another source, such as iCloud.

**FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE FOR ALLEGATIONS RELATING TO CSSN [redacted]**

56. CSSN [redacted] explained that on 11 April 2025, she was sleeping in COPELAND's barracks room when she received a call from COPELAND's girlfriend

asking if she was with COPELAND because she suspected him of cheating on her. [redacted] confirmed they were still dating and woke COPELAND up and told him about the situation. After going back and forth, COPELAND strangled her with both hands around her neck and restricted her breathing for about 10 seconds. He was smiling while he did it.

57. [redacted] left the barracks and returned upset and confronted COPELAND with a multi-tool knife in-hand. She proceeded to punch COPELAND.

58. COPELAND explained that he later noticed his car tire was slashed and that [redacted] admitted to having slashed it via text message on 12 April 2025.

**FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE FOR ALLEGATIONS RELATING TO CSSN ANGELINA RESENDIZ TO SEARCH THE SUBJECT ACCOUNT**

59. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

60. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

61. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

62. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

63. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

64. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

65. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

66. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

67. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

68. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

69. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

70. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

71. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

72. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

73. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

74. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

75. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

76. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

77. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

78. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

79. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

80. During the search on 04 June 2025, NCIS notated an Apple watch was located in COPELAND's belonging. During the interview of COPELAND on 3 June 2025, he stated that his Apple watch was no longer working and he did not use it.

81. On 03 June 2025, COPELAND gave his iPhone 15 to investigators after signing a PASS.

82. During the execution of the CASS on June 04, 2025, NCIS also located a second iPhone, which COPELAND stated was his however, it did not work.

83. On June 06, 2025, COPELAND was placed in a restricted status aboard the barge for DDG-95. COPELAND was advised to bring his toiletries and belongings to the ship. COPELAND remained on restriction until his arrest and pre-trial confinement.

84. On June 09, 2025, NCIS determined the Apple watch was connected to the iPhone 15 COPELAND gave to NCIS on 3 June 2025. The iPhone 15 is currently in NCIS' possession and has since been forensically viewed to show the Apple watch last synched with the iPhone on May 29, 2025 at approximately 0256.

85. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

86. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which showshealth data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

87. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

88. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

89. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

90. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

91. On June 10, 2025, NCIS conducted a Command Authorized Search and Seizure for COPELAND's berthing onboard the barge associated with DDG-95. NCIS was able to locate and seize the Apple watch, however, the second iPhone found on the June 04, 2025, search of COPELAND's barracks was never located again.

92. On July 30, 2025, NCIS was conducting a review of the forensic examination of COPELAND's iPhone. During which, NCIS located a conversation between himself and a person saved as "Bitch", who is believed to be a girlfriend or ex-girlfriend. During the conversation on 30 May, 2025, "Bitch" sends a text reading "switched phones is crazy." "Bitch" had been attempting to contact COPELAND since May 29, 2025. COPELAND did not acknowledge "Bitch" until June 02, 2025 from that device.

93. It is believed, COPELAND may have used the second iPhone found in the search on June 04, 2025, to communicate while aboard DDG-95 and while on restriction. As such, NCIS is requesting this warrant be issued until his arrest on June 09, 2025.

94. It is believed the Apple watch located in the berthing of COPELAND was used to contact others or may contain evidence crucial to this investigation, due to its ability to be used in a cellular capacity and not need to have Wifi connected to work. Due to it not synching with the iPhone since May 29, 2025, NCIS cannot see what, if any, activity associated with the Apple watch from May 29, 2025 until his apprehension on June 09, 2025.

## CONCLUSION

95. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

96. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 86 (Unauthorized Absence), Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 118 (Murder), Article 120 (Rape and Sexual Assault Generally), Article 120c (Other Sexual Misconduct), Article 128 (Assault Consummated by a Battery), Article 128b (Domestic Violence) and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

97. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

98. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Apple, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

99. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Very respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.04 10:01:36 -04'00'

Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED and SWORN to before me on 04 August 2025

[redacted]

LT Christopher Dempsey, JAGC, USN
Special Trial Counsel

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the electronically stored data, information, communications, and items contained in, related to, and associated with, including all preserved data associated with the iCloud account of Jermiah Copeland with Apple ID:

a. [redacted] **(SUBJECT ACCOUNT)**
b. Directory Services Identifier (DSID) listed as [redacted]

that is stored at premises owned, maintained, controlled, or operated by Apple, Inc., a company headquartered at One Apple Park Way, Cupertino, CA 95014, to include that information preserved by Apple Inc., pursuant to the recent preservation request submitted.

## ATTACHMENT B

## Particular Things to Be Seized

### I. Information to Be Disclosed By Apple Inc. (The "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple Inc., including any messages. Records. Files, logs, or information that have been deleted but are still available to Apple Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). Apple Inc. Is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024, 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. The dates and times at which the **SUBJECT ACCOUNT** was created, and IP address at the time of sign-up;

d. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

### II. Information to be seized by the government

All information described above in section I, including correspondence, records, documents,photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 86, 107, 117a, 118, 120, 120c, 128, 128b, or 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 04 November 2024 to 06 November 2024, 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025. This includes but is not limited to:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed or used to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. All content of communications between the **SUBJECT ACCOUNT** and others relating to the crimes under investigation;

d. Evidence indicating the **SUBJECT ACCOUNT** owners' or users' state of mind as it relates to the crime under investigation;

e. Evidence of the times the **SUBJECT ACCOUNT** listed on Attachment A was used;

f. Passwords and encryption keys, and other access information that may be necessary to access **SUBJECT ACCOUNT** listed on Attachment A and other associated accounts;

g. Evidence that may identify any co-conspirators or aiders and abettors, including records that help reveal their whereabouts;

h. All information and content contained within the **SUBJECT ACCOUNT**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked.

**III**. **Disclosure by provider - By Order of the Court**

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@leo.gov). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

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b. Directory Services Identifier (DSID) listed as [redacted]

that is stored at premises owned, maintained, controlled, or operated by Apple, Inc., a company headquartered at One Apple Park Way, Cupertino, CA 95014, to include that information preserved by Apple Inc., pursuant to the recent preservation request submitted.



[redacted]

Digitally signed by [redacted]
Date: 2025.08.12 16:29:10 -04'00'

## ATTACHMENT B

## Particular Things to Be Seized

### I. Information to Be Disclosed By Apple Inc. (The "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple Inc., including any messages. Records. Files, logs, or information that have been deleted but are still available to Apple Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). Apple Inc. Is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. The dates and times at which the **SUBJECT ACCOUNT** was created, and IP address at the time of sign-up;

d. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

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All information described above in section I, including correspondence, records, documents,photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 86, 107, 117a, 118, 120, 120c, 128, 128b, or 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025. This includes but is not limited to:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed or used to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. All content of communications between the **SUBJECT ACCOUNT** and others relating to the crimes under investigation;

d. Evidence indicating the **SUBJECT ACCOUNT** owners' or users' state of mind as it relates to the crime under investigation;

e. Evidence of the times the **SUBJECT ACCOUNT** listed on Attachment A was used;

f. Passwords and encryption keys, and other access information that may be necessary to access **SUBJECT ACCOUNT** listed on Attachment A and other associated accounts;

g. Evidence that may identify any co-conspirators or aiders and abettors, including records that help reveal their whereabouts;

h. All information and content contained within the **SUBJECT ACCOUNT**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked.

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## ATTACHMENT B

## Particular Things to Be Seized

### I. Information to Be Disclosed By Apple Inc. (The "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Apple Inc., including any messages. Records. Files, logs, or information that have been deleted but are still available to Apple Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). Apple Inc. Is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024, 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

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All information described above in section I, including correspondence, records, documents,photographs, videos, electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 86, 107, 117a, 118, 120, 120c, 128, 128b, or 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 04 November 2024 to 06 November 2024, 10 April 2025 through 11 April 2025, and 28 May 2025 through 09 June 2025. This includes but is not limited to:

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b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed or used to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

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d. Evidence indicating the **SUBJECT ACCOUNT** owners' or users' state of mind as it relates to the crime under investigation;

e. Evidence of the times the **SUBJECT ACCOUNT** listed on Attachment A was used;

f. Passwords and encryption keys, and other access information that may be necessary to access **SUBJECT ACCOUNT** listed on Attachment A and other associated accounts;

g. Evidence that may identify any co-conspirators or aiders and abettors, including records that help reveal their whereabouts;

h. All information and content contained within the **SUBJECT ACCOUNT**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked.

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# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jeremiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Oak Harbor High School
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 25 August 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Disciplinary records for Jermiah Taylor Copeland

DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as _____
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney
bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**7 AUG 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.
3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

8. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

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10. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

11. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

12. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

13. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

14. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

17. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

21. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. NCIS obtained information from the School Resource Officer (SRO) from Oak Harbor High School that there may be information relevant to our case in regard to CSSN Jermiah COPELAND. According to the SRO CSSN Copeland was removed from the high school after numerous complaints were made against him, which some of them allegedly involve sexual misconduct.

**INFORMATION AND RECORDS REQUESTED**

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Oak Harbor High School for the disciplinary records of CSSN Jermiah Taylor Copeland, date of Birth 23 May 2005.

**REASON FOR REQUEST**

30. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Oak Harbor High School to produce this information.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

| | |
|---|---|
| **From:** | Dempsey, Christopher B LT USN (USA) |
| **To:** | Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **Cc:** | Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) |
| **Subject:** | RE: Copeland (3) Oak Harbor Subpoena |
| **Date:** | Monday, August 11, 2025 2:30:00 PM |

Good Afternoon Sir –

Corrected and resubmitting now. Thank you!

V/r,

LT Dempsey

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 11, 2025 12:54 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** Copeland (3) Oak Harbor Subpoena
**Importance:** High

Good afternoon, LT Dempsey:

The Oak Harbor draft Subpoena is not modifiable by me. It appears if it is locked somehow. Please check and resubmit via NCORS.

Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jeremiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Oak Harbor High School
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 25 August 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Disciplinary records for Jermiah Taylor Copeland

DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 11 August 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by PFEIL.JASON.ANDREW [redacted] Date: 2025.08.11 15:20:24 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Christopher Dempsey, JAGC, USN; 757-341-4545; christopher.dempsey2@navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

07 Aug 25

To: JAGC, USN, Military Judge
From: LT Patricia Cannaday, JAGC, USN, Special Trial Counsel

Subj: APPLICATION FOR INVESTIGATIVE SUBPOENA ICO US V. COPELAND

Ref: (a) Uniform Code of Military Justice, Article 30a
(b) Rule for Courts-Martial 309(b)
(c) Rule for Courts-Martial 703(g)(3)(C)

Encl: (1) Draft DD Form 453 ICO US v. Copeland

1. The Government respectfully requests an investigative subpoena to obtain subscriber information regarding user name: u/ovenisitirl.

2. NCIS obtained a screenshot from a social media post on the publicly accessed Reddit forum "r/navy" where username "u/ovenistirl" posted publicly under the title "Recent Assault/murder of navy soldier." In the post, u/ovenistirl states that they went to school with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95). u/ovenistirl alleges S/COPELAND "has always been a sex offender. He sexually assaulted multiple girls including myself all throughout elementary – middle school some even all the way into high school. We reported him numerous times to school authorities and police but were never taken seriously. My point is, It was clear the kind of person he was/was bound to become and no one did a damn thing to help any of us. This is the result you get when you ignore victims and laugh in their faces when they try to speak out. Not only did he get away with this from the age of 11 until now. But he also took an innocent girls life. Such a shame."

3. The Government believes it is important to obtain the subscriber information in order to identify this potential victim. A request for this subpoena was previously submitted and granted 18 July 2025. However, this subpoena timed out before it was served, and Reddit requires re-submission.

4. Thank you for your time and consideration. If there are any questions or concerns, I can be reached via email at patricia.t.cannaday.mil@us.navy.mil or via phone at 757-341-4509.

[redacted]

P. T. CANNADAY [redacted]
LT, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: REDDIT INC. C/O CORPORATION SERVICE COMPANY
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 18 Aug 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Subscriber information as it relates to the following account:

u[redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 11 August 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.11 13:03:20 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Patricia Cannaday, 757-341-4509, patricia.t.cannaday.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday
*Name of Government Counsel*

757-341-4509 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: REDDIT INC. C/O CORPORATION SERVICE COMPANY
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 14 Aug 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Subscriber information as it relates to the following account:

u[redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, Clerk of Court; 757-341-4570, bethany.l.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Patricia Cannaday
*Name of Government Counsel*

757-341-4509 patricia.t.cannaday.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with AT&T Wireless cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**AT&T Wireless**<br>**208 S. Akard Street**<br>**Dallas, TX 75202** | **CCN: 01JUN25-NFNF-00237-7HNA**<br><br>**FILED UNDER SEAL** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records, including as they pertain to Call Detail Records and Cellular Site Analysis.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from AT&T as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to CSSN JEREMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 86 (Unauthorized Absence) and Article 107 (False Official Statement) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

(1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less,

only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

9. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

(1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –

(A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.

(2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

10. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## PERTINENT CRIMINAL STATUTES

11. Article 86 (Unauthorized Absence) of the UCMJ defines Unauthorized Absence as any person subject to this chapter who, without authority, fails to go to his appointed place of duty at the time prescribed; goes from that place; or absents himself or remains absent from his unit, organization, or place of duty at which he is required to be at the time prescribed, is guilty of Unauthorized Absence and shall be punished as a court-martial may direct.

12. Article 107 (False Official Statement) The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

13. Article 118 (Murder) Intent to kill or inflict great bodily harm; A certain named or described person is dead; Death resulted from the act or omission of the accused; the killing was unlawful; and at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

14. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

15. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

16. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

17. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular

service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

18. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the person's cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

19. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

20. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the

cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

21. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

22. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cell site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

23. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

24. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

25. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

26. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

27. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

28. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

29. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

30. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

31. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

32. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was

leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

33. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

34. On 29 May 2025, at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

35. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

36. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

37. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

38. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

39. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

40. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

41. On 02 June 2025, at approximately 0415, a white Jeep SUV was seen exiting NSN at Gate 2 and continued to travel southbound on Hampton Blvd.

42. The vehicle is again observed entering Gate 2 at approximately 0543 and traveling Northbound on Maryland Ave.

43. According to text messages obtained from COPELAND's cellphone, on 02 June 2025, CALISSE text COPELAND at 0509 saying "Yooo." COPELAND replies at 0528, "5mins away." COPELAND sends "Traffic at the gate bro" at 0530 and "Headed up to the room rnnlp" at 0543. CALISSE replies at 0544, "Im outside stop lying bro."

44. During a search of COPELAND's room on 04 June 2025, a trail of suspected blood was found between the common area and COPELAND's room. Suspected Blood was

also found on the bathroom sink and COPELAND's closet. Suspected blood was also located in a stairwell close to COPELAND's barracks room.

45. On 05 August 2025, NCIS received the DNA results and confirmed the blood located in the closet was a mixture of COPELAND's and RESENDIZ's. The DNA report also confirmed the blood in the stairwell was RESENDIZ's.

46. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

47. During the search on 04 June 2025, NCIS notated an Apple watch was located in COPELAND's belongings. During the interview of COPELAND on 3 June 2025, he stated that his Apple watch was no longer working and he did not use it.

48. On 03 June 2025, COPELAND gave his iPhone 15 to investigators after signing a PASS.

49. During the execution of the CASS on June 04, 2025, NCIS also located a second iPhone, which COPELAND stated was his however, it did not work.

50. On June 06, 2025, COPELAND was placed in a restricted status aboard the barge for DDG-95. COPELAND was advised to bring his toiletries and belongings to the ship. COPELAND remained on restriction until his later arrest and pre-trial confinement.

51. On June 09, 2025, NCIS determined the Apple watch was connected to the iPhone 15 COPELAND gave to NCIS on 3 June 2025. The iPhone 15 is currently in NCIS' possession and has since been forensically viewed to show the Apple watch last synched with the iPhone on May 29, 2025 at approximately 0256.

52. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screenshot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

53. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

54. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

55. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

56. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

57. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

58. On June 10, 2025, NCIS conducted a Command Authorized Search and Seizure for COPELAND's berthing onboard the barge associated with DDG-95. NCIS was able to locate and seize the Apple watch, however, the second iPhone found on the June 04, 2025, search of COPELAND's barracks was never located again.

59. On July 30, 2025, NCIS was conducting a review of the forensic examination of COPELAND's iPhone. During which, NCIS located a conversation between himself and a person saved as "Bitch", who is believed to be a girlfriend or ex-girlfriend. During the conversation on 30 May, 2025, "Bitch" sends a text reading "switched phones is crazy." "Bitch" had been attempting to contact COPELAND since May 29, 2025. COPELAND did not acknowledge "Bitch" until June 02, 2025 from that device.

60. It is believed, COPELAND may have used the second iPhone found in the search on June 04, 2025, to communicate while aboard DDG-95 and while on restriction. As such, NCIS is requesting this order be issued until his arrest on June 09, 2025.

61. It is believed the Apple watch located in the berthing of COPELAND was also used to contact others via this AT&T account or may contain evidence crucial to this investigation, due to its ability to be used in a cellular capacity and not need to have Wifi connected to work. Due to it not synching with the iPhone since May 29, 2025, NCIS cannot see what, if any, activity associated with the Apple watch from May 29, 2025 until his apprehension on June 09, 2025.

## CONCLUSION

62. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted]

Digitally signed by GOKEY.JESSICA.RAY[redacted]
Date: 2025.08.11 15:06:01 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 11 day of August, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with AT&T cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by AT&T, located at 208 S. Akard Street, Dallas, TX 75202.

## ATTACHEMENT B

### Items to be Seized

i. Information to be disclosed by AT&T

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 03 June, 2025** through **12AM (Eastern Standard Time) 09 June, 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 03 June, 2025** through **12AM (Eastern Standard Time) 09 June, 2025**.

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 03 June, 2025** through **12AM (Eastern Standard Time) 09 June, 2025**.

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence), Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 03 June 2025 through 10 June 2025.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to any false official statements of the account holder of SUBJECT PHONE NUMBER.
    vi. Any relevant content provided by AT&T associated with SUBJECT PHONE NUMBER.

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with AT&T cellular phone number [redacted] SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by AT&T, located at 208 S. Akard Street, Dallas, TX 75202.

Attachments A and B AS APPROVED for AT&T Warrant

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.08.13 13:09:58 -04'00'

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by AT&T

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**.

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, digital images (e.g. pictures), contact lists, web activity (name of website visited or accessed), data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, data sessions, name of web sites accessed), date and time when all web sites were accessed and the duration of each web site was accessed, and any other files including all cell site and sector information associated with each connection and/or record associated with the SUBJECT PHONE NUMBER for the time

range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**.

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence), Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 28 May 2025 through 10 June 2025.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to any false official statements of the account holder of SUBJECT PHONE NUMBER.

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with AT&T cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by AT&T, located at 208 S. Akard Street, Dallas, TX 75202.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by AT&T

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**.

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) 10 June, 2025**.

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 86 (Unauthorized Absence), Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER during the period of her absence from 28 May 2025 through 10 June 2025.
    ii. Evidence that includes additional phone numbers, accounts, and communications with which the SUBJECT PHONE NUMEBR communicated with.
    iii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.
    iv. Evidence that aides in identification of co-conspirators in this case.
    v. Evidence relating to any false official statements of the account holder of SUBJECT PHONE NUMBER.
    vi. Any relevant content provided by AT&T associated with SUBJECT PHONE NUMBER.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

AT&T RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 27 August 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250813 1310 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.13 13:11:21 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

AT&T RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>AT&T RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 86, 107, 118, 131b | Unauthorized Absence, False Official Statement, Murder, Obstruction of Justice |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent Jessica Gokey
*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.11 15:06:37 -04'00'
*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.08.11 19:53:01 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

META RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

Christopher
*First name*

Dempsey
*Last name*

757-341-4545
*Phone number*

christopher.dempsey2@navy.mil
*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>META RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| META RECORDS FOR ACCOUNT: [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 117a, 120, 131b | False Official Statement, Sexual Assault, Obstruction of Justice, et. al. |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent Jessica Gokey
*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.11 15:00:19 -04'00'
*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.08.11 19:58:24 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **IN THE MATTER OF THE SEARCH OF:**<br><br>**INFORMATION ASSOCIATED WITH THE META PLATFORM INC., ACCOUNT: (SUBJECT ACCOUNT)**<br>Name: Jermiah Copeland<br>Instagram Account: [redacted]<br>Facebook Username [redacted];<br>URL: https://www.facebook.com[redacted]<br><br>**That is stored at the Premises Controlled by Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.** | Case No.: **02JUN25-NFNF-00237-7MNA**<br><br>Filed Under Seal |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Meta records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Meta Platforms, Inc. as is relates to account "[redacted]" and "[redacted]" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images): The accused knowingly and wrongfully broadcasted or distributed a visual image; The visual image is an intimate visual image of another person or a visual image of sexually explicit conduct involving another person; The person depicted in the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct was like to: Cause harm.

Harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct or harm substantially the depicted person with respect to that persons health, safety, business, calling, career, financial condition, reputation, or personal relationships; and conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

10. Article 120 (Rape and Sexual Assault Generally): Accused commits a sexual act upon another person without the consent of the other person.

11. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## LEGAL AUTHORITY

12. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

13. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –
>
> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

14. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## BACKGROUND CONCERNING INSTAGRAM

15. Meta is a United States company that is the parent organization of Instagram. Instagram is a free photograph and video sharing social networking service that can be accessed at https://www.instagram.com/?hl=en or via the Instagram application on a smartphone (iPhone, Blackberry, Android, Windows-based, and Nokia phones).

16. Instagram allows its users to establish accounts; after which, they can share information, view photographs, watch videos, and interact with other Instagram users and/or the general public (those who do not have an Instagram account), depending on the user's privacy settings.

17. Instagram provides a variety of services for its users who have established accounts. As described in further detail below, the services include "following" other Instagram users on the platform; sharing photographs and images; posting and watching video content; connecting through Instagram's direct message system; commenting on photographs and videos of other users; and "liking" images or videos.

18. Instagram allows its users to connect with friends, family, and communities around the globe by sending another user a "Follow Request." If the recipient accepts the request, the two users will become "followers" for purposes of Instagram and can exchange communications and view photographs and video about one another. Additionally, once two users become "followers," they can monitor and see what content one another "like" and comment on.

19. Instagram users can "post" (i.e. share) an unlimited number of photographs or videos to their account. These photographs and videos may be visible to the user, other Instagram users, or the general public (people who do not have an Instagram account) depending on the user's privacy settings. Instagram allows its user to "tag" (i.e. label) other Instagram users in photographs or videos which then links the image or video to the tagged user's account.

20. Instagram Reels, a platform within Instagram, allows users to post video content on the social networking website for financial gain. The more views a user receives on a video, the more money that user will earn from Instagram or advertising sponsors.

21. Instagram users can also privately message each other through the platform on Instagram's direct message feature. These messages mirror email messages; they are sent to the recipient's "inbox" on Instagram. Instagram stores copies of messages sent by the recipient.

22. Instagram users may comment on and "like" images and videos posted by their Instagram "followers" or by users who have their account visible to the public. Once a user has commented on or "liked" an image or video, their followers can see that content, as well, and know that the user engaged with that image or video.

23. Instagram asks users to provide basic contact information during the account registration process. This information includes: (1) the user's full name and (2) email address or mobile phone number. In this account creation process, the user selects their username and password. This username is then used by Instagram to identify the user. After the registration process, users have the ability to include any personal identifier they choose on their account "profile," such as age, gender, location, etc.

24. After creating an account, users can access Instagram via its website on any computer with Internet access or via the Instagram application, available on any smartphone.

25. Instagram users can select one of two different levels of privacy for the communications and information associated with their account: (1) public or (2) private. A "public" account is one in which all of its content, their profile and posts, can be view by anyone, regardless of whether or not they have an Instagram account. A "private" account is one in which only the followers approved by the user can see what the user shares, including videos or photos, the user's follower list, and the user's following list.

26. Meta collects information associated with the Instagram's user's account activity and device by which they accessed their account. With regard to the user's account activity, Meta collects the time and date a user signs up for an account, all content created or shared, messages or other forms of communication, the location of and/or date a file was created, the frequency of actions taken on the website, the duration of activities on the website, the content the user interacts with on Instagram, means of payment associated with the account (including any credit card or bank account number) and more. With regard to the user's device by which they accessed their account, Meta collects the name of the mobile operator or ISP; the language; time zone; mobile phone number; IP addresses; Bluetooth signals; information about nearby Wi-Fi access points, beacons, and cell towers; GPS location; camera; photographs; and more.

27. Meta's computers contain all Instagram material described above, including stored electronic communications and information concerning subscribers and their use of Instagram, such as account access information, transaction information, and account application.

## BACKGROUND CONCERNING FACEBOOK

28. Meta owns and operates Facebook, a free-access social networking website of the same name that can be accessed at http://www.facebook.com. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users and sometimes with the general public.

29. Meta asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact email addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

30. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

31. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

32. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere

on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

33. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted as well as all photos and videos uploaded by any user that have that user tagged in them.

34. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to email messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

35. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

36. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

37. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

38. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the

account such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

39. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs") or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

40. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

41. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

42. In addition to the applications described above, Meta also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about the user's access or use of that application may appear on the user's profile page.

43. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator as well as a PDF of the current status of the group profile page.

44. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

45. Meta also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID

and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile and would show when and from what IP address the user did so.

46. Social networking providers like Meta typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Meta about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider's support services as well as records of any actions taken by the provider or user as a result of the communications.

47. In my training and experience, evidence of who was using the Instagram or Facebook account and from where, and evidence related to violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ, may be found in the files and records described above. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

48. For example, the stored communications and files connected to an Instagram and Facebook account may provide direct evidence of the offenses under investigation. Based on my training and experience, direct messages, photos, and videos are often created and used in furtherance of criminal activity, including to communicate and facilitate the offenses under investigation.

49. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Meta can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, account information, messaging logs, photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. Moreover, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

50. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan

to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

51. Other information connected to an Instagram and Facebook account may lead to the discovery of additional evidence. For example, the search of an individual's Instagram account may reveal services or third-party applications, such as Snapchat, iMessage, etc., used in furtherance of the crimes under investigation, identities of and services used to communicate with co-conspirators, or instrumentalities of the crimes under investigation.

52. Therefore, Meta's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Instagram and Facebook's services. In my training and experience, such information may constitute evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ.

## PROBABLE CAUSE

53. On November 06, 2024, NCIS interviewed CSSN [redacted] USN, USS HARRY S TRUMAN (CVN-75) after [redacted] made a report of Sexual Assault against CSSN Jermiah COPELAND, USN USS JAMES E. WILLIAMS (DDG-95).

54. [redacted] stated she was sexually assaulted by COPELAND on 04NOV24 in a bar is Oslo, Norway while on deployment. [redacted] recalled she went to Heidi's Bier Bar with a group of Sailors. [redacted] relayed she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple people approached her and stated COPELAND was showing others a video of him having sexual intercourse with her. [redacted] stated she called COPELAND and confronted him about the sexual encounter and video. However, COPELAND denied having sexual intercourse with her and denied having a recording. COPELAND threatened to kill himself via text following the phone call.

55. On November 06, 2024, NCIS interviewed CSSA Jacqueline BITA, USN, CVN-75, who was reported to have seen the video from COPELAND. BITA stated while at the bar in Norway, [redacted] was drinking and intoxicated. BITA explained COPELAND had not been part of the original group who went to the bar together, however, he had shown up later in the evening. BITA stated she observed COPELAND assisting [redacted] to the bathroom. A little while later in the evening, BITA stated she was speaking with another sailor, SR Jada KNIGHT, USN, VAW-126, and COPELAND approached them, saying words to the effect of "You'll never believe what happened, if I show you, you can't tell anyone." BITA stated COPELAND then showed her and KNIGHT a video of COPELAND having sexual intercourse with [redacted] BITA stated [redacted] could be identified in the video based on her hair style and the outfit she was wearing. BITA opined she could not tell if [redacted] was conscious in the video. BITA stated COPELAND was "happy and laughing", while

BITA and KNIGHT were "shocked" at the video. BITA opined COPELAND was in his "right mind" the night of the assault, however, after being confronted by [redacted] COPELAND knew "he had messed up."

56. On November 6, 2024, NCIS conducted a search for the cellphone belonging to COPELAND. COPELAND's person was searched and the cellphone was not discovered. COPELAND stated he gave his cellphone to CSSN Kaulise COUSINS, USN, CVN-75. NCIS approached and searched COUSINS, who stated he never possessed COPELAND's cellphone. COPELAND's berthing, rack, and locker was searched by NCIS however, COPELAND's cellphone was not recovered.

57. On November 08, 2024, NCIS interviewed CSSA Jakobie GANT, USN, CVN-75, who stated on 05NOV24, he was approached by COPELAND, who relayed he had sexual intercourse with [redacted] the night prior. GANT opined COPELAND was excited about it. GANT stated COPELAND showed him a video of him engaging in sexual intercourse with [redacted] GANT stated he did not see [redacted] face in the video. GANT stated he was very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. GANT stated [redacted] was face down against a toilet.

58. On November 18, 2024, NCIS interviewed KNIGHT, who stated approximately 30 minutes after arriving at the bar in Norway, she was approached by COPELAND. KNIGHT stated COPELAND asked her not to tell anyone about what he was going to show her. KNIGHT recalled COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. KNIGHT stated COPELAND indicated [redacted] was the female in the video. KNIGHT stated the video depicted COPELAND's smiling face before panning to him thrusting in and out of her vagina.

59. On November 18, 2024, NCIS interviewed COPELAND, who opined the sexual encounter was with consent due to [redacted] taking him by the hand and pulling him into the bathroom stall and removing her pants. COPELAND stated during the sexual encounter, he did pull out his cellphone and begin recording. COPELAND stated he was unsure if [redacted] was aware of him recording the sexual encounter. COPELAND did admit to showing the video to KNIGHT and others without [redacted] knowledge. COPELAND again stated he had given his cellphone to COUSINS but denied throwing the phone away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. This inconsistency leads me to doubt if he actually did lose his phone.

60. On December 20, 2024, NCIS interviewed COPELAND, who stated he had purchased a new cellphone. COPELAND stated the video he took of the sexual intercourse with [redacted] had been taken on Instagram Reels, and the video automatically deleted after a period of time of being posted.

## CONCLUSION

61. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

62. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

63. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

64. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Meta, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

65. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

Respectfully submitted,

Special Agent Jessica Gokey
Naval Criminal Investigative Service

SUBSCRIBED AND SWORN to before me, a person authorized to administer oaths under 10 U.S.C § 936, in Norfolk, Virginia, USA.

Subscribed and sworn to before me on the _____ day of _____, 2025.

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

### Property to Be Searched

This warrant applies to information associated with Meta Platforms Inc., ACCOUNT, of CSSN Jermiah COPELAND, USN, USS JAMES E. WILLIAMS (DDG-95), namely:

Name: Jermiah Copeland
Instagram Account: [redacted]
URL: https://www.facebook.com/[redacted]

(the "SUBJECT ACCOUNT") that is stored at premises owned, maintained, controlled, or operated by: Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.

# ATTACHMENT B

## Particular Things to be Seized

## I. Information to be disclosed by Meta, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms Inc., including any postings, transactions, images, messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms Inc. is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the SUBJECT ACCOUNT listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the SUBJECT ACCOUNT;

c. The dates and times at which the SUBJECT ACCOUNT was created, and IP address at the time of sign-up;

d. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the SUBJECT ACCOUNT, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

## II. Information to be seized by the Government

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits,

evidence and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ), for the SUBJECT ACCOUNT or identifiers listed on Attachment A, information pertaining to the following matters:

a. The identity of the person(s) who created or used the Facebook account, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the SUBJECT ACCOUNT were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. Evidence indicating the SUBJECT ACCOUNT owners' or users' state of mind as it relates to the crime under investigation;

d. Evidence of the times the ACCOUNT or identifiers listed on Attachment A was used;

e. Passwords and other access information that may be necessary to access the ACCOUNT or identifiers listed on Attachment A and other associated ACCOUNT.

f. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

g. All relevant content to the crimes under investigation, to include the recording of the sexual encounter with [redacted]

## III. Method of Service/Delivery

Meta Platforms Inc. shall disclose responsive data, if any, by sending to Special Agent Jesus Santos, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 8 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 8 of 25, and Article 30a Proceedings (Continued).



# 30a PROCEEDINGS

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **IN THE MATTER OF THE SEARCH OF:**<br><br>**INFORMATION ASSOCIATED WITH THE META PLATFORM INC., ACCOUNT: (SUBJECT ACCOUNT)**<br>Name: Jermiah Copeland<br>Instagram Account: [redacted]<br>Facebook Username[redacted];<br>URL: https://www.facebook.com[redacted]<br><br>**That is stored at the Premises Controlled by Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.** | Case No.: **01JUN25-NFNF-00237-7HNA**<br><br>Filed Under Seal |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Meta records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Meta Platforms, Inc. as is relates to account "[redacted]" and "[redacted]" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images): The accused knowingly and wrongfully broadcasted or distributed a visual image; The visual image is an intimate visual image of another person or a visual image of sexually explicit conduct involving another person; The person depicted in the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct was like to: Cause harm.

Harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct or harm substantially the depicted person with respect to that persons health, safety, business, calling, career, financial condition, reputation, or personal relationships; and conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

10. Article 120 (Rape and Sexual Assault Generally): Accused commits a sexual act upon another person without the consent of the other person.

11. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## LEGAL AUTHORITY

12. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

13. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –
>
> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

14. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## BACKGROUND CONCERNING INSTAGRAM

15. Meta is a United States company that is the parent organization of Instagram. Instagram is a free photograph and video sharing social networking service that can be accessed at https://www.instagram.com/?hl=en or via the Instagram application on a smartphone (iPhone, Blackberry, Android, Windows-based, and Nokia phones).

16. Instagram allows its users to establish accounts; after which, they can share information, view photographs, watch videos, and interact with other Instagram users and/or the general public (those who do not have an Instagram account), depending on the user's privacy settings.

17. Instagram provides a variety of services for its users who have established accounts. As described in further detail below, the services include "following" other Instagram users on the platform; sharing photographs and images; posting and watching video content; connecting through Instagram's direct message system; commenting on photographs and videos of other users; and "liking" images or videos.

18. Instagram allows its users to connect with friends, family, and communities around the globe by sending another user a "Follow Request." If the recipient accepts the request, the two users will become "followers" for purposes of Instagram and can exchange communications and view photographs and video about one another. Additionally, once two users become "followers," they can monitor and see what content one another "like" and comment on.

19. Instagram users can "post" (i.e. share) an unlimited number of photographs or videos to their account. These photographs and videos may be visible to the user, other Instagram users, or the general public (people who do not have an Instagram account) depending on the user's privacy settings. Instagram allows its user to "tag" (i.e. label) other Instagram users in photographs or videos which then links the image or video to the tagged user's account.

20. Instagram Reels, a platform within Instagram, allows users to post video content on the social networking website for financial gain. The more views a user receives on a video, the more money that user will earn from Instagram or advertising sponsors.

21. Instagram users can also privately message each other through the platform on Instagram's direct message feature. These messages mirror email messages; they are sent to the recipient's "inbox" on Instagram. Instagram stores copies of messages sent by the recipient.

22. Instagram users may comment on and "like" images and videos posted by their Instagram "followers" or by users who have their account visible to the public. Once a user has commented on or "liked" an image or video, their followers can see that content, as well, and know that the user engaged with that image or video.

23. Instagram asks users to provide basic contact information during the account registration process. This information includes: (1) the user's full name and (2) email address or mobile phone number. In this account creation process, the user selects their username and password. This username is then used by Instagram to identify the user. After the registration process, users have the ability to include any personal identifier they choose on their account "profile," such as age, gender, location, etc.

24. After creating an account, users can access Instagram via its website on any computer with Internet access or via the Instagram application, available on any smartphone.

25. Instagram users can select one of two different levels of privacy for the communications and information associated with their account: (1) public or (2) private. A "public" account is one in which all of its content, their profile and posts, can be view by anyone, regardless of whether or not they have an Instagram account. A "private" account is one in which only the followers approved by the user can see what the user shares, including videos or photos, the user's follower list, and the user's following list.

26. Meta collects information associated with the Instagram's user's account activity and device by which they accessed their account. With regard to the user's account activity, Meta collects the time and date a user signs up for an account, all content created or shared, messages or other forms of communication, the location of and/or date a file was created, the frequency of actions taken on the website, the duration of activities on the website, the content the user interacts with on Instagram, means of payment associated with the account (including any credit card or bank account number) and more. With regard to the user's device by which they accessed their account, Meta collects the name of the mobile operator or ISP; the language; time zone; mobile phone number; IP addresses; Bluetooth signals; information about nearby Wi-Fi access points, beacons, and cell towers; GPS location; camera; photographs; and more.

27. Meta's computers contain all Instagram material described above, including stored electronic communications and information concerning subscribers and their use of Instagram, such as account access information, transaction information, and account application.

## BACKGROUND CONCERNING FACEBOOK

28. Meta owns and operates Facebook, a free-access social networking website of the same name that can be accessed at http://www.facebook.com. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users and sometimes with the general public.

29. Meta asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact email addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

30. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

31. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

32. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere

on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

33. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted as well as all photos and videos uploaded by any user that have that user tagged in them.

34. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to email messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

35. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

36. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

37. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

38. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the

account such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

39. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs") or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

40. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

41. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

42. In addition to the applications described above, Meta also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about the user's access or use of that application may appear on the user's profile page.

43. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator as well as a PDF of the current status of the group profile page.

44. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

45. Meta also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID

and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile and would show when and from what IP address the user did so.

46. Social networking providers like Meta typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Meta about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider's support services as well as records of any actions taken by the provider or user as a result of the communications.

47. In my training and experience, evidence of who was using the Instagram or Facebook account and from where, and evidence related to violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ, may be found in the files and records described above. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

48. For example, the stored communications and files connected to an Instagram and Facebook account may provide direct evidence of the offenses under investigation. Based on my training and experience, direct messages, photos, and videos are often created and used in furtherance of criminal activity, including to communicate and facilitate the offenses under investigation.

49. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Meta can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, account information, messaging logs, photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. Moreover, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

50. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan

to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

51. Other information connected to an Instagram and Facebook account may lead to the discovery of additional evidence. For example, the search of an individual's Instagram account may reveal services or third-party applications, such as Snapchat, iMessage, etc., used in furtherance of the crimes under investigation, identities of and services used to communicate with co-conspirators, or instrumentalities of the crimes under investigation.

52. Therefore, Meta's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Instagram and Facebook's services. In my training and experience, such information may constitute evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ.

## PROBABLE CAUSE

53. On November 06, 2024, NCIS interviewed CSSN [redacted] USN, USS HARRY S TRUMAN (CVN-75) after [redacted] made a report of Sexual Assault against CSSN Jermiah COPELAND, USN USS JAMES E. WILLIAMS (DDG-95).

54. [redacted] stated she was sexually assaulted by COPELAND on 04NOV24 in a bar is Oslo, Norway while on deployment. [redacted] recalled she went to Heidi's Bier Bar with a group of Sailors. [redacted] relayed she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple people approached her and stated COPELAND was showing others a video of him having sexual intercourse with her. [redacted] stated she called COPELAND and confronted him about the sexual encounter and video. However, COPELAND denied having sexual intercourse with her and denied having a recording. COPELAND threatened to kill himself via text following the phone call.

55. On November 06, 2024, NCIS interviewed CSSA Jacqueline BITA, USN, CVN-75, who was reported to have seen the video from COPELAND. BITA stated while at the bar in Norway, [redacted] was drinking and intoxicated. BITA explained COPELAND had not been part of the original group who went to the bar together, however, he had shown up later in the evening. BITA stated she observed COPELAND assisting [redacted] to the bathroom. A little while later in the evening, BITA stated she was speaking with another sailor, SR Jada KNIGHT, USN, VAW-126, and COPELAND approached them, saying words to the effect of "You'll never believe what happened, if I show you, you can't tell anyone." BITA stated COPELAND then showed her and KNIGHT a video of COPELAND having sexual intercourse with [redacted] BITA stated [redacted] could be identified in the video based on her hair style and the outfit she was wearing. BITA opined she could not tell if [redacted] was conscious in the video. BITA stated COPELAND was "happy and laughing", while

BITA and KNIGHT were "shocked" at the video. BITA opined COPELAND was in his "right mind" the night of the assault, however, after being confronted by [redacted] COPELAND knew "he had messed up."

56. On November 6, 2024, NCIS conducted a search for the cellphone belonging to COPELAND. COPELAND's person was searched and the cellphone was not discovered. COPELAND stated he gave his cellphone to CSSN Kaulise COUSINS, USN, CVN-75. NCIS approached and searched COUSINS, who stated he never possessed COPELAND's cellphone. COPELAND's berthing, rack, and locker was searched by NCIS however, COPELAND's cellphone was not recovered.

57. On November 08, 2024, NCIS interviewed CSSA Jakobie GANT, USN, CVN-75, who stated on 05NOV24, he was approached by COPELAND, who relayed he had sexual intercourse with [redacted] the night prior. GANT opined COPELAND was excited about it. GANT stated COPELAND showed him a video of him engaging in sexual intercourse with [redacted] GANT stated he did not see [redacted] face in the video. GANT stated he was very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. GANT stated [redacted] was face down against a toilet.

58. On November 18, 2024, NCIS interviewed KNIGHT, who stated approximately 30 minutes after arriving at the bar in Norway, she was approached by COPELAND. KNIGHT stated COPELAND asked her not to tell anyone about what he was going to show her. KNIGHT recalled COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. KNIGHT stated COPELAND indicated [redacted] was the female in the video. KNIGHT stated the video depicted COPELAND's smiling face before panning to him thrusting in and out of her vagina.

59. On November 18, 2024, NCIS interviewed COPELAND, who opined the sexual encounter was with consent due to [redacted] taking him by the hand and pulling him into the bathroom stall and removing her pants. COPELAND stated during the sexual encounter, he did pull out his cellphone and begin recording. COPELAND stated he was unsure if [redacted] was aware of him recording the sexual encounter. COPELAND did admit to showing the video to KNIGHT and others without [redacted] knowledge. COPELAND again stated he had given his cellphone to COUSINS but denied throwing the phone away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. This inconsistency leads me to doubt if he actually did lose his phone.

60. On December 20, 2024, NCIS interviewed COPELAND, who stated he had purchased a new cellphone. COPELAND stated the video he took of the sexual intercourse with [redacted] had been taken on Instagram Reels, and the video automatically deleted after a period of time of being posted.

## CONCLUSION

61. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

62. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

63. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

64. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Meta, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

65. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

Respectfully submitted,

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2025.08.11 14:59:09 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

SUBSCRIBED AND SWORN to before me, a person authorized to administer oaths under 10 U.S.C § 936, in Norfolk, Virginia, USA.

Subscribed and sworn to before me on the _____ day of _____, 2025.

_____
Christopher Dempsey
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

### Property to Be Searched

This warrant applies to information associated with Meta Platforms Inc., ACCOUNT, of CSSN Jermiah COPELAND, USN, USS JAMES E. WILLIAMS (DDG-95), namely:

Name: Jermiah Copeland
Instagram Account: [redacted]
Facebook Username[redacted]
URL: https://www.facebook.com/[redacted]

(the "SUBJECT ACCOUNT") that is stored at premises owned, maintained, controlled, or operated by: Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.

# ATTACHMENT B

## Particular Things to be Seized

## I. Information to be disclosed by Meta, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms Inc., including any postings, transactions, images, messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms Inc. is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the SUBJECT ACCOUNT listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the SUBJECT ACCOUNT;

c. The dates and times at which the SUBJECT ACCOUNT was created, and IP address at the time of sign-up;

d. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the SUBJECT ACCOUNT, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

## II. Information to be seized by the Government

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits,

evidence and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ), for the SUBJECT ACCOUNT or identifiers listed on Attachment A, information pertaining to the following matters:

a. The identity of the person(s) who created or used the Facebook account, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the SUBJECT ACCOUNT were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. Evidence indicating the SUBJECT ACCOUNT owners' or users' state of mind as it relates to the crime under investigation;

d. Evidence of the times the ACCOUNT or identifiers listed on Attachment A was used;

e. Passwords and other access information that may be necessary to access the ACCOUNT or identifiers listed on Attachment A and other associated ACCOUNT.

f. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

g. All relevant content to the crimes under investigation, to include the recording of the sexual encounter with [redacted]

## III. Method of Service/Delivery

Meta Platforms Inc. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the electronically stored data, information, communications, and items contained in, related to, and associated with, including all preserved data associated with the Sony Interactive Entertainment LLC account of Jermiah Copeland with online ID and email:

a. **Online ID:** [redacted]
b. [redacted]

that is stored at premises owned, maintained, controlled, or operated by Sony Interactive Entertainment LLC.

## ATTACHMENT B

## Particular Things to Be Seized

### I. Information to Be Disclosed By Sony Interactive Entertainment LLC (The "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any messages, Records, Files, logs, or information that have been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). The Provider is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 28 May 2025 through 09 June 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. The dates and times at which the **SUBJECT ACCOUNT** was created, and IP address at the time of sign-up;

d. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata from 28 May 2025 through 09 June 2025 to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe of 28 May 2025 through 09 June 2025.

### II. Information to be seized by the government

All information described above in section I. Including correspondence, records, documents. Photographs, videos, Electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 107, 118, 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 28 May 2025 through 09 June 2025:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s):

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed or used from 28 May 2025 through 09 June 2025, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user.

c. All messaging or chat sessions available, including but not limited to voice messages, text chats, photos, links, or other communications **SUBJECT ACCOUNT** and other email addresses, from 28 May 2025 through 09 June 2025, relating to the crimes under investigation;

d. Evidence indicating the **SUBJECT ACCOUNT** owners' or users' state of mind as it relates to the crime under investigation:

e. Evidence of the times the **SUBJECT ACCOUNT** listed on Attachment A was used from 28 May 2025 through 09 June 2025;

f. Passwords and encryption keys, and other access information that may be necessary to access **SUBJECT ACCOUNT** listed on Attachment A and other associated accounts.

g. Evidence that may identify any co-conspirators or aiders and abettors, including records that help reveal their whereabouts.

h. All information and content contained within the **SUBJECT ACCOUNT**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, from 28 May 2025 through 09 June 2025.

**III**. **Disclosure by provider - By Order of the Court**

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@leo.gov). Please include an attestation certificate

for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

**IN THE MATTER OF THE SEARCH OF:**

**Information Associated with the Sony Interactive Entertainment LLC Account Associated with the Online ID:** [redacted]
**With associated email address** [redacted]

**That is Stored at the Premises Controlled by Sony Interactive Entertainment LLC, Corporation Service Company 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219**

**Case Identifier:**
**01JUN25-NFNF-00237-7HNA**

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Sony Interactive Entertainment LLC

(hereafter "Sony") to disclose to the government records and other information, including the contents of communications, associated with the Sony account associated with online ID and email (the **SUBJECT ACCOUNT):**

a. [redacted]

and seize information associated with that account that is stored at premises owned, maintained, controlled, or operated by Sony. The information to be disclosed by Sony and searched by the government is described in the following paragraphs and in Attachments A and B.

4. This application seeks a warrant to search all responsive records and information under the control of Sony, a provider subject to the jurisdiction of this court, regardless of where Sony has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Sony's possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.

5. Your Affiant anticipates executing this warrant by using this warrant to require Sony to disclose to the government copies of the records and other information (including the content of communications) described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. I have set forth only those facts that I believe are necessary to establish probable cause that evidence, fruits, and instrumentalities of violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) are present in the information associated with the above listed **SUBJECT ACCOUNT.** Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

## JURISDICTION

7. As defined in 18 U.S.C. §2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. §§2703(a), (b)(l)(A), (c)(l)(A), and 10 U.S.C. § 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of Title 10 (UCMJ)."

## PERTINENT STATUTES UNDER THE UNIFORM CODE OF MILITARY JUSTICE

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain

particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 118 (Murder): Intent to kill or inflict great bodily harm; A certain named or described person is dead; Death resulted from the act or omission of the accused; the killing was unlawful; and at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

10. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## OTHER LEGAL AUTHORITY

11. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant. A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection -
>
> > (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service -
>
> > (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by

means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

12. The government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(l)(A).

13. 18 U.S.C. §§ 2703(b)(l)(A) and 2703(c)(l)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## DEFINITIONS

14. "Electronic communication service provider" (ECSP) means (a) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934; (b) a provider of electronic communication service, (c) a provider of a remote computing service, (d) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or (e) an officer, employee, or agent of an entity described in subparagraph (a), (b), (c), or (d).

15. "Electronic Communications System" means any wire, radio, electromagnetic, photo optical, or photo electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. 18 U.S.C. § 2510(14).

16. "Electronic storage" means (a) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (b) any storage of such communication by an electronic communication service for purposes of backup protection of such communication. 18 U.S.C. § 2510(17).

17. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

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20. "Internet Protocol Address" (IP Address), as used herein, refers to refers to a unique number used by a computer or other digital device to access the Internet. IP addresses can be "dynamic," meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be "static," if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. A "natting" IP address is a type ofIP address that becomes assigned to multiple devices at the same time when those devices are connected to a common router (normally the term is invoked when multiple individuals are connected to the same cellular towers and cellular data network. All devices connected to the same tower will be assigned the same "natting" IP Address.)

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## TECHNICAL BACKGROUND ON SONY INTERACTIVE ENTERTAINMENT

28. From the internet, I know that Sony Interactive Entertainment LLC (SIE) is a digital entertainment company associated with Sony. SIE develops gaming consoles, game development, and companion applications to their consoles. Sony is the developer and owner of the PlayStation gaming system, PlayStation Mobile, and PlayStation Plus. A PlayStation is a gaming console that connects wirelessly or via cable to the internet. Users can purchase game disks or purchase games through the PlayStation store, and can play individually or online with parties around the world in real time. Users of the PlayStation gaming systems are provided with the option to create a player profile where they can add their name, link an email address to their player profile, and create an account with the gaming system to store game progress, applications, and customized settings. On the PlayStation, users can purchase and download games from the PlayStation Store after adding a purchased gift card or by inputting billing information, purchase subscriptions to enable online play, and add applications to their PlayStation to stream shows and movies such as Netflix and other third party services. PlayStation additionally has created a messaging component for users to communicate where voice messages, photos, and attachments can be exchanged by users using the gaming console, a cellphone/electronic device via the PlayStation messaging app, or a computer. Sony collects various information about its users including stored chats, purchase history and billing information, and associated application sign on information such as Netflix apps or Spotify, IP address information, and other items.

29. I know from experience, a PlayStation 5 can be used to access and search the internet via applications such as Google. However, on the PlayStation5 it is not a dedicated application, as was on older models, there are workarounds through settings where search engines such as Google can be accessed.

30. A Playstation 5 user can also access their account through a web browser, including from a mobile device.

## PROBABLE CAUSE TO SEARCH THE SUBJECT ACCOUNT

31. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

32. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

33. Throughout the investigation, NCIS determined on May 28, 2025, RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by COPELAND.

34. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

35. COPELAND stated RESENDIZ called an “ex-boyfriend from Texas” and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

36. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have happened between them.

37. During an interview with AN John CALISSE, he stated that COPELAND and, now who we know to be RESENDIZ, were singing along with Karaoke in the common area of their barracks room at approximately 0200 on 29 May 2025

38. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on May 29, 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor.

39. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ’s breasts and could see COPELAND’s head resting on RESENDIZ’s. GORDILLOCRUZ stated COPELAND was naked and his back was facing upwards.

40. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

41. COPELAND stated, he was late for work on the morning of May 29, 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

42. COPELAND reported that he and RESENDIZ got dressed and a roommate took him and RESENDIZ to RESENDIZ’s residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

43. COPELAND later changed his story and stated RESENDIZ and him woke up and cleaned the kitchen and RESENDIZ had left. COPELAND stated he did not drop her off at her barracks.

44. COPELAND was marked UA for the days of 29-31 May 2025 and on 01 June 2025.

45. On 02 June 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER stated RESENDIZ was scheduled to work day shift Friday, May 30, 2025 - Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

46. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

47. RESENDIZ's cellphone last pinged on May 29, 2025, and the location was at the X-2 barracks.

48. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

49. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

50. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

51. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

52. On 03 June 2025, COPELAND gave his iPhone 15 to investigators after signing a PASS.

53. During the execution of the CASS on June 04, 2025, NCIS also located a second iPhone, which COPELAND stated was his however, it did not work.

54. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time

on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

55. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which showshealth data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

56. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

57. COPELAND was apprehended on 09 June 2025, but maintained access to an iPhone and Apple Watch with cellular data until that date.

58. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

59. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

60. On June 03, 2025, NCIS executed a CASS, during which CSSN Sarah COOK, USN, CVN-77 was located inside the barracks of COPELAND. COOK stated she and COPELAND were hanging out and playing video games.

61. NCIS has also obtained video footage from various friends of COPELAND, where the PlayStation in the common area owned by COPELAND is being utilized as a device to play music on.

62. NCIS was able to determine COPELAND's username is [redacted] and the e-mail associated with that account is [redacted], after reviewing emails associated to the iPhone 15 forensic review.

## CONCLUSION

63. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored within the Sony account may give a timeline as to when the device was being used during the night in question of

RESENDIZ's death. It may also provide relevant information in the form of internet searches that were not found or associated with any of the other electronic devise NCIS has searched.

64. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

65. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

66. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Apple, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

67. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Very respectfully submitted,

_____
Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED and SWORN to before me on __ ____ 2025

_____
LT Christopher Dempsey, JAGC, USN
Special Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

**IN THE MATTER OF THE SEARCH OF:**

**Information Associated with the Sony Interactive Entertainment LLC Account Associated with the Online ID:** [redacted]
**With associated email address** [redacted]

**That is Stored at the Premises Controlled by Sony Interactive Entertainment LLC, Corporation Service Company 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219**

**Case Identifier:**
**01JUN25-NFNF-00237-7HNA**

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Sony Interactive Entertainment LLC

(hereafter "Sony") to disclose to the government records and other information, including the contents of communications, associated with the Sony account associated with online ID and email (the **SUBJECT ACCOUNT):**

a. [redacted]

and seize information associated with that account that is stored at premises owned, maintained, controlled, or operated by Sony. The information to be disclosed by Sony and searched by the government is described in the following paragraphs and in Attachments A and B.

4. This application seeks a warrant to search all responsive records and information under the control of Sony, a provider subject to the jurisdiction of this court, regardless of where Sony has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Sony's possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.

5. Your Affiant anticipates executing this warrant by using this warrant to require Sony to disclose to the government copies of the records and other information (including the content of communications) described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. I have set forth only those facts that I believe are necessary to establish probable cause that evidence, fruits, and instrumentalities of violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) are present in the information associated with the above listed **SUBJECT ACCOUNT.** Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

## JURISDICTION

7. As defined in 18 U.S.C. §2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. §§2703(a), (b)(l)(A), (c)(l)(A), and 10 U.S.C. § 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of Title 10 (UCMJ)."

## PERTINENT STATUTES UNDER THE UNIFORM CODE OF MILITARY JUSTICE

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain

particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 118 (Murder): Intent to kill or inflict great bodily harm; A certain named or described person is dead; Death resulted from the act or omission of the accused; the killing was unlawful; and at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

10. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## OTHER LEGAL AUTHORITY

11. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant. A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection -
>
> > (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service -
>
> > (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by

means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

12. The government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(l)(A).

13. 18 U.S.C. §§ 2703(b)(l)(A) and 2703(c)(l)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

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30. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

31. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

32. Throughout the investigation, NCIS determined on May 28, 2025, RESENDIZ was known to be in the barracks room located at X-2 room 335B Rack A located onboard Naval Station Norfolk, who is occupied by COPELAND.

33. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

34. COPELAND stated RESENDIZ called an “ex-boyfriend from Texas” and was confronting the person about returning personal items. COPELAND stated, RESENDIZ became emotional and began to cry.

35. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have happened between them.

36. During an interview with AN John CALISSE, he stated that COPELAND and, now who we know to be RESENDIZ, were singing along with Karaoke in the common area of their barracks room at approximately 0200 on 29 May 2025.

37. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of COPELAND, at approximately 0645 on May 29, 2025, GORDILLOCRUZ stated he was leaving for work and saw his roommate, later clarified to be COPELAND and an unknown female on the floor.

38. GORDILLOCRUZ stated the female looked to have darker skin, and black curly hair. He could see RESENDIZ’s breasts and could see COPELAND’s head resting on RESENDIZ’s. GORDILLOCRUZ stated COPELAND was naked and his back was facing upwards.

39. GORDILLOCRUZ stated he could tell RESENDIZ was breathing by her chest moving up and down. GORDILLOCRUZ stated, he had never seen the female before and has not seen her since.

40. COPELAND stated, he was late for work on the morning of May 29, 2025 and FCC Brad PARKER knocked on his door to say COPELAND was going to be labeled as Unauthorized Absence (UA). FCC PARKER stated COPELAND answered the door in shorts and no shirt. FCC PARKER stated RESENDIZ waved and rolled over into a blanket. FCC PARKER told COPELAND to report to work and left the barracks room.

41. COPELAND reported that he and RESENDIZ got dressed and a roommate took him and RESENDIZ to RESENDIZ’s residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

42. COPELAND later changed his story and stated RESENDIZ and him woke up and cleaned the kitchen and RESENDIZ had left. COPELAND stated he did not drop her off at her barracks.

43. COPELAND was marked UA for the days of 29-31 May 2025 and on 01 June 2025.

44. On 02 June 2025, NCIS spoke to FCC PARKER to verify RESENDIZ's work schedule. FCC PARKER stated RESENDIZ was scheduled to work day shift Friday, May 30, 2025 - Sunday, June 1, 2025 with a report time of 0500-0530 hours. FCC PARKER stated RESENDIZ failed to report all three (3) days.

45. NCIS interviewed all roommates of COPELAND, who stated they did not give a ride to COPELAND and RESENDIZ on the morning of May 29, 2025.

46. RESENDIZ's cellphone last pinged on May 29, 2025, and the location was at the X-2 barracks.

47. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

48. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

49. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

50. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

51. On 03 June 2025, COPELAND gave his iPhone 15 to investigators after signing a PASS.

52. During the execution of the CASS on June 04, 2025, NCIS also located a second iPhone, which COPELAND stated was his however, it did not work.

53. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

54. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which showshealth data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

55. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

56. COPELAND was apprehended on 09 June 2025.

57. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

58. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ

59. On June 03, 2025, NCIS executed a CASS, during which CSSN Sarah COOK, USN, CVN-77 was located inside the barracks of COPELAND. COOK stated she and COPELAND were hanging out and playing video games.

60. NCIS has also obtained video footage from various friends of COPELAND, where the PlayStation in the common area owned by COPELAND is being utilized as a device to play music on.

61. NCIS was able to determine COPELAND's username is Dripdip02 and the e-mail associated with that account is jerimahcopeland7@gmail.com, after reviewing emails associated to the iPhone 15 forensic review.

## CONCLUSION

62. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored within the Sony account may give a timeline as to when the device was being used during the night in question of RESENDIZ's death. It may also provide relevant information in the form of internet searches that were not found or associated with any of the other electronic devise NCIS has searched.

63. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

64. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

65. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Apple, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

66. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Very respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.13 10:04:11 -04'00'

Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED and SWORN to before me on 13 August 2025

[redacted]

LT Christopher Dempsey, JAGC, USN
Special Trial Counsel

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the electronically stored data, information, communications, and items contained in, related to, and associated with, including all preserved data associated with the Sony Interactive Entertainment LLC account of Jermiah Copeland with online ID and email:

a. **Online ID:** [redacted]

that is stored at premises owned, maintained, controlled, or operated by Sony Interactive Entertainment LLC.

**ATTACHMENT B**

**Particular Things to Be Seized**

**I. Information to Be Disclosed By Sony Interactive Entertainment LLC (The "Provider")**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any messages, Records, Files, logs, or information that have been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). The Provider is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 28 May 2025 through 09 June 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. The dates and times at which the **SUBJECT ACCOUNT** was created, and IP address at the time of sign-up;

d. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata from 28 May 2025 through 09 June 2025 to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe of 28 May 2025 through 09 June 2025.

**II. Information to be seized by the government**

All information described above in section I. Including correspondence, records, documents. Photographs, videos, Electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 107, 118, 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 28 May 2025 through 09 June 2025:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s):

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed or used from 28 May 2025 through 09 June 2025, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user.

c. All messaging or chat sessions available, including but not limited to voice messages, text chats, photos, links, or other communications **SUBJECT ACCOUNT** and other email addresses, from 28 May 2025 through 09 June 2025, relating to the crimes under investigation;

d. Evidence indicating the **SUBJECT ACCOUNT** owners' or users' state of mind as it relates to the crime under investigation:

e. Evidence of the times the **SUBJECT ACCOUNT** listed on Attachment A was used from 28 May 2025 through 09 June 2025;

f. Passwords and encryption keys, and other access information that may be necessary to access **SUBJECT ACCOUNT** listed on Attachment A and other associated accounts.

g. Evidence that may identify any co-conspirators or aiders and abettors, including records that help reveal their whereabouts.

h. All information and content contained within the **SUBJECT ACCOUNT**, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, from 28 May 2025 through 09 June 2025.

**III**. **Disclosure by provider - By Order of the Court**

Apple Inc. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@leo.gov). Please include an attestation certificate

for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN

*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* AONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 86, 107, 118, 120, 120c. 128, 128b, 131b | False Official Statement, Murder, Sexual Assault, Obstruction of Justice, et. al. |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.13 11:26:17 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.08.13 15:56:52 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>META RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A.

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B.

**YOU ARE COMMANDED** to execute this warrant on or before 25 August 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250818 1643 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted] Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.18 16:44:04 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>META RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

META RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

Christopher
*First name*

Dempsey
*Last name*

757-341-4545
*Phone number*

christopher.dempsey2@navy.mil
*E-mail address*

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>META RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

| Date and time warrant executed: | Copy of warrant and inventory left with: |
|---|---|
| | |

Inventory made in the presence of:

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| META RECORDS FOR ACCOUNT: [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 117a, 120, 131b | False Official Statement, Sexual Assault, Obstruction of Justice, et. al. |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.14 10:10:21 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| *Date* | LT Christopher Dempsey, JAGC, USN<br>*Printed name and title of military judge or other official administering oath* |
|---|---|
| Naval Station Norfolk<br>*Military installation or location* | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.08.14 13:20:01 -04'00'<br>*Signature of official administering oath* |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **IN THE MATTER OF THE SEARCH OF:**<br><br>**INFORMATION ASSOCIATED WITH THE META PLATFORM INC., ACCOUNT: (SUBJECT ACCOUNT)**<br>Name: Jermiah Copeland<br>Instagram Account: [redacted]<br>Facebook Username [redacted]<br>URL: https://www.facebook.com[redacted]<br><br>**That is stored at the Premises Controlled by Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.** | Case No.: **02JUN25-NFNF-00237-7MNA**<br><br>Filed Under Seal |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Meta records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Meta Platforms, Inc. as is relates to account "jermiah.copeland.3" and "23jcopeland" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images): The accused knowingly and wrongfully broadcasted or distributed a visual image; The visual image is an intimate visual image of another person or a visual image of sexually explicit conduct involving another person; The person depicted in the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct was like to: Cause harm.

Harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct or harm substantially the depicted person with respect to that persons health, safety, business, calling, career, financial condition, reputation, or personal relationships; and conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

10. Article 120 (Rape and Sexual Assault Generally): Accused commits a sexual act upon another person without the consent of the other person.

11. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## LEGAL AUTHORITY

12. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

13. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –
>
> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

14. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## BACKGROUND CONCERNING INSTAGRAM

15. Meta is a United States company that is the parent organization of Instagram. Instagram is a free photograph and video sharing social networking service that can be accessed at https://www.instagram.com/?hl=en or via the Instagram application on a smartphone (iPhone, Blackberry, Android, Windows-based, and Nokia phones).

16. Instagram allows its users to establish accounts; after which, they can share information, view photographs, watch videos, and interact with other Instagram users and/or the general public (those who do not have an Instagram account), depending on the user's privacy settings.

17. Instagram provides a variety of services for its users who have established accounts. As described in further detail below, the services include "following" other Instagram users on the platform; sharing photographs and images; posting and watching video content; connecting through Instagram's direct message system; commenting on photographs and videos of other users; and "liking" images or videos.

18. Instagram allows its users to connect with friends, family, and communities around the globe by sending another user a "Follow Request." If the recipient accepts the request, the two users will become "followers" for purposes of Instagram and can exchange communications and view photographs and video about one another. Additionally, once two users become "followers," they can monitor and see what content one another "like" and comment on.

19. Instagram users can "post" (i.e. share) an unlimited number of photographs or videos to their account. These photographs and videos may be visible to the user, other Instagram users, or the general public (people who do not have an Instagram account) depending on the user's privacy settings. Instagram allows its user to "tag" (i.e. label) other Instagram users in photographs or videos which then links the image or video to the tagged user's account.

20. Instagram Reels, a platform within Instagram, allows users to post video content on the social networking website for financial gain. The more views a user receives on a video, the more money that user will earn from Instagram or advertising sponsors.

21. Instagram users can also privately message each other through the platform on Instagram's direct message feature. These messages mirror email messages; they are sent to the recipient's "inbox" on Instagram. Instagram stores copies of messages sent by the recipient.

22. Instagram users may comment on and "like" images and videos posted by their Instagram "followers" or by users who have their account visible to the public. Once a user has commented on or "liked" an image or video, their followers can see that content, as well, and know that the user engaged with that image or video.

23. Instagram asks users to provide basic contact information during the account registration process. This information includes: (1) the user's full name and (2) email address or mobile phone number. In this account creation process, the user selects their username and password. This username is then used by Instagram to identify the user. After the registration process, users have the ability to include any personal identifier they choose on their account "profile," such as age, gender, location, etc.

24. After creating an account, users can access Instagram via its website on any computer with Internet access or via the Instagram application, available on any smartphone.

25. Instagram users can select one of two different levels of privacy for the communications and information associated with their account: (1) public or (2) private. A "public" account is one in which all of its content, their profile and posts, can be view by anyone, regardless of whether or not they have an Instagram account. A "private" account is one in which only the followers approved by the user can see what the user shares, including videos or photos, the user's follower list, and the user's following list.

26. Meta collects information associated with the Instagram's user's account activity and device by which they accessed their account. With regard to the user's account activity, Meta collects the time and date a user signs up for an account, all content created or shared, messages or other forms of communication, the location of and/or date a file was created, the frequency of actions taken on the website, the duration of activities on the website, the content the user interacts with on Instagram, means of payment associated with the account (including any credit card or bank account number) and more. With regard to the user's device by which they accessed their account, Meta collects the name of the mobile operator or ISP; the language; time zone; mobile phone number; IP addresses; Bluetooth signals; information about nearby Wi-Fi access points, beacons, and cell towers; GPS location; camera; photographs; and more.

27. Meta's computers contain all Instagram material described above, including stored electronic communications and information concerning subscribers and their use of Instagram, such as account access information, transaction information, and account application.

## BACKGROUND CONCERNING FACEBOOK

28. Meta owns and operates Facebook, a free-access social networking website of the same name that can be accessed at http://www.facebook.com. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users and sometimes with the general public.

29. Meta asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact email addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

30. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

31. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

32. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere

on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

33. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted as well as all photos and videos uploaded by any user that have that user tagged in them.

34. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to email messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

35. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

36. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

37. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

38. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the

account such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

39. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs") or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

40. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

41. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

42. In addition to the applications described above, Meta also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about the user's access or use of that application may appear on the user's profile page.

43. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator as well as a PDF of the current status of the group profile page.

44. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

45. Meta also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID

and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile and would show when and from what IP address the user did so.

46. Social networking providers like Meta typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Meta about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider's support services as well as records of any actions taken by the provider or user as a result of the communications.

47. In my training and experience, evidence of who was using the Instagram or Facebook account and from where, and evidence related to violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ, may be found in the files and records described above. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

48. For example, the stored communications and files connected to an Instagram and Facebook account may provide direct evidence of the offenses under investigation. Based on my training and experience, direct messages, photos, and videos are often created and used in furtherance of criminal activity, including to communicate and facilitate the offenses under investigation.

49. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Meta can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, account information, messaging logs, photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. Moreover, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

50. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan

to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

51. Other information connected to an Instagram and Facebook account may lead to the discovery of additional evidence. For example, the search of an individual's Instagram account may reveal services or third-party applications, such as Snapchat, iMessage, etc., used in furtherance of the crimes under investigation, identities of and services used to communicate with co-conspirators, or instrumentalities of the crimes under investigation.

52. Therefore, Meta's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Instagram and Facebook's services. In my training and experience, such information may constitute evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ.

**PROBABLE CAUSE**

53. On November 06, 2024, NCIS interviewed CSSN [redacted] USN, USS HARRY S TRUMAN (CVN-75) after [redacted] made a report of Sexual Assault against CSSN Jermiah COPELAND, USN USS JAMES E. WILLIAMS (DDG-95).

54. [redacted] stated she was sexually assaulted by COPELAND on 04NOV24 in a bar is Oslo, Norway while on deployment. [redacted] recalled she went to Heidi's Bier Bar with a group of Sailors. [redacted] relayed she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple people approached her and stated COPELAND was showing others a video of him having sexual intercourse with her. [redacted] stated she called COPELAND and confronted him about the sexual encounter and video. However, COPELAND denied having sexual intercourse with her and denied having a recording. COPELAND threatened to kill himself via text following the phone call.

55. On November 06, 2024, NCIS interviewed CSSA Jacqueline BITA, USN, CVN-75, who was reported to have seen the video from COPELAND. BITA stated while at the bar in Norway, [redacted] was drinking and intoxicated. BITA explained COPELAND had not been part of the original group who went to the bar together, however, he had shown up later in the evening. BITA stated she observed COPELAND assisting [redacted] to the bathroom. A little while later in the evening, BITA stated she was speaking with another sailor, SR Jada KNIGHT, USN, VAW-126, and COPELAND approached them, saying words to the effect of "You'll never believe what happened, if I show you, you can't tell anyone." BITA stated COPELAND then showed her and KNIGHT a video of COPELAND having sexual intercourse with [redacted] BITA stated [redacted] could be identified in the video based on her hair style and the outfit she was wearing. BITA opined she could not tell if [redacted] was conscious in the video. BITA stated COPELAND was "happy and laughing", while

BITA and KNIGHT were "shocked" at the video. BITA opined COPELAND was in his "right mind" the night of the assault, however, after being confronted by [redacted] COPELAND knew "he had messed up."

56. On November 6, 2024, NCIS conducted a search for the cellphone belonging to COPELAND. COPELAND's person was searched and the cellphone was not discovered. COPELAND stated he gave his cellphone to CSSN Kaulise COUSINS, USN, CVN-75. NCIS approached and searched COUSINS, who stated he never possessed COPELAND's cellphone. COPELAND's berthing, rack, and locker was searched by NCIS however, COPELAND's cellphone was not recovered.

57. On November 08, 2024, NCIS interviewed CSSA Jakobie GANT, USN, CVN-75, who stated on 05NOV24, he was approached by COPELAND, who relayed he had sexual intercourse with [redacted] the night prior. GANT opined COPELAND was excited about it. GANT stated COPELAND showed him a video of him engaging in sexual intercourse with [redacted] GANT stated he did not see [redacted] face in the video. GANT stated he was very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. GANT stated [redacted] was face down against a toilet.

58. On November 18, 2024, NCIS interviewed KNIGHT, who stated approximately 30 minutes after arriving at the bar in Norway, she was approached by COPELAND. KNIGHT stated COPELAND asked her not to tell anyone about what he was going to show her. KNIGHT recalled COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. KNIGHT stated COPELAND indicated [redacted] was the female in the video. KNIGHT stated the video depicted COPELAND's smiling face before panning to him thrusting in and out of her vagina.

59. On November 18, 2024, NCIS interviewed COPELAND, who opined the sexual encounter was with consent due to [redacted] taking him by the hand and pulling him into the bathroom stall and removing her pants. COPELAND stated during the sexual encounter, he did pull out his cellphone and begin recording. COPELAND stated he was unsure if [redacted] was aware of him recording the sexual encounter. COPELAND did admit to showing the video to KNIGHT and others without [redacted] knowledge. COPELAND again stated he had given his cellphone to COUSINS but denied throwing the phone away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. This inconsistency leads me to doubt if he actually did lose his phone.

60. On December 20, 2024, NCIS interviewed COPELAND, who stated he had purchased a new cellphone. COPELAND stated the video he took of the sexual intercourse with [redacted] had been taken on Instagram Reels, and the video automatically deleted after a period of time of being posted.

## CONCLUSION

61. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

62. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

63. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

64. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Meta, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

65. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

Respectfully submitted,

Special Agent Jessica Gokey
Naval Criminal Investigative Service

SUBSCRIBED AND SWORN to before me, a person authorized to administer oaths under 10 U.S.C § 936, in Norfolk, Virginia, USA.

Subscribed and sworn to before me on the _____ day of _____, 2025.

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

### Property to Be Searched

This warrant applies to information associated with Meta Platforms Inc., ACCOUNT, of CSSN Jermiah COPELAND, USN, USS JAMES E. WILLIAMS (DDG-95), namely:

Name: Jermiah Copeland
Instagram Account: [redacted]
Facebook Username [redacted]
URL: https://www.facebook.com/[redacted]

(the "SUBJECT ACCOUNT") that is stored at premises owned, maintained, controlled, or operated by: Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.

# ATTACHMENT B

## Particular Things to be Seized

## I. Information to be disclosed by Meta, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms Inc., including any postings, transactions, images, messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms Inc. is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the SUBJECT ACCOUNT listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the SUBJECT ACCOUNT;

c. The dates and times at which the SUBJECT ACCOUNT was created, and IP address at the time of sign-up;

d. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the SUBJECT ACCOUNT, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

## II. Information to be seized by the Government

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits,

evidence and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ), for the SUBJECT ACCOUNT or identifiers listed on Attachment A, information pertaining to the following matters:

a. The identity of the person(s) who created or used the Facebook account, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the SUBJECT ACCOUNT were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. Evidence indicating the SUBJECT ACCOUNT owners' or users' state of mind as it relates to the crime under investigation;

d. Evidence of the times the ACCOUNT or identifiers listed on Attachment A was used;

e. Passwords and other access information that may be necessary to access the ACCOUNT or identifiers listed on Attachment A and other associated ACCOUNT.

f. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

g. All relevant content to the crimes under investigation, to include the recording of the sexual encounter with [redacted]

## III. Method of Service/Delivery

Meta Platforms Inc. shall disclose responsive data, if any, by sending to Special Agent Jesus Santos, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **IN THE MATTER OF THE SEARCH OF:**<br><br>**INFORMATION ASSOCIATED WITH THE META PLATFORM INC., ACCOUNT: (SUBJECT ACCOUNT)**<br>Name: Jermiah Copeland<br>Instagram Account: [redacted]<br>Facebook Username [redacted]<br>URL: https://www.facebook.com[redacted]<br><br>**That is stored at the Premises Controlled by Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.** | Case No.: **01JUN25-NFNF-00237-7HNA**<br><br>Filed Under Seal |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed Meta records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from Meta Platforms, Inc. as is relates to account "jermiah.copeland.3" and "23jcopeland" (**SUBJECT ACCOUNT**), as this number has been identified as belonging to CSSN JERMIAH COPELAND, USN, USS JAMES E. WILLIAMS (DDG 95).

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images): The accused knowingly and wrongfully broadcasted or distributed a visual image; The visual image is an intimate visual image of another person or a visual image of sexually explicit conduct involving another person; The person depicted in the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct; Accused knew or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct was like to: Cause harm.

Harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct or harm substantially the depicted person with respect to that persons health, safety, business, calling, career, financial condition, reputation, or personal relationships; and conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

10. Article 120 (Rape and Sexual Assault Generally): Accused commits a sexual act upon another person without the consent of the other person.

11. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## LEGAL AUTHORITY

12. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNTS** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713. Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

13. R.C.M 703A(d) and 18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection –
>
> (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service –

(A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

14. 18 U.S.C. §§ 2703(b)(1)(A) and 2703(c)(1)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## BACKGROUND CONCERNING INSTAGRAM

15. Meta is a United States company that is the parent organization of Instagram. Instagram is a free photograph and video sharing social networking service that can be accessed at https://www.instagram.com/?hl=en or via the Instagram application on a smartphone (iPhone, Blackberry, Android, Windows-based, and Nokia phones).

16. Instagram allows its users to establish accounts; after which, they can share information, view photographs, watch videos, and interact with other Instagram users and/or the general public (those who do not have an Instagram account), depending on the user's privacy settings.

17. Instagram provides a variety of services for its users who have established accounts. As described in further detail below, the services include "following" other Instagram users on the platform; sharing photographs and images; posting and watching video content; connecting through Instagram's direct message system; commenting on photographs and videos of other users; and "liking" images or videos.

18. Instagram allows its users to connect with friends, family, and communities around the globe by sending another user a "Follow Request." If the recipient accepts the request, the two users will become "followers" for purposes of Instagram and can exchange communications and view photographs and video about one another. Additionally, once two users become "followers," they can monitor and see what content one another "like" and comment on.

19. Instagram users can "post" (i.e. share) an unlimited number of photographs or videos to their account. These photographs and videos may be visible to the user, other Instagram users, or the general public (people who do not have an Instagram account) depending on the user's privacy settings. Instagram allows its user to "tag" (i.e. label) other Instagram users in photographs or videos which then links the image or video to the tagged user's account.

20. Instagram Reels, a platform within Instagram, allows users to post video content on the social networking website for financial gain. The more views a user receives on a video, the more money that user will earn from Instagram or advertising sponsors.

21. Instagram users can also privately message each other through the platform on Instagram's direct message feature. These messages mirror email messages; they are sent to the recipient's "inbox" on Instagram. Instagram stores copies of messages sent by the recipient.

22. Instagram users may comment on and "like" images and videos posted by their Instagram "followers" or by users who have their account visible to the public. Once a user has commented on or "liked" an image or video, their followers can see that content, as well, and know that the user engaged with that image or video.

23. Instagram asks users to provide basic contact information during the account registration process. This information includes: (1) the user's full name and (2) email address or mobile phone number. In this account creation process, the user selects their username and password. This username is then used by Instagram to identify the user. After the registration process, users have the ability to include any personal identifier they choose on their account "profile," such as age, gender, location, etc.

24. After creating an account, users can access Instagram via its website on any computer with Internet access or via the Instagram application, available on any smartphone.

25. Instagram users can select one of two different levels of privacy for the communications and information associated with their account: (1) public or (2) private. A "public" account is one in which all of its content, their profile and posts, can be view by anyone, regardless of whether or not they have an Instagram account. A "private" account is one in which only the followers approved by the user can see what the user shares, including videos or photos, the user's follower list, and the user's following list.

26. Meta collects information associated with the Instagram's user's account activity and device by which they accessed their account. With regard to the user's account activity, Meta collects the time and date a user signs up for an account, all content created or shared, messages or other forms of communication, the location of and/or date a file was created, the frequency of actions taken on the website, the duration of activities on the website, the content the user interacts with on Instagram, means of payment associated with the account (including any credit card or bank account number) and more. With regard to the user's device by which they accessed their account, Meta collects the name of the mobile operator or ISP; the language; time zone; mobile phone number; IP addresses; Bluetooth signals; information about nearby Wi-Fi access points, beacons, and cell towers; GPS location; camera; photographs; and more.

27. Meta's computers contain all Instagram material described above, including stored electronic communications and information concerning subscribers and their use of Instagram, such as account access information, transaction information, and account application.

## BACKGROUND CONCERNING FACEBOOK

28. Meta owns and operates Facebook, a free-access social networking website of the same name that can be accessed at http://www.facebook.com. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users and sometimes with the general public.

29. Meta asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact email addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

30. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

31. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

32. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere

on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

33. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted as well as all photos and videos uploaded by any user that have that user tagged in them.

34. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to email messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

35. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

36. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

37. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

38. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the

account such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

39. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs") or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

40. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

41. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

42. In addition to the applications described above, Meta also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about the user's access or use of that application may appear on the user's profile page.

43. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator as well as a PDF of the current status of the group profile page.

44. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

45. Meta also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID

and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile and would show when and from what IP address the user did so.

46. Social networking providers like Meta typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Meta about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider's support services as well as records of any actions taken by the provider or user as a result of the communications.

47. In my training and experience, evidence of who was using the Instagram or Facebook account and from where, and evidence related to violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ, may be found in the files and records described above. This evidence may establish the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or, alternatively, to exclude the innocent from further suspicion.

48. For example, the stored communications and files connected to an Instagram and Facebook account may provide direct evidence of the offenses under investigation. Based on my training and experience, direct messages, photos, and videos are often created and used in furtherance of criminal activity, including to communicate and facilitate the offenses under investigation.

49. In addition, the user's account activity, logs, stored electronic communications, and other data retained by Meta can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, account information, messaging logs, photos and videos (and the data associated with the foregoing, such as geo-location, date and time) may be evidence of who used or controlled the account at a relevant time. Moreover, because every device has unique hardware and software identifiers, and because every device that connects to the Internet must use an IP address, IP address and device identifier information can help to identify which computers or other devices were used to access the account. Such information also allows investigators to understand the geographic and chronological context of access, use, and events relating to the crime under investigation.

50. Account activity may also provide relevant insight into the account owner's state of mind as it relates to the offenses under investigation. For example, information on the account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan

to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

51. Other information connected to an Instagram and Facebook account may lead to the discovery of additional evidence. For example, the search of an individual's Instagram account may reveal services or third-party applications, such as Snapchat, iMessage, etc., used in furtherance of the crimes under investigation, identities of and services used to communicate with co-conspirators, or instrumentalities of the crimes under investigation.

52. Therefore, Meta's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Instagram and Facebook's services. In my training and experience, such information may constitute evidence of violations of Article 107 (False Official Statement), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Sexual Assault), and Article 131b (Obstruction of Justice) of the UCMJ.

## PROBABLE CAUSE

53. On November 06, 2024, NCIS interviewed CSSN [redacted] USN, USS HARRY S TRUMAN (CVN-75) after [redacted] made a report of Sexual Assault against CSSN Jermiah COPELAND, USN USS JAMES E. WILLIAMS (DDG-95).

54. [redacted] stated she was sexually assaulted by COPELAND on 04NOV24 in a bar is Oslo, Norway while on deployment. [redacted] recalled she went to Heidi's Bier Bar with a group of Sailors. [redacted] relayed she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple people approached her and stated COPELAND was showing others a video of him having sexual intercourse with her. [redacted] stated she called COPELAND and confronted him about the sexual encounter and video. However, COPELAND denied having sexual intercourse with her and denied having a recording. COPELAND threatened to kill himself via text following the phone call.

55. On November 06, 2024, NCIS interviewed CSSA Jacqueline BITA, USN, CVN-75, who was reported to have seen the video from COPELAND. BITA stated while at the bar in Norway, [redacted] was drinking and intoxicated. BITA explained COPELAND had not been part of the original group who went to the bar together, however, he had shown up later in the evening. BITA stated she observed COPELAND assisting [redacted] to the bathroom. A little while later in the evening, BITA stated she was speaking with another sailor, SR Jada KNIGHT, USN, VAW-126, and COPELAND approached them, saying words to the effect of "You'll never believe what happened, if I show you, you can't tell anyone." BITA stated COPELAND then showed her and KNIGHT a video of COPELAND having sexual intercourse with [redacted] BITA stated [redacted] could be identified in the video based on her hair style and the outfit she was wearing. BITA opined she could not tell if [redacted] was conscious in the video. BITA stated COPELAND was "happy and laughing", while

BITA and KNIGHT were "shocked" at the video. BITA opined COPELAND was in his "right mind" the night of the assault, however, after being confronted by [redacted] COPELAND knew "he had messed up."

56. On November 6, 2024, NCIS conducted a search for the cellphone belonging to COPELAND. COPELAND's person was searched and the cellphone was not discovered. COPELAND stated he gave his cellphone to CSSN Kaulise COUSINS, USN, CVN-75. NCIS approached and searched COUSINS, who stated he never possessed COPELAND's cellphone. COPELAND's berthing, rack, and locker was searched by NCIS however, COPELAND's cellphone was not recovered.

57. On November 08, 2024, NCIS interviewed CSSA Jakobie GANT, USN, CVN-75, who stated on 05NOV24, he was approached by COPELAND, who relayed he had sexual intercourse with [redacted] the night prior. GANT opined COPELAND was excited about it. GANT stated COPELAND showed him a video of him engaging in sexual intercourse with [redacted] GANT stated he did not see [redacted] face in the video. GANT stated he was very uncomfortable after watching the video because [redacted] did not appear conscious or in a comfortable position. GANT stated [redacted] was face down against a toilet.

58. On November 18, 2024, NCIS interviewed KNIGHT, who stated approximately 30 minutes after arriving at the bar in Norway, she was approached by COPELAND. KNIGHT stated COPELAND asked her not to tell anyone about what he was going to show her. KNIGHT recalled COPELAND showed her a video of him having sexual intercourse with [redacted] in a bathroom stall. KNIGHT stated COPELAND indicated [redacted] was the female in the video. KNIGHT stated the video depicted COPELAND's smiling face before panning to him thrusting in and out of her vagina.

59. On November 18, 2024, NCIS interviewed COPELAND, who opined the sexual encounter was with consent due to [redacted] taking him by the hand and pulling him into the bathroom stall and removing her pants. COPELAND stated during the sexual encounter, he did pull out his cellphone and begin recording. COPELAND stated he was unsure if [redacted] was aware of him recording the sexual encounter. COPELAND did admit to showing the video to KNIGHT and others without [redacted] knowledge. COPELAND again stated he had given his cellphone to COUSINS but denied throwing the phone away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. This inconsistency leads me to doubt if he actually did lose his phone.

60. On December 20, 2024, NCIS interviewed COPELAND, who stated he had purchased a new cellphone. COPELAND stated the video he took of the sexual intercourse with [redacted] had been taken on Instagram Reels, and the video automatically deleted after a period of time of being posted.

## CONCLUSION

61. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with electronic accounts can indicate who has used or controlled the accounts. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, electronic communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the accounts at a relevant time. Further, information maintained by the ESP can show how and when the accounts was accessed or used. For example, e-mail providers typically log the IP addresses from which users access the e-mail accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the e-mail accounts access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculpate or exculpate the accounts owner. Additionally, information stored in the user's accounts may further indicate the geographic location of the accounts user at a particular time (e.g., location information integrated into an image or video sent via e-mail). Lastly, stored electronic data may provide relevant insight into the electronic accounts owner's state of mind as it relates to the offense under investigation. For example, information in the e-mail accounts may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

62. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

63. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

64. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Meta, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

65. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

Respectfully submitted,

[redacted]CA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.14 10:10:07 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

SUBSCRIBED AND SWORN to before me, a person authorized to administer oaths under 10 U.S.C § 936, in Norfolk, Virginia, USA.

Subscribed and sworn to before me on the 14th day of August, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

### Property to Be Searched

This warrant applies to information associated with Meta Platforms Inc., ACCOUNT, of CSSN Jermiah COPELAND, USN, USS JAMES E. WILLIAMS (DDG-95), namely:

Name: Jermiah Copeland
Instagram Account: [redacted]
Facebook Username[redacted]
URL: https://www.facebook.com[redacted]

(the "SUBJECT ACCOUNT") that is stored at premises owned, maintained, controlled, or operated by: Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.

# ATTACHMENT B

## Particular Things to be Seized

## I. Information to be disclosed by Meta, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms Inc., including any postings, transactions, images, messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms Inc. is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the SUBJECT ACCOUNT listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the SUBJECT ACCOUNT;

c. The dates and times at which the SUBJECT ACCOUNT was created, and IP address at the time of sign-up;

d. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the SUBJECT ACCOUNT, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

f. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

## II. Information to be seized by the Government

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits,

evidence and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ), for the SUBJECT ACCOUNT or identifiers listed on Attachment A, information pertaining to the following matters:

a. The identity of the person(s) who created or used the Facebook account, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the SUBJECT ACCOUNT were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. Evidence indicating the SUBJECT ACCOUNT owners' or users' state of mind as it relates to the crime under investigation;

d. Evidence of the times the ACCOUNT or identifiers listed on Attachment A was used;

e. Passwords and other access information that may be necessary to access the ACCOUNT or identifiers listed on Attachment A and other associated ACCOUNT.

f. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

g. All relevant content to the crimes under investigation, to include the recording of the sexual encounter with [redacted]

## III. Method of Service/Delivery

Meta Platforms Inc. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

## ATTACHMENT A

### Property to Be Searched

This warrant applies to information associated with Meta Platforms Inc., ACCOUNT, of CSSN Jermiah COPELAND, USN, USS JAMES E. WILLIAMS (DDG-95), namely:

Name: Jermiah Copeland
Instagram Account: [redacted]

(the "SUBJECT ACCOUNT") that is stored at premises owned, maintained, controlled, or operated by: Meta Platforms, Inc., 1 Meta Way, Menlo Park, CA 94025.

Attachments A and B AS ISSUED for Meta Warrant

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.18 16:43:24 -04'00'

# ATTACHMENT B

## Particular Things to be Seized

## I. Information to be disclosed by Meta, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms Inc., including any postings, transactions, images, messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms Inc. is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the SUBJECT ACCOUNT listed in Attachment A from 12AM (EST) on 04 November 2024 to 06 November 2024:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the SUBJECT ACCOUNT;

c. The dates and times at which the SUBJECT ACCOUNT was created, and IP address at the time of sign-up;

d. All activity logs including IP logs, including those associated with user posts, and other documents showing the IP address, date, and time of each login to the SUBJECT ACCOUNT, as well as any other log file information;

e. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses;

f. All location information, including location history, login activity, and related metadata to the extent this shows user attribution; and

g. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user and that the relevant account was not hacked, for the timeframe above

## II. Information to be seized by the Government

All information described above in Section I, including correspondence, records, documents, photographs, videos, electronic mail and electronic messages that constitutes fruits,

evidence and instrumentalities of violations of Article 107 (False Official Statements), Article 117a (Wrongful Broadcast or Distribution of Intimate Visual Images), Article 120 (Rape and Sexual Assault Generally), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ), for the SUBJECT ACCOUNT or identifiers listed on Attachment A, information pertaining to the following matters:

a. The identity of the person(s) who created or used the Facebook account, including records which help reveal the whereabouts of such person(s);

b. Evidence indicating how and when the SUBJECT ACCOUNT were accessed or used, to determine the chronological and geographic context of account access, use and events relating to the crime under investigation and the account user;

c. Evidence indicating the SUBJECT ACCOUNT owners' or users' state of mind as it relates to the crime under investigation;

d. Evidence of the times the ACCOUNT or identifiers listed on Attachment A was used;

e. Passwords and other access information that may be necessary to access the ACCOUNT or identifiers listed on Attachment A and other associated ACCOUNT.

f. All information regarding the particular device or devices used to login to or access the SUBJECT ACCOUNT, including all device identifier information or cookie information, including all information about the particular device or devices used to access the SUBJECT ACCOUNT and the date and time of those accesses; and

g. The recording of the sexual encounter with [redacted]

## III. Method of Service/Delivery

Meta Platforms Inc. shall disclose responsive data, if any, by sending to Special Agent Jesus Santos, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@NCIS.NAVY.MIL). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**18 Aug 25** |

## FACTS

1. On 1 June 2025, NCIS Norfolk Field Office was made aware that CSSN Angelina Resendiz, USN, JAMES E. WILLIAMS (DDG 95) had recently gone into an unauthorized absence (UA) status.

2. CSSN Resendiz and CSSN Jermiah Copeland, USN, DDG 95, went UA on Thursday, May 29, 2025 (morning approximately 0900) . No one could get a hold of either Sailor for several days until CSSN Copeland turned up in his barracks room on the morning of 1 June. CSSN Resendiz reportedly spent the night with CSSN Copeland Wednesday, May 28 into the morning of Thursday, May 29.

3. NCIS spoke to CSSN Copeland on 1 June and he said they spent Wednesday evening making tacos (which was confirmed through a review of messages on his phone). CSSN Copeland also said the two consumed alcohol and spoke about CSSN Resendiz's past and somewhat current relationships. CSSN Copeland said CSSN Resendiz was visibly distraught while discussing her relationships.

4. CSSN Resendiz was reportedly dropped back off at her barracks aboard NOB around 1000 on Thursday,. May 29, which was the last time anyone has spoken to her. NCIS went to her barracks room on 1 June and it was very neat and tidy with no signs that anything malicious occurred. NCIS spoke to an ex-boyfriend from her ship and he said she always carries a hello kitty backpack, which NCIS did not located in her barracks room. Her phone, identification, banking cards, and other personal items were also not in her room.

5. On June 08, 2025, NCIS received confirmation from USACIL that the swab taken from the inside of CSSN Copeland's closet had tested positive for human blood. NCIS also observed a blood spatter in the stairwell closest to CSSN Copeland's room of CSSN Copeland's barracks. This blood tested positive for human blood and was positively identified through DNA testing as CSSN Resendiz's blood.

6. On June 09, 2025, while reviewing the iPhone belonging to CSSN Copeland, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google Maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time

the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

7. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that in the early morning hours of June 02, 2025, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

8. On June 09, 2025, NCIS went to the location of the ping/screenshot and began to search the area. A duffel bag was located beneath a tree within the perimeter captured by CSSN COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the duffel bag.

9. A review of CSSN Copeland's NFCU bank records reveal debit transactions, but do not include credit card transactions from other institutions.

## INFORMATION AND RECORDS REQUESTED

10. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena for Equifax to determine any other financial resources that may have been used in the commission of these crimes.

## REASON FOR REQUEST

11. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland. Specifically, these records will identify any other financial resources that may have been used in the commission of these crimes.

12. For these reasons, we respectfully request a subpoena for Equifax to produce this information.

[redacted]

L. A. MAYO [redacted]
CDR, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah T. Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Custodian of Records, EQUIFAX
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 20250825
Time: 1700
Location: lauren.a.mayo2.mil@us.navy.mil
Jessica.Gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** All records related to accounts associated with SSN: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 18 August 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.08.18 16:20:49 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** CDR Lauren Mayo, JAGC, USN; 757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah T. Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25NFNF-00237-7MNA *(Optional)*

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☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 20250825
Time: 1700
Location: lauren.a.mayo2.mil@us.navy.mil
Jessica.Gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** All records related to accounts associated with SSN: [redacted]

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Issued by _____ (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Cynthia Jackson, Clerk of Court; 757-341-4570, Cynthia.b.jackson5.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by CDR Lauren Mayo, JAGC, USN
*Name of Government Counsel*

757-341-4598, lauren.a.mayo2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Life360, 1900 S Norfolk St., Ste. 310, San Mateo, CA, lawenforcement@life360.com
*Name of person to whom this subpoena is directed*

## YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 10 September 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Account records, including user name, for Jermiah Copeland
DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 26 August 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by PFEIL.JASON.ANDREW [redacted] Date: 2025.08.26 17:44:59 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

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*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Life360, 1900 S Norfolk St., Ste. 310, San Mateo, CA, lawenforcement@life360.com
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 10 September 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Account records, including user name, for Jermiah Copeland
DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney
bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

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*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**26 AUG 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

8. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

9. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

10. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

11. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

12. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

13. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

14. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

17. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

21. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. COPELAND advised via Snapchat messages on 2 June 2025 to a user "desi.rv" that he had not turned off his Life 360 account and shared a screenshot indicating his account was active. The only identifying information included in the Snapchat image is the username "Jermiah." Text messages dating back to March 3, 20255 indicate he has had an account since at least that time.

**INFORMATION AND RECORDS REQUESTED**

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Life360 for account information relating to CSSN Jermiah Taylor Copeland, date of Birth [redacted]

**REASON FOR REQUEST**

30. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Life 360 to produce this information.

[redacted]

C. B. DEMPSEY

LT, JAGC, USN
Trial Counsel

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**

    ii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.

    iii. Communications between AR John Calisse and his roommates, CSSN Jermiah Copeland, YN3 Sean Monoghan, and ISSA Irbin Gordillocruz from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number 619-451-7956 (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to AR JOHN CALISSE, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to CALISSE and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

51. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

52. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

**CONCLUSION**

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.08.26 15:08:31 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 26 day of _____, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.26 15:08:59 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250826 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.08.26 15:40:12 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**

    ii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.

    iii. Communications between ISSA Irbin Gordillocruz and his roommates, CSSN Jermiah Copeland, YN3 Sean Monoghan, and AR John Calisse. from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number 509-450-3128 (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to PSSN IRBIN GORDILLOCRUZ, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag.

Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to GORDILLACRUZ and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

51. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

52. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted]
Digitally signed by GOKEY.JESSICA.RAY.[redacted]
Date: 2025.08.26 15:10:21 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 26 day of _____, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.26 15:10:41 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250826 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.08.26 15:45:00 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**

    ii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.

    iii. Communications between YN3 Sean Monoghan and his roommates, CSSN Jermiah Copeland, ISSA Irbin Gordillocruz, and AR John Calisse. from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number 856-479-3880 (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to YN3 SEAN MONOGHAN, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag.

Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to MONAGHAN and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

51. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

52. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted]
Digitally signed by GOKEY.JESSICA.RAY[redacted]99
Date: 2025.08.26 15:11:36 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 26 day of _____, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.26 15:11:55 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.08.26 15:42:34 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

Prescribed by: DoDI 1325.07

# CONFINEMENT ORDER

## PRIVACY ADVISORY

Disclosure of this information is voluntary and will be used to record information about military member ordered into confinement pretrial, post-trial or as a result of nonjudicial punishment. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PERSON TO BE CONFINED**

| a. NAME (Last, First, Middle Initial) | b. SOCIAL SECURITY NUMBER | 2. DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH TAYLOR | [redacted] | 20250609 |

| c. BRANCH | d. GRADE | e. UNIT/AGENCY (Parent unit) |
|---|---|---|
| USN | E-3 | USS JAMES E. WILLIAMS |

**3. TYPE OF CONFINEMENT**

| a. PRETRIAL | b. RESULT OF NJP | c. RESULT OF COURT-MARTIAL: |
|---|---|---|
| ☐ NO ☒ YES | ☒ NO ☐ YES | ☒ NO ☐ YES |

d. TYPE OF COURT-MARTIAL: ☐ SCM ☐ SPCM ☐ GCM ☐ VACATED SUSPENSION

**4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED** *(List all charge(s) if prisoner is pretrial. List guilty finding(s) only if prisoner is post-trial.)*

UCMJ ARTICLE 118- MURDER

| 5. SENTENCE ADJUDGED (Annotate sentence from the result of trial) | b. ADJUDGED DATE (YYYYMMDD): |
|---|---|
| | |

**6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED** *(YYYYMMDD)*:

**7. PERSON DIRECTING CONFINEMENT**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | b. SIGNATURE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|---|
| WINTERS, TIMOTHY M., CDR COMMANDING OFFICER | WINTERS.TIMOTHY.MAR.K[redacted] Digitally signed by WINTERS.TIMOTHY.MARK Date: 2025.06.09 23:37:00 -04' | 20250609 | 2337 |

**8. LEGAL REVIEW AND APPROVAL REQUIRED** *(Review required by different name at 7.a and b.)*

a. INCIDENT # NFNF-00237-7MNA ORI

b. DNA PROCESSING COLLECTED: ☐ IS ☐ YES ☐ NO ☐ IS NOT REQUIRED PURSUANT TO DODI 5505.14. KIT# Date DNA collected *(YYYYMMDD)*

c. SEX OFFENDER REGISTRATION ☐ IS ☐ IS NOT REQUIRED UNDER 42 U.S.C. 14071.

| d. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | e. SIGNATURE | f. DATE (YYYYMMDD) |
|---|---|---|
| | | |

**9. MEDICAL CERTIFICATE**

a. The above named prisoner was examined by me at 0154 (Time) on 20250610 (YYYYMMDD) and found to be ☒ Fit ☐ Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement ☐ will ☒ will not produce serious injury to the prisoner's health.

b. The following irregularities were noted during the examination: *(List only non-medical information. Refer to SF 600 for all medical information, including HIV, TB and pregnancy tests and results.)*

**10. EXAMINER**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITL | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|
| KALODNER, LAUREN, B LCDR, MC | 20250610 | 0200 |

**11. RECEIPT FOR PRISONER** *(Completed by the correctional facility staff upon arrival of the prisoner)*

a. THE PRISONER NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT *(Facility Name and Location)*
NCBC DETACHMENT CHESAPEAKE
on 2025 06 10 (YYYYMMDD) AND TIME: 0247 (Time)

| b. PERSON RECEIPTING FOR PRISONER (Typed name (Last, First, Middle Initial), Grade and Title) | c. SIGNATURE | d. DATE (YYYYMMDD) | e. TIME |
|---|---|---|---|
| BASS, BRYANNA, C BM2 RTR SUP | [redacted] | 20250610 | 0247 |

# GENERAL COURT-MARTIAL
# UNITED STATES COAST GUARD

| | |
|---|---|
| UNITED STATES<br><br>v.<br><br>DC3 RUDOLPH P. REIMONENQ IV,<br><br>U.S. Coast Guard | RULING on Defense Motion for Appropriate Relief (Confinement Credit)<br><br>14 March 2025 |

**1. Relief Sought**

The Defense filed a motion for administrative credit for various alleged violations of Article 13, UCMJ. AE 46. The Government filed a response opposing the Defense motion. AE 48. An Article 39(a) session was held to hear arguments on this motion on 28 January 2025.

**2. Issues Presented**

a. Did the Government violate Article 13, UCMJ, when it placed and kept the accused as a maximum-security prisoner, and, if so, what administrative credit is the accused entitled to, if any?

b. Did the Government violate Article 13, UCMJ, when it kept the accused shackled during his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

c. Did the Government violate Article 13, UCMJ, when it failed to provide the accused a Coast Guard uniform for his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

**3. Findings of Fact**

In reaching its findings of fact and conclusions of law, the Court considered all legal and competent evidence presented and the reasonable inferences drawn therefrom and resolved all issues of credibility. The Court finds the following facts by a preponderance of the evidence.

a. Procedural History

(1) DC3 Rudolph Reimonenq, USCG, is accused of attempted premeditated

murder, two specifications of carrying a concealed weapon, and one specification of dereliction of duty. The charges and specifications arise from an incident when the Accused brought a rifle, revolver and ammunition with him when he reported to duty aboard the United States Coast Guard Cutter (USCGC) LEGARE in the early morning hours of 26 March 2024. The accused later admitted to CGIS that he intended to kill the Commanding Officer of the *Legare*.

(2) The accused was ordered into Pre-Trial Confinement (PTC) at NCBC DET Chesapeake on 28 March 2024. He has remained in PTC since that time.

b. NCBC DET Chesapeake

(1) The Naval Consolidated brig in Chesapeake, Virginia, is a brig detachment under the supervision of NCBC (NCBC), South Carolina. NCBC DET Chesapeake does not have an independent Commanding Officer (CO). Instead, it has an Officer-in-Charge (OIC) that is subordinate to the Commanding Officer of NCBC.

(2) CDR IM is the OIC for NCBC DET Chesapeake. He reports to CDR JB as the CO for NCBC.

(3) CDR IM testified that on 28 January 2025 there were 14 prisoners housed at NCBC DET Chesapeake, which is a typical number for that facility.

(4) CDR IM's career has been as a Navy helicopter pilot. His current assignment is the first in the Military corrections field. In addition to a generic leadership course offered to all entering a command position, CDR IM also attended a Brig Officer Management course, which was either 4 or 5 days.

(5) Similarly, CDR JB's background has not been in military corrections, instead he entered his current position after a career as a Surface Warfare Officer.

(6) Both NCBC and NCBC DET Chesapeake have civilian corrections professionals to advise the command on corrections matters and corrections policy. Ms. RR is the Technical Director for NCBC, and Mr. PM is the Program and Service Department Head at NCBC DET Chesapeake. He also serves as the Facilities Manager and the Safety Manager.

c. Prisoner custody classification

(1) Medium-In (MDI)

(a) MDI is the lowest level of classification for a pre-trial confinee.

(b) Generally, an MDI prisoner is in their cell overnight from 2130 until 0530. Once they wake up, an MDI prisoner exits their cell and remains outside

of it until they go back in at 2130.

(c) An MDI prisoner is not required to wear restraints while moving within the brig, and there are generally no restrictions on their interactions with other prisoners.

(d) An MDI prisoner will work in assigned work details from after breakfast until approximately 1530.

(e) After 1530, MDI prisoners get to participate in rec call, where they can work out or play sports with other prisoners.

(f) After dinner (generally around 1700), prisoners can enjoy personal time until they must return to their cells at 2130. During personal time MDI prisoners can be outside of their cells in their housing unit, watch TV, make phone calls, or talk with other prisoners.

(g) MDI prisoners are permitted to have contact visits with family and counsel.

(2) Maximum (MAX)

(a) MAX prisoners are confined to their cells for up to 22 hours a day. They are permitted one hour of recreation, and one hour of personal time. Both recreation time and personal time are performed alone without any other interaction with other prisoners.[1]

(b) MAX prisoners are not permitted to make contact with anyone other than the brig staff. Brig staff must physically observe a MAX prisoner every 15 minutes and record their observations on a DD 509 form.

(c) MAX prisoners eat all of their meals in their cell.

(d) MAX prisoners are fully restrained (hand irons, leg irons, and transport belt) and escorted by two brig staff members when outside of their housing unit – even within the brig's fenceline. They are not required to wear restraints during their recreational or personal time; however, they must be restrained and escorted to the recreation yard.

(e) Only a military judge or the brig OIC can order a MAX prisoner's restraints removed.[2]

(f) MAX prisoners may not have any contact visits with either family or counsel, which means a MAX prisoner must be separated from their

[1] CDR IM testified that MAX prisoners were permitted additional personal time if there were sufficient staff resources to support it.
[2] MAX prisoners may move unrestrained in emergency situations.

visitor by some form of partition.

(3) Classification & Adjustment (C&A) Board

(a) Each brig is required to have a C&A Board which must meet daily (excluding weekends and holidays). The board evaluates the classification status for each prisoner, generally once every 30 days or at the prisoner's request, using objective criteria:

| 5. CLASSIFICATION CRITERIA *(Enter point values)* |
|---|
| a. OFFENSE SEVERITY = 1 - 8 |
| b. NUMBER OF DISCIPLINARY BOARDS *(Last 90 days)*<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS *(Last 90 days)*<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS *(Last 90 days)*<br>NONE = 0 ONE OR MORE = -1 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 *(only if no program completed)*<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE *(See DoDI 1325.07, Severity Code Tables)* |
| j. TOTAL POINTS |

(b) After adding up the points assigned to the objective criteria, the C&A board can recommend reduction in classification (for 0-6 points), remain the same (7-10 points), or increase the classification (11 or more points).

(c) There are also subjective criteria which the board can use to override the recommendation generated by the objective criteria. To override a reduction in classification, the board may consider the following:

i. Assaultive behavior;

ii. Disruptive behavior;

iii. Serious drug abuse;

iv. Serious civil or military criminal record (convicted or alleged);

v. Low tolerance of frustration;

vi. Intensive acting out or dislike of the military;

vii. History of previous escape(s);

viii. Pending civil charges or detainers filed;

ix. Serving a sentence that the individual considers unjust or severe;

x. Poor home conditions or family relationships;

xi. Emotional or mental instability;

xii. Indication of unwillingness to accept responsibility for personal actions, past and present;

xiii. Demonstrated pattern of poor judgment;

xiv. Length, or potential length, of sentence;

xv. Gang affiliation or ties with disruptive organizations;

xvi. Awaiting transfer;

xvii. A sentence length exceeding the designated length of confinement authorized at the MCF; and

xviii. Refusal to accept or participate in recommended treatment or education programs.[3]

(d) To override an increase in classification, the board may consider the following:

i. Clear military record, aside from present offense;

ii. Close family ties - good home conditions;

iii. The offense(s) charged is not serious;

iv. Emotional and mental stability;

v. Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

vi. Behavior during confinement, and

vii. Successful completion of, or active participation in, offense-related treatment programs or groups.

(e) Finally, the facility commander may override the C&A board's recommendation using the same criteria.

d. Navy & NCBC policies

(1) Navy Corrections policy

(a) Section 4202 of SECNAVINST M1640.1 addresses classification criteria. It notes that "Ultra-conservative custody classification results in a waste of prisoner and staff manpower. … Classification systems must follow established, but flexible, procedures." It also states that "Prisoners will be placed in a lower custody classification as soon as practical and as warranted."

[3] Pre-Trial Confinees are generally ineligible to participate in treatment programs.

(2) NCBC policy

(a) NCBC has a policy that any pre-trial confinee who is charged with a "serious crime" will be classified as a MAX prisoner.

(b) This policy is not written. CDR IM testified that CDR JB relayed to them that "most people who are accused of murder, they're normal, they have a bad day and then something bad happens," and that they were going to keep those accused of murder classified as MAX prisoners to keep everybody safe, both staff and prisoners.

(c) There was no evidence of data supporting CDR JB's assertion that, as a general matter, prisoners accused of murder were more likely to do "something bad" and that they posed a safety risk for brig staff and inmates.[4]

(d) Further, as the policy was not written, there was not a definition of "serious crime," however, CDR IM understood that murder and attempted murder qualified as "serious."

(e) At the time the accused was ordered into PTC, CDR IM was not aware of this policy. In June 2024 there was a use-of-force incident with a different pre-trial confinee accused of a serious crime that brought to light NCBC DET Chesapeake's non-compliance with NCBC's policy.

e. The accused's confinement at NCBC DET Chesapeake

(1) When the accused was ordered into PTC, the confinement order specified he was suspected of violating Articles 80 (attempted murder), 92 (failing to obey an order or regulation), 114 (endangerment offenses) and 115 (communicating a threat), UCMJ.

(2) Because NCBC DET Chesapeake was not classifying pre-trial confinees accused of serious crimes as MAX prisoners, the accused was initially classified as an MDI inmate.

(3) From 28 Mar 2024 until 19 July 2024 the accused performed as an MDI prisoner without any disciplinary incidents.

(4) On 19 July 2024 the accused was served with the preferred charge sheet. At that point, the NCBC DET Chesapeake staff and OIC realized he had been

[4] The only evidence in the record of a pre-trial confinee acting in a manner that threatened other staff or prisoners occurred in June, 2024, when HM3 Pate (another pre-trial confinee accused of a serious offense) had an adverse interaction with a staff member. However, the evidence is not clear about whether the staff member bore some responsibility for instigating the incident, and, in any event, the staff member involved did not regard the prisoner as a physical threat.

misclassified and reclassified the accused to a MAX prisoner.[5]

(5) At the following C&A board on 20 Aug 2024, the board recommended again reclassifying the accused to an MDI prisoner. The OIC overrode the board's recommendation and ordered the accused remain as a MAX prisoner.

(6) At every subsequent C&A board (occurring approximately every 30 days), the board recommended downgrading the accused's classification to MDI. Every time the OIC overrode the board's recommendation and ordered the accused remain a MAX prisoner.[6] At times, the OIC noted the seriousness of the crime as the justification, others he merely noted that the accused should "remain MAX." The OIC was unaware of the specifics of the accused's offense, only that he was accused of attempted pre-meditated murder.

(7) In November 2024, the licensed clinical social worker assigned to NCBC DET Chesapeake informed the OIC of the following concern:

> Based on a brief assessment that was conducted recently with SNP Reimonenq, SNP is demonstrating/expressing an increased level of emotional [decompensation] due to being isolated and confined in a cell for an [extended] period of time. In my clinical judgement, SNP Reimonenq would benefit from increased interaction with others to reduce [further] decompensation.

(8) In each of the DD Form 2711-1 documenting the accused's C&A board results, the board noted the accused was dealing with mental health challenges.

(9) Mr. PM disagrees with the NCBC's policy about keeping prisoners accused of serious crimes as MAX prisoners. He termed the policy "cookie cutter" and expressed concerns about being unable to justify the decisions based upon the prisoner's observed behavior.

f. <u>The Article 32 hearing</u>

(1) On 9 October 2024, CDR KW presided over an Article 32, UCMJ, hearing into the charges against the accused.

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[5] At the C&A board that led to the accused's reclassification to a MAX prisoner, the board had to recommend overriding the objective criteria because, based upon his lack of disciplinary issues since being confined, the objective criteria directed that his classification remain the same (i.e. MDI). The OIC concurred with the board's recommendation.

[6] Prior to the Article 39(a) session where this motion was litigated, the OIC again overrode the C&A board's recommendation on 13 Jan 2025. The C&A board's evaluation on 13 January 2025 noted the objective criteria—for the first time—should require the accused to remain in his current classification. However, the board overrode the objective criteria to recommend reclassification to MDI due to "period of observation and evaluation." The OIC overrode the board's recommendation.

(2) The hearing was conducted in the Coast Guard courtroom in Main Street Tower in Norfolk, VA. The hearing was open to the public and members of the public attended the hearing, including members of the accused's family.

(3) By agreement of the parties, CDR KW participated remotely, as did civilian defense counsel. Detailed defense counsel was present with the accused.

(4) The accused was attired in a brown prisoner's uniform and remained shackled throughout the proceeding.

(5) Defense counsel requested that the shackles be removed. Government counsel joined in this request. However, the brig personnel refused to do so because it was not a "court proceeding" and the Preliminary Hearing Officer was not a judge.

(6) At the outset of the hearing, CDR KW noted that the accused was not attired in the proper uniform but noted that he would take into consideration the fact that the accused was a third-class petty officer in the Coast Guard and also took note of his awards.

(7) Shortly before he was ordered into PTC, the accused was re-assigned to LANTAREA. In July 2024, the LANT staff received notice that the *Legare* command had sent the accused's personal effects to his mother in Louisiana, however, they were unaware that his personal effects included his uniforms.

(8) The accused did not ask the LANT staff about his uniforms for upcoming proceedings during their weekly brig visits. Neither the LANT legal staff nor Government counsel asked the accused new command (i.e. LANT-1) about his uniforms.[7]

(9) The accused was in the proper uniform for all subsequent court-martial proceedings.

*Further facts necessary for an appropriate ruling are contained within the Analysis section.*

## 4. Principles of Law

a. Burden

As the moving party, the Defense bears the burden of persuasion by a preponderance of the evidence. R.C.M. 905(c).

[7] While there isn't direct evidence that the LANT legal staff or government counsel engaged with LANT-1 about the accused's uniforms, given the commendable efforts expended by the LANT-1 staff to ensure the accused was properly attired for his court-martial, the Court infers that no such inquiries were made prior to the Article 32 hearing.

b. Article 13

Article 13, UCMJ provides that:

> No person, while being held for trial, may be subjected to punishment or penalty other than arrest or confinement upon the charges pending against him, nor shall the arrest or confinement imposed upon him be any more rigorous than the circumstances required to insure his presence, but he may be subjected to minor punishment during that period for infractions of discipline.

"Article 13, UCMJ prohibits two things: (1) the imposition of punishment prior to trial, and (2) conditions of arrest or pretrial confinement that are more rigorous than necessary to ensure the accused's presence for trial." *United States v. King*, 61 M.J. 225, 227 (C.A.A.F. 2005).

A service member may not be detained under conditions that amount to punishment prior to trial. *United States v. James*, 28 M.J. 214, 215 (C.M.A. 1989). One significant factor in determining whether the conditions or terms of confinement violate Article 13 is the intent of the detention officials. *Id.* at 216. Thus, "[a] court must decide whether the disability is imposed for...punishment or whether it is but an incident of some other legitimate governmental purpose." *Id.* (quoting *Bell v. Wolfish*, 441 U.S. 520, 538 (1979). In *United States v. Howell*, 75 M.J. 386 (C.A.A.F. 2016), the court held that for an Article 13 violation to occur the record "must disclose an intent to punish on the part of the Government."

If there was not an intent to punish, the court must then decide whether the government action furthered a legitimate, non-punitive government interest. *Id*. at 393. Irrespective of the intent to punish, Article 13 may still be violated if the activity serves no legitimate, non-punitive purpose. *Id*. This analysis is exclusive to the intent of the government's action and is not informed by the impact of the action, even if punitive in nature. *Id*. at 393-94.

Confinement in violation of service regulations does not create a *per se* entitlement to relief but can shed light on whether impermissible intent to punish should be attributed to confinement officials. A command's disregard for service regulations may lead a military court to infer an improper purpose, such as to punish, even where an accused's status as a flight risk or a threat of continuing misconduct justifies the decision to confine him. *United States v. West*, No. 201200189, 2013 WL 1209934, at *4 (N-M. Ct. Crim. App. Mar. 21, 2013).

**5. Analysis**

a. The accused's continued classification as a MAX prisoner did not further a legitimate government interest

As an initial matter, there was no evidence presented that the NCBC classification policy was intended to punish the accused, and the Defense disclaimed any such claim. Therefore, the Court may only find a violation of Article 13 if the continued classification of the accused as a MAX prisoner did not serve a legitimate government interest.

The Court finds that the *initial* classification of a prisoner accused of a serious crime to a MAX prisoner to serve a legitimate government interest. The concerns articulated by the NCBC DET Chesapeake OIC (albeit vaguely) could be present when a member is placed in pre-trial confinement for serious crimes, and those factors are also captured in the SECNAVINST (seriousness of the alleged crimes and potential sentence). This interest is heightened at the imposition of confinement because the brig staff lack information about how the confinee will react to being incarcerated.

In this case, though, prior to reclassifying the accused as a MAX prisoner, they had nearly four months of data on how the accused responded to incarceration, during which the accused had no disciplinary infractions. Nonetheless, the Court is loath to second-guess brig staff in ensuring they were following their parent command's policies for classifying prisoners, especially where the initial classification furthers a legitimate government interest.

However, the Court finds the *continued* classification of the accused in face of repeated recommendations from corrections professionals to downgrade his status to MDI does not serve a legitimate governmental interest. The C&A board's repeated recommendations to return the accused to MDI status undercuts the government's theory that prisoners accused of serious crimes "might" pose to staff and other prisoners. It does so because the objective criteria not only consider the seriousness of the crime (the only source for the government's concern)[8] as well as the observations of this *particular* accused.

The legitimate government concern is further undercut by the informality and lack of support of the NCBC policy. While a formally issued (and presumably legally reviewed) policy may not overcome the persistent recommendations of the C&A board (based upon repeated interactions with the accused), the fact that the policy was communicated to the NCBC DET Chesapeake OIC orally with scanty support weakens the government's purported interest.

Finally, while the SECNAVINST does permit overriding of the objective classification recommendation based upon the seriousness of the crime and the potential

[8] The Court does not minimize the seriousness of the crimes with which the accused has been charged. However, the charge of attempted premeditated murder can encompass a wide range of conduct, from arriving at a location with the means and motive to kill an individual to grievously injuring the victim (while not causing the victim's death). The fact the OIC was unaware of the facts of the accused's alleged conduct and thus could not take that into account in his classification decision, further detracts from the government's asserted interest.

length of the sentence, the SECNAVINST also directs that classification should follow "established, but flexible, procedures." Further, the SECNAVINST commands that "Prisoners *will* be placed in a lower custody classification as soon as practical and as warranted." (emphasis added). NCBC's policy is anything but flexible, as the OIC testified that there was no circumstance where the accused would be eligible for a lower classification.

Having found a violation of Article 13, the Court must determine the appropriate credit to be awarded. As an initial matter, the accused was confined for 22 hours each day, as compared with 8 for a typical MDI prisoner, resulting in the accused spending 175% more time locked in his cell (22 hours is 175% of 8 hours). However, a credit of only 1.75 days for each day in MAX after 20 August 2024 doesn't adequately encompass the additional hardships imposed upon the accused, because the accused was also denied the opportunity to interact with other prisoners in social settings. This restriction has caused psychological harm. Further, it is harm that was made known to the brig command. Additionally, his status has prevented him from contact visitation with his family and his attorneys. Thus, the Court finds that an appropriate amount of credit is 3 days for each day after 20 August 2024, resulting in 438 days of confinement credit.[9]

b. Shackling of the accused during the Article 32 hearing furthered a legitimate government objective

The SECNAVINST restricts who may order restraints removed from a MAX prisoner, limiting it to Brig command staff and a military judge. In doing so, it furthers a legitimate government objective to maintain security over a prisoner who, by some criteria, is deemed to be a danger to himself or others. Additionally, it avoids having the brig chasers make case-by-case determinations and prevents any arguments from strong willed advocates from swaying either junior personnel or the brig staff.

The defense arguments to the contrary are unpersuasive. First, even though an Article 32 hearing is a legal proceeding, the PHO is not a military judge and thus does not meet the objective criteria outline in the SECNAVINST. Second, the rules cited in the defense motion apply before *courts-martial*, and not any legal proceeding. The accused is not entitled to credit for being shackled during the Article 32 hearing.

c. Forcing the accused to appear in a prisoner's uniform at his Article 32 hearing did not further a legitimate government objective

As an initial matter, the Court does not find an intent to punish the accused by forcing him to wear a prisoner's uniform to his Article 32 hearing. As is clear from the affidavit submitted by Mr. TL of LANT-1, once alerted to the accused's lack of uniforms took

[9] This is calculated from 21 August 2024 up to and including 13 January 2025, the last day for which the Court has evidence of the OIC overriding the C&A board's recommendation.

appropriate measures to ensure the accused was appropriately attired, evincing a lack of intent to punish.

Even assuming, as the Court does, that the government's inability to ensure the accused had access to his uniforms was an oversight, it nonetheless decided to proceed with the Article 32 hearing with the accused in a prisoner's uniform. While it is true that the accused (and Defense counsel) agreed to go forward with the accused attired in a prisoner's uniform, the accused should not have been put into that position. When it imposes pre-trial confinement, the government has a responsibility to ensure the accused is attired in the proper uniform.[10] Further, they had 195 days from when they imposed pre-trial confinement and 83 days from when they preferred charges to ensure the accused had a proper Coast Guard uniform.

The government's decision to proceed is mitigated somewhat by the accused not inquiring about his uniforms during the weekly command brig visits because a military member bears responsibility to appear in the prescribed uniform of the day.

Nonetheless, the lion's share of the responsibility falls upon the government, a responsibility they failed to uphold (albeit without any malice towards the accused). In so doing, they did not further any legitimate government objective and thus violated Article 13. The accused shall be awarded an additional 4 days of confinement credit.

**6. <u>Conclusions of Law</u>**

a. The Government violated Article 13 by continuing to classify the accused as a MAX prisoner after 20 August 2024 and until and including 13 January 2025. The accused shall be awarded 438 days of confinement credit.

b. The Government did not violate Article 13 when the accused remained shackled for his Article 32 hearing.

c. The Government violated Article 13 when it failed to provide the accused with a proper Coast Guard uniform. The accused shall be awarded 4 days of confinement credit.

[10] The Court takes judicial notice of Article 1.F.5.e of the Coast Guard Discipline and Conduct Manual, COMDTINST M1600.2(series), which states that "Prisoners shall be delivered in the appropriate Service Dress uniform," and "Accordingly, it is important that the prisoner be delivered with a sufficiently full seabag to sustain his/her needs during the anticipated period of confinement."

7. **Ruling and Order**

The Defense motion is **GRANTED IN PART** and **DENIED IN PART,** consistent with the above conclusions of law.

**So ordered this 14th day of March, 2025**.

[redacted]

Digitally signed by
BARNUM.JEFFERY.C.[redacted]
Date: 2025.03.14 17:19:53 -04'00'

Jeffery C. Barnum
Commander, U.S. Coast Guard
Military Judge

**INITIAL REVIEW OFFICER'S**
**7-DAY REVIEW OF PRETRIAL CONFINEMENT**

| | | |
|---|---|---|
| U N I T E D S T A T E S | ) | R.C.M. 305(j)(2)(D) Memorandum |
| v. | ) | **Initial Review Officer Findings, Conclusions, and Action** |
| JEREMIAH T. COPELAND<br>CSSN / E-3 USN | ) | Date: 17 June 2025 |

1. **Background**. I, CDR Jason A. Pfeil, JAGC, USN was detailed as the Initial Review Officer (IRO) for the review of pretrial confinement in the case of CSSN Jeremiah T. Copeland, USN (Confinee). The 7-day review hearing was at Naval Consolidated Brig Chesapeake, Virginia (NCBC) on 16 June 2025. This memorandum is prepared pursuant to Rule for Courts-Martial (R.C.M.) 305(j)(2)(D), Manual for Courts-Martial.

2. **Findings of Fact**. After considering the evidence and statements provided at the 7-day review hearing, the preponderance of the evidence supports the following factual findings:

A. The Confinee is from Durham, North Carolina.
B. The Confinee is 20 years of age.
C. The IRO received no evidence of substantial ties to the Hampton Roads area of Virginia other than that his command is based out of Naval Station Norfolk, Virginia.
D. *Facts Pertinent to Alleged Violation of Article 118 (murder)*
    a. 28 May 2025
        i. CSSN A.R. was with the Confinee in his barracks room, building X-2, room 335B and she spent the night.
        ii. CSSN A.R. last used her bank accounts.
        iii. CSSN A.R. was in authorized liberty status 28-29 May 2025.
    b. 29 May 2025
        i. At 0645, PSSN Irbin Gordillocruz, one of the Confinee's roommates, saw CSSN A.R. in the Confinee's barracks room, naked and laying on the floor with the Confinee, also naked, was laying on the floor with his head resting on CSSN A.R.'s stomach area.
        ii. PSSN Gordillocruz observed CSSN A.R. breathing.
        iii. At 0645, CSSN A.R. was alive.
        iv. Some time afterward, FCC Brad Parker from USS JAMES E. WILLIAMS (DDG 95) went to the Confinee's barracks room to make contact with him because he did not report for work.
        v. When FCC Parker knocked on the Confinee's door, the Confinee opened the door wearing shorts and no shirt. FCC Parker recognized CSSN A.R. in the Confinee's barracks room.

vi. CSSN A.R. waved at FCC Parker and then rolled over into a blanket.
vii. FCC Parker ordered CSSN Copeland to report to work and then left the Confinee's barracks room.
viii. CSSN A.R. was alive when FCC Parker left the Confinee's barracks room on 29 May 2025.
ix. No JAMES E. WILLIAMS personnel, other than the Confinee, had further positive contact with CSSN A.R. after FCC Parker saw her.
x. The Confinee did not report to work as ordered and was placed in an unauthorized absence (UA) status.
xi. CSSN A.R.'s cell phone was last used in the evening.
xii. CSSN A.R. was still in an authorized liberty status.

c. 30 May 2025
   i. CSSN A.R. did not report for duty and was placed in a UA status.
   ii. The Confinee remained in a UA status.

d. 31 May 2025
   i. Both the Confinee and CSSN A.R. remained in a UA status.

e. 1 June 2025
   i. The Confinee and CSSN A.R. remained in a UA status.
   ii. At approximately 1900, the Confinee and his roommates PSSN Gordillacruz and AR John Calisse went to dinner at Chipotle.
   iii. At approximately 2000, after eating dinner, the Confinee asked AR Calisse if he could use his vehicle to "go get something to eat" and AR Calisse agreed.
   iv. The Confinee mustered on board the ship to terminate his UA status.
   v. The Confinee's whereabouts after mustering are unknown.

f. The Confinee was in a UA status for approximately four days: from 29 May until the evening of 1 June 2025.

g. FCC Parker is the last known person, other than the Confinee to see CSSN A.R. alive.

h. As part of its investigation, NCIS interviewed the Confinee who told NCIS the following:
   i. CSSN A.R. came to his room on 28 May 2025 for dinner and drinks.
   ii. His relationship with CSSN A.R. was platonic friendship.
   iii. No sexual acts ever happened between them.
   iv. She spent the night in his barracks room the night of 28 May but she had her clothes on the entire time she was in his barracks room.
   v. He was late for work on the morning of 29 May 2025 and FCC Parker knocked on the door to tell him he was going to be marked UA.
   vi. At approximately 1000 on 29 May 2025, he and CSSN A.R. got dressed and one of his roommates took them to her residence at Miller Hall on board Naval Station Norfolk.

i. NCIS investigation revealed the following:
   i. CSSN A.R. never checked into Miller Hall on 29 May 2025 or thereafter.

ii. All of the Confinee's roommates told NCIS they did not give a ride to the Confinee or CSSN A.R. on the morning of 29 May 2025.
iii. CSSN A.R.'s cell phone last pinged on 29 May 2025 at the Confinee's barracks building.

j. NCIS searched the Confinee's barracks room and found the following:
i. There was a potential blood trail leading from inside his closet onto the carpet of the room; and a stain was found inside his bathroom.
ii. A swab taken from inside the Confinee' barracks room closet and his bathroom both tested positive for human blood.

k. NCIS searched the Confinee's cell phone and found the following:
i. At approximately 0514 on 2 June 2025, the Confinee was in the vicinity of 2842 Cary Ave., Norfolk, VA 23504, as determined by GPS analysis of a cached location on his phone.
ii. The Confinee was actively moving around the vicinity of 2842 Cary Ave., Norfolk, VA at the time he was in that area, as determined by analysis of his phone's recording of health and activity data.
iii. The Confinee saved a screenshot of a map application depicting a wooded area near a reservoir or pond in the vicinity of 2842 Cary Ave., Norfolk, VA on 2 June 2025 at 0515 as reflected in the screenshot and digital forensic analysis.
iv. The Confinee saved a location in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA as shown by a dropped pin on the screenshot saved on 2 June 2025 at 0515.

l. Between when the Confinee terminated his UA status and approximately 0514 on 2 June 2025, his whereabouts are unknown.

m. On 9 June 2025, NCIS searched the area reflected in the screenshot obtained from the Confinee's cell phone.

n. A black duffel bag was located beneath a tree within the perimeter captured by the Confinee's screenshot.[1]

o. After partially opening the black duffel bag, NCIS observed a pair of human legs inside.

p. NCIS found a photo from 23 September 2024 depicting the Confinee in service dress blues next to a black duffel bag that is visually similar to the one located in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA.

q. On 10 June 2025, an autopsy was performed on the body found in the black duffel bag with the following initial results:
i. The body was determined to be a female.
ii. Her body was in an extreme state of decomposition.
iii. An E-3 uniform patch was located in her hair.
iv. She was identified as CSSN A.R. by the distinctive tattoo on her back.

[1] The IRO notes that the NCIS affidavit refers to this duffel bag both as a suitcase and a duffel bag. However, based on the evidence the IRO concluded that both terms refer to the same object that the IRO refers to as a duffel bag in this memorandum.

E. *Facts Pertinent to Alleged Violation of Article 120(d) (abusive sexual contact)*

a. In the early morning hours of 23 July 2024 ABHAN C.R. was on the mess decks of USS HARRY S. TRUMAN (CVN 75) with her boyfriend CSSN Fernando Cuestabravo. CSSN Cuestabravo left to go to sleep.
b. Shortly after CSSN Cuestabravo left, ABHAN C.R. began receiving SnapChat snaps from the Confinee; he wanted to talk to her about CSSN Cuestabravo.
c. ABHAN C.R. agreed and the Confinee requested they go somewhere private to talk. They went to the fantail of the ship.
d. The Confinee told ABHAN C.R. that CSSN Cuestabravo was talking to other women and not treating her the way she should be treated; the Confinee suggested they should be in a relationship to get back at CSSN Cuestabravo.
e. After talking with the Confinee about her relationship with CSSN Cuestabravo, the Confinee began to play a "game" where he pretended to arrest her.
f. The Confinee forced ABHAN C.R.'s hands behind her back and grabbed her vulva over the clothing.
g. ABHAN C.R. turned around and punched the Confinee in the stomach.
h. The Confinee said he heard she liked to be choked and he grabbed her neck with one hand, applying pressure. ABHAN C.R. had difficulty breathing. ABHAN C.R. tried to push the Confinee's hand away but he kept putting it back.
i. While the Confinee was applying pressure to ABHAN C.R.'s neck, he kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing.
j. The Confinee then stopped and left.
k. ABHAN C.R. texted CSSN Cuestabravo afterward.
l. The next day they discussed what happened and ABHAN C.R. made a report of sexual assault.
m. On 16 August 2024, NCIS interviewed the Confinee and he said the following:
    i. He and ABHAN C.R. saw each other on the mess decks and went to the fantail to talk.
    ii. The Confinee was sitting in a chair and ABHAN C.R. on the deck.
    iii. ABHAN C.R. told him CSSN Cuestabravo does not treat her well and was cheating on her; she asked the Confinee for advice.
    iv. They flirted but he denied being romantically or sexually interested in ABHAN C.R.
    v. The two hugged and he got close to her face but denied trying to kiss her.
    vi. He denied touching ABHAN C.R. anywhere else.
    vii. NCIS asked if he had strangled ABHAN C.R. He responded, "oh okay yeah I have but it wasn't in like a weird way." He said he put one hand around her neck without applying any pressure.
    viii. He also denied touching any of ABHAN C.R.'s intimate areas and denied telling her she should have sex with him to get back at CSSN Cuestabravo.
n. Additional NCIS investigation revealed:
    i. The Confinee told CSSN Jaelen Owens that ABHAN C.R. was "feeling on" and "leading on" the Confinee.

ii. CSSN Cuestabravo observed bruises on the sides of ABHAN C.R.'s neck but neither of them took photos of the bruises.

F. *Facts Pertinent to Alleged Violation of Article 120(b) (sexual assault)*
   a. On 4 November 2024, during a port call in Oslo, Norway, CSSN S.S. reported the Confinee sexually assaulted her in the head of a bar at approximately 2200 hours.
   b. CSSN S.S. was intoxicated and did not remember having sexual intercourse with the Confinee, however other Sailors told her on 5 November that the Confinee showed them a video on his phone of the two of them having sexual intercourse.
   c. CSSN S.S. confronted the Confinee about him making a video of sexual intercourse with her and he denied it.
   d. Two Sailors interviewed by NCIS stated the Confinee had shown them a video of him and CSSN S.S. having sexual intercourse.
   e. Another Sailor interviewed by NCIS reported the Confinee told him he had sex with CSSN S.S. and seemed excited about it.
   f. NCIS searched the Confinee' person, his berthing, rack, and personal spaces to find his phone but his phone was never found.
   g. On 18 November 2024, NCIS interviewed the Confinee:
      i. He confirmed that he and CSSN S.S. had sexual intercourse in the bathroom in a bar in Oslo, Norway and that he had video recorded it.
      ii. He stated the sexual intercourse was consensual.
      iii. He said he lost his phone before returning to the ship on 5 November.

G. *Facts Pertinent to Alleged Violation of Article 128 (assault consummated by a battery / aggravated assault) or Article 128b (domestic violence)*[2]
   a. In April 2025, the Confinee was in his barracks room with his then-girlfriend, CS2 S.R.
   b. While in the Confinee's barracks room, CS2 S.R.[3] received a phone call from another woman claiming to be his girlfriend. She confronted the Confinee.
   c. The Confinee denied the relationship with the other woman and they argued.
   d. The Confinee then strangled CS2 S.R.
   e. Afterward, he laughed and said he was just playing with CS2 S.R.
   f. CS2 S.R. left the Confinee's barracks room and went home. She continued to communicate with the other woman.
   g. CS2 S.R. returned to the Confinee's barracks room and confronted him again.
   h. They argued and the Confinee grabbed CS2 S.R.'s phone from her hand.
   i. CS2 S.R. punched the Confinee in the chest, slammed his PlayStation 5 to the ground, and left.

[2] These offenses were not included in the command's 72-hour review letter as offenses; however, the facts support that they were committed and helped inform the IRO's analysis.
[3] The IRO notes that there are what appear to be significant typographical errors in the email that documents the alleged assault. Specifically, after initially identifying the Confinee's then-girlfriend as CS2 S.R., the narrative refers to a CS2 Williams multiple times. Additionally, the narrative refers to the Confinee alternatively as CSSN Copeland and CSSN Williams. The IRO used context to relate the facts found from the narrative supplied in the 72-hour letter's enclosures.

j. One of the Confinee's roommates told law enforcement CS2 S.R. waved a knife around while arguing with the Confinee but no knife was found.

H. On 6 June 2025, the Confinee received nonjudicial punishment for his period of UA from 29 May to 1 June.

3. **Applicable Law**

Per R.C.M. 305(j)(2)(A)(iii), the Government must prove by a preponderance of the evidence the requirements for continued confinement under R.C.M. 305(i)(2)(B).

4. **Victim Information**

Ms. Esmerelda Castle, CIV, ABHAN C.R., USN, CSSN S.S., USN, and CS2 S.R., USN were identified as victims in this matter.

The victims were not represented by counsel. The victims were given the opportunity to confer with the representative of the command. The victims were given a reasonable opportunity to be heard; only Ms. Castle exercised her right to be heard.

The IRO will also note that CSSN A.R., USN is considered a victim for the purposes of the Article 118 allegation, however she is deceased.

5. **Conclusions**. Based on the evidence presented at the IRO hearing, the IRO finds the Government has proven the following by a preponderance of the evidence:

A. The following offenses triable by court-martial were committed:[4]
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

B. The Confinee committed the following offenses triable by court-martial:
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

C. Continued pretrial confinement is necessary because it is foreseeable that:
   a. the Confinee will not appear at trial, pretrial hearing, or preliminary hearing due to:
      i. the seriousness of the charge of murder and its punishments, specifically a maximum punishment of death or confinement for life without the possibility of parole;
      ii. the fact that the Confinee was in a UA status for four days during and after the murder of CSSN A.R.;
      iii. though the Confinee voluntarily terminated his UA status, after doing so he hid CSSN A.R.'s body in a duffel bag that he dumped in a wooded

[4] The IRO notes that the Government did not prove by a preponderance of the evidence that the Confinee committed the offense of sexual assault in violation of Article 120(b).

area, indicating that his decision to terminate his UA status was part of a plan to avoid accountability for his actions leading to CSSN A.R.'s death and would likely impel him to leave the area if he were not confined;

iv. that the Confinee attempted to cover up his involvement in the death of CSSN A.R. by both lying to NCIS investigators and hiding her body in a duffel bag in a wooded area; and

v. the Confinee lacks substantial ties to the Hampton Roads area of Virginia beyond the presence of his command in Norfolk indicating the Confinee has no incentive to remain in the Hampton Roads area were he to be free.

b. the Confinee will engage in serious criminal misconduct due to:

i. the nature and circumstances of the offenses suspected, specifically:

1. that the Confinee committed at least two violent offenses[5] while under investigation by NCIS for two other violent offenses;
2. the Confinee sought to obstruct the investigation into CSSN A.R.'s disappearance by hiding her body in a duffel bag and dumping it in a wooded area, all while keeping his phone in airplane mode to prevent it from confirming his presence where he had dumped CSSN A.R.'s body;

ii. the weight of the evidence against the Confinee, specifically:

1. evidence of his consciousness of guilt from his attempt to mislead NCIS in both the investigation of the abusive sexual contact allegation against him and the disappearance of CSSN A.R.;
2. the strong evidence provided by his phone's GPS, health data, and the screenshot he took that he dumped CSSN A.R.'s body;
3. the presence of human blood in his barracks room; and
4. that he was the last person known to have seen CSSN A.R. alive;

iii. the pattern of escalating violent conduct of the Confinee;[6] and

iv. the fact that the Confinee committed multiple violent offenses against different women all while under investigation for other violent offenses.

D. Less severe forms of restraint are inadequate given:

a. the severity of the allegations against the Confinee as outlined above;

b. the weight of the evidence against him as outlined above;

c. the pattern of escalating violent conduct despite being under multiple criminal investigations from NCIS shows that the moral threat of being held accountable for misconduct is insufficient to deter him from engaging in criminal acts;

d. that the Confinee was willing to be UA before he knew he was suspected of murder of CSSN A.R., despite receiving a direct order to report to the ship shortly

[5] Article 118 (murder) and Article 128 (assault consummated by a battery) or 128b (domestic violence). The IRO recognizes that the Article 128 or 128b offense was not specifically stated in the 72-hour memorandum as the offenses for which CO, JAMES E. WILLIAMS found continued confinement appropriate; however, it is a significant fact that he committed this violent offense while under investigation for two other violent sexual offenses and shortly before the Article 118 (murder) offense.

[6] From abusive sexual contact to assault consummated by a battery / aggravated assault / domestic violence to murder

after his UA period began and he continued being UA for another three days; this shows the IRO that he is willing to disobey orders and that moral restraint is insufficient to ensure the Confinee will be present; and

e. the IRO is not persuaded that less severe forms of restraint are adequate by his presence at NJP on 6 June 2025 because of the substantial difference in the severity of the offenses for which he was placed into pretrial confinement and the significant difference between the punishment available for these offenses at court-martial compared to the maximum punishments available at NJP.

The IRO considered the evidence presented by the Confinee via his counsel but notes that it deals only with the conditions of confinement at NCBC and does not address whether confinement itself is appropriate. While there may be avenues for redress of unduly severe conditions of confinement under other R.C.M.s,[7] they do not provide a basis for finding that continued pretrial confinement is not necessary.[8]

6. **Action of 7-Day Reviewing Officer**

**Continued pretrial confinement for the Confinee is APPROVED.** The Confinee will remain in pretrial confinement.

The Government shall provide a copy of this memorandum to the Confinee, the Defense Counsel, and the confinement facility.

[redacted]
Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.06.17 16:33:13 -04'00'

J. A. PFEIL
CDR, JAGC, USN
Initial Review Officer

[7] *See* R.C.M. 305(l).

[8] R.C.M. 305(h)(2)(B) (continued confinement is only permitted where "(i) An offense triable by a court-martial has been committed; (ii) The confinee committed it; (iii) Confinement is necessary because it is foreseeable that: (a) The confinee will not appear at trial, pretrial hearing, or preliminary hearing, or (b) The confinee will engage in serious criminal misconduct; and (iv) Less severe forms of restraint are inadequate.").

13 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commander, Naval Surface Force Atlantic
Via: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS UNDER ARTICLE 138, UCMJ

Ref: (a) Article 138, UCMJ
(b) JAGINST 5800.7G, Chapter III.

Encl: (1) Emails with trial counsel and defense counsel
(2) Emails with defense counsel and the staff judge advocate advising the USS JAMES E. WILLIAMS
(3) CSSN Copeland's Request for Redress of 29 Jul 25
(4) Email from staff judge advocate advising the USS JAMES E. WILLIAMS notifying the defense that the request for redress was denied of 7 Aug 25
(5) Email with Brig Staff
(6) Email from staff judge advocate advising the USS JAMES E. WILLIAMS stating that formal response was not required of 11 Aug 25

1. This complaint of wrong under reference (a) is submitted on behalf of CSSN Jermiah Copeland by his defense counsel, LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN. It is submitted in compliance with reference (b).

2. Complainant information:

a. Current command: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

b. Command at time of alleged wrong: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

c. EAOS: 12 July 2027

d. Current mailing and email address: CSSN Copeland is being held in pretrial confinement in Naval Consolidated Brig Chesapeake. He can be reached through his defense counsel.

3. Respondent information: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

4. Complaint:

a. Alleged wrong: CSSN Copeland has been held in pretrial confinement for 63 days without preferred charges. CSSN Copeland has been in a "maximum status" while at the brig. He remains in his cell 22 hours per day. He is not permitted to have "contact" visits with his defense

counsel. CSSN Copeland has requested to have a private, in-person, meeting with his defense counsel. However, this request was denied.

b. Details:

(1) For 63 days, CSSN Copeland has been held in confinement without preferral of charges.

(2) Per enclosure (1), on 16 June, CSSN Copeland requested through counsel to meet with his attorney's in-person in a private setting. The trial counsel stated that the government could not support this request. The trial counsel ignored the defense's request for more information.

(3) On 3 July 2025, the staff judge advocate advising the USS JAMES E. WILLIAMS reached out to defense counsel. In response, the defense counsel provided her additional information. Namely, that at least one trial court has found that the current policies and procedures in place at Naval Consolidated Brig Chesapeake for pretrial confinees in a "maximum" confinement status is illegal pretrial punishment.

(4) On 23 July 2025, the defense followed up with our original request. This follow up was ignored.

(5) On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting.

(6) On 7 August 2025, CSSN Copeland's request was denied. USS JAMES E. WILLIAMS provided no reasoning for the denial.[1]

c. Relief requested: CSSN Copeland respectfully requests to be able to meet with his attorneys in a private room to have a private conversation without the risk of being heard by people who are not members of his defense team. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig.[2] This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to

[1] Per enclosure (6), the staff judge advocate reads Section 0305.a of the JAGMAN to state that a response to a request for redress is not required. Section 0305.a of the JAGMAN states that

> The commanding officer must act upon a request for redress within 30 calendar days of receipt, and notify the complainant in writing of the action taken, if applicable. If the commanding officer does not respond to the request within 30 calendar days or denies the requested redress, then the complainant may submit an Article 138 complaint to the GCMCA via the commanding officer, as the respondent.

[2] See enclosure (5).

hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of the Sixth Amendment.

Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if they cannot meet and openly discuss the case. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

5. I certify the above information is true and correct to the best of my knowledge, and this complaint is submitted per the guidelines and procedural requirements in Chapter III, Manual of the Judge Advocate General.

6. Please contact me with any questions or concerns you may have at 850-452-5572 or via email Amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 1:45:00 PM

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CDR Mayo,

Who has decided that CSSN Copeland cannot come to A-50? OSTC? The RLSO? Why can't the government support CSSN Copeland coming to A-50? We have confined clients from other command come to A-50.

Can you please provide me with the name and contact information of the lead agent in this case?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Monday, June 30, 2025 2:10 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister,

Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: SN Copeland"s Initial Review Hearing
**Date:** Wednesday, July 23, 2025 1:16:00 PM

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Elisabeth,

I just wanted to circle back to our request to meet with our client in the same room privately. I emailed the brig today and it will not allow us to visit our client in a contact room – we would only be able to meet with him through glass in non-private area. Is it possible for the command to bring him to A-50 or another location to allow us to meet with him? (Similar to how we will meet with him when he come to the court room for hearings).

Please and thank you

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Thursday, July 3, 2025 2:46 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** FW: SN Copeland's Initial Review Hearing

Elisabeth,

Please see attached. We presented these to the IRO at Copeland's hearing.

There are plenty of spaces at the brig where we could meet with the client and the staff could still see us. CDR Mayo asked them if we could use the IRO room (no windows, but a place we meet with other clients) but the brig said no. We would also agree to have more than one of the defense team in the room during any meeting if it is our safety they are concerned about. We are not concerned about our safety and haven't seen any indication that CSSN Copeland would do anything to harm his defense

team.

Let me know if you have questions or need anything else from me.

Have a Happy Independence Day!!!

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 6:37 AM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** SN Copeland's Initial Review Hearing

Your Honor,

The defense requests that you consider the attached two exhibits for today's seven day review hearing as they go to the severity of CSSN Copeland's confinement, and therefore, to whether less severe forms of restraint are adequate.

I will bring printed copies to the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Green, Deonta J PO1 USN (USA)
**Subject:** RE: CSSN Copeland
**Date:** Wednesday, July 23, 2025 1:04:43 PM

---

Good afternoon Ma'am,

His status was changed, however his classification remains the same and that is what requires visitation using the non-contact area.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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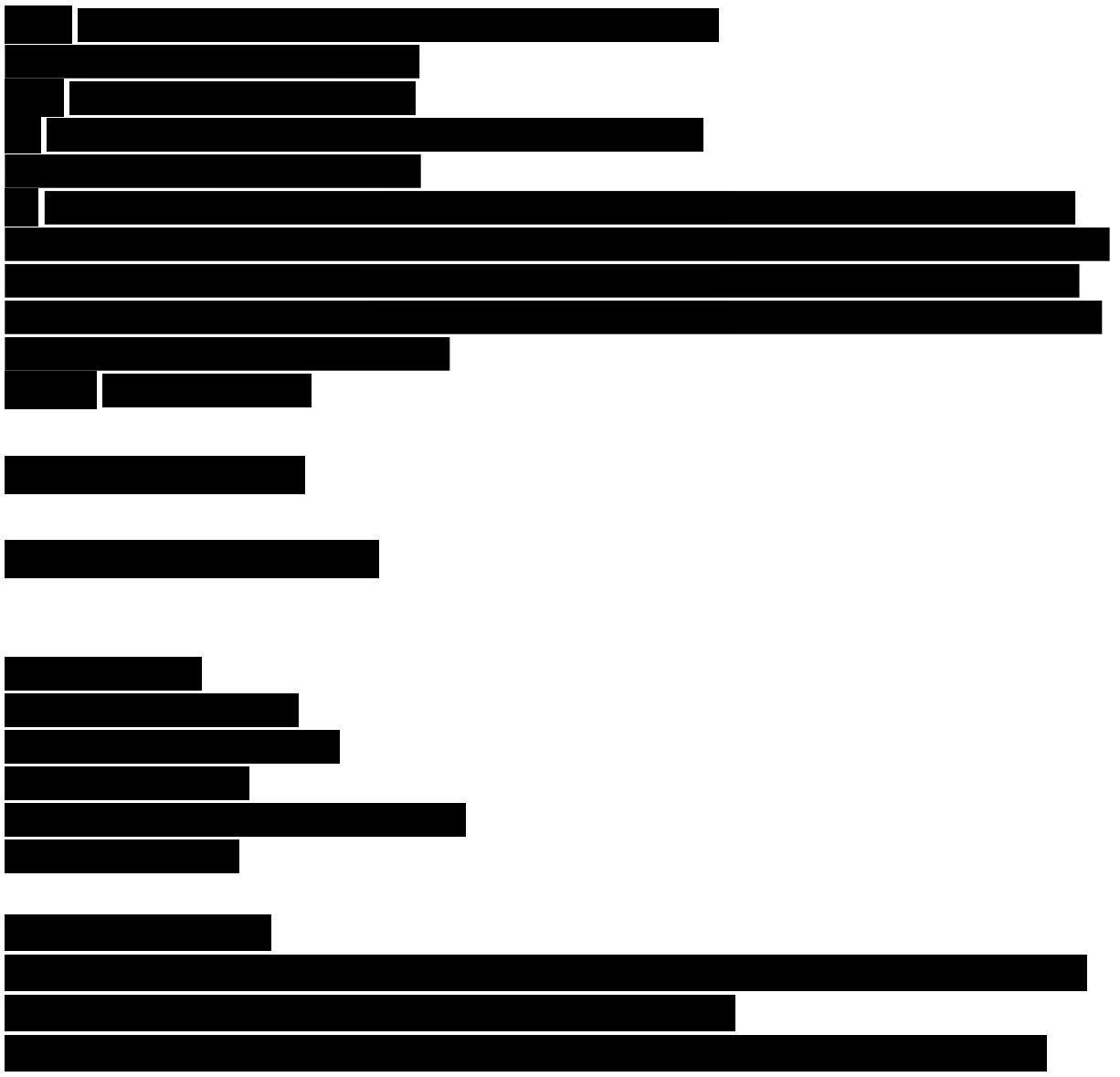
---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Wednesday, July 23, 2025 12:16 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA) <franklin.j.fejeran.mil@army.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

Now that CSSN Copeland's status has been upgraded, can he do contact visits with his attorneys?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil



**From:** Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA)
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Request for Redress CSSN Copeland
**Date:** Wednesday, August 13, 2025 12:56:20 PM

---

LCDR Morgan,

As it is not required, JWS CO does not wish to provide the additional response requested.

Very Respectfully,

Elisabeth Maddrell Hall
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
*NOTE NEW NIPR EMAIL *: elisabeth.m.hall6.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n011_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.m.hall6.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Wednesday, August 13, 2025 1:51 PM
To: Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.m.hall6.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Okay. If the CO is not refusing, will he provide us the formal response like we requested, despite whether it's required or not. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Tuesday, August 12, 2025 2:39 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Apologies, no. I meant a formal letter, in addition to the denial notification below, with justification signed by the CO is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>

Sent: Monday, August 11, 2025 3:47 PM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

For clarification, are you saying that the CO is refusing to provide us a formal response?

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Monday, August 11, 2025 3:21 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Per JAGMAN 0305(a), a formal response is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 10:43 AM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Good morning. Received. We request a formal response, signed by the CO. Additionally, in his response, we request the CO provide justification as to why he will not accommodate our request. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 8:20 AM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**OF**<br>**CINDY HOFFMEISTER**<br><br>**26 August 25** |

1. I, Mrs. Cindy Hoffmeister, serve as a Defense Paralegal for Defense Service Office Southeast and have been assigned to this case since June 2025. I have been a defense paralegal since 26 February 2023. I have accompanied defense attorneys during visits to clients located at Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake on many occasions. This includes contact and no-contact visits. There is a room at the Chesapeake Brig that is used to facilitate no-contact visits with clients. The client is placed in the room on the other side of a plexiglass wall. The defense team enters the room on the other side of the Plexiglass. The defense can see the client. However, it is difficult for the client to hear his defense attorneys. The attorney will have to talk very loud limiting privacy as there are brig employees outside of the room. Further, it is very hard for the defense team to hear the client. There are small slots next to the plexiglass. However, in order to pass a document to the client, you have to fold it in half for it to fit through the slot. There are no outlets in this room. There is no way to have the client view a video on a computer. There is no way to have the client use a computer. There is no phone in the room to have the client contact other members of the defense, experts, or anyone else.

2. On 16 June 2025, I was present during the no-contact visit at the NCBC Detachment Chesapeake, along with LCDR Amanda Serfess, LCDR Clifton Morgan and CSSN Copeland. The following is a summary of the issues regarding communication that I observed during the meeting:

a. CSSN Copeland and his defense team can only visit through a no-contact room which is a small room that can barely hold four chairs, with Plexiglass between the attorneys and the client. While speaking with the client in this room, me and the other paralegal could not hear what the client was saying. The attorneys had to put their ears to the plexiglass and/or try to read his lips. The attorneys had to repeat themselves a few times as the client could not hear them. You have to speak in a slightly louder voice to be heard on the other side of that plexiglass, risking brig employees and any others not apart of the defense team to hear the conversation.

b. This room makes it nearly impossible for the attorneys to hear the client, and in turn, hard for the client to hear his attorneys.

c. Communications from inside the no-contact room can be heard from outside the room, in the main contact visit sitting area.

Signed today, 26 August 2025.

[redacted]
CINDY HOFFMEISTER, CIV

**Enclosure (5)**

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

1 Jul 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: Commander, Navy Region Mid-Atlantic
Via: Staff Judge Advocate, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 10 June 2025 through 25 July 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

3. Taken alone, any of one of these offenses is extremely complex and several lengthy investigative steps remain. Specific to the allegation of murder, these steps include receipt and analysis of digital evidence, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, and interviews of several witnesses. NCIS and counsel for the Government are working on this case daily to further the investigation and move with reasonable diligence toward trial. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Therefore, the Government respectfully requests the time beginning on 10 June 2025 through 25 July 2025 be excluded.

4. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at lauren.a.mayo2.mil@us.navy.mil or via phone at (757) 341-4598.

[redacted]

L. A. MAYO [redacted]

Copy to:
Detailed Defense Counsel

1 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25

Encl: (1) Emails with the special trial counsel
(2) Additional emails with the special trial counsel

1. Per references (a) through (d), CSSN Copeland, through counsel, once again demands a speedy trial or immediate release from pre-trial confinement. Further, CSSN Copeland objects to any excludable delay.

2. CSSN Copeland has been held in pre-trial confinement for 23 days without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e).

4. The defense objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). There must be a required higher degree of specificity before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and the defense's access to our client has been restricted.[2]

[1] A status that at least one military judge has held is illegal pretrial punishment.

5. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel provided no evidence or documents supporting the reason for the delay. The generalized notion of the need to conduct further investigation does not amount to the specificity required under the Rules. Why does the government need until 25 July 2025? What do they expect will be completed by that date? Based on the enclosures to Commanding Officer's 48/72 hour letter for CSSN Copeland's initial review officer hearing, the Art. 120 investigation started in July 2024 – a year ago. However, according to the trial counsel's request for excludable delay there "several lengthy investigative steps" remaining. You should demand more specificity. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 23 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with any documents, or communications with NCIS, the name and contact information of all investigators, and a written response to the government's excludable delay request.

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

9. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil

[redacted]

Copy to:

CDR Mayo
CSSN Copeland
NCIS

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 2:10:03 PM

---

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia

757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM

**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Crossley, Shelley L CIV (USA)
**Subject:** RE: ICO Copeland: Defense Request for In Person Meeting in A-50
**Date:** Tuesday, June 24, 2025 9:20:58 PM

---

CDR Mayo,

Copy all and standing by.

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil

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CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 4:13 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA)

<cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>
**Subject:** ICO Copeland: Defense Request for In Person Meeting in A-50

LT Maddrell -

Forwarding defense request below.

I'll also call the brig tomorrow and see if I can help with a contact visit. The room LCDR Serfess is referring to with the glass does require folks to get closer to the glass to talk. I've dealt with it, too. It's doable, but I understand the preference to meet in a different room. I don't have any SA on what RLSO Security will require here though. So - I'll get more information on that as well. MTF.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:45 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

We need to have a confidential meeting. The brig will not allow us to have a "contact" visit. We can only meet with him in the room with the glass – where we have to yell for him to hear us (not confidential) and frankly we cannot hear him and do want him to have to yell. Building A-50 is where the rest of the defense team is so that seems like the best place. Further, it seems like the least risk of a potential member seeing him in shackles.

Please let me know if you need anything else.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:41 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Also - I don't want to presume the reason for your request - but can you pls foward me why you need to meet him in A-50? I will forward that request to the command with your requested date and cc you all.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:31 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

**DEPARTMENT OF THE NAVY**
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK, VA 23511-2737

5810
Ser N00J/412
9 July 25

From: Commander, Navy Region Mid-Atlantic
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: RESPONSE TO GOVERNMENT'S REQUEST FOR EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Your ltr dated 01 Jul 25
(b) LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel ltr of 1 Jul 25

1. Pursuant to Rules of Courts-Martial 707, the Government's request for excludable delay, reference (a), from 10 June 2025 to 25 July 2025 is hereby approved. In response to that request, I received reference (b), Defense Counsel's objection to the Government's request.

2. In weighing the Government's request against Defense's objection, I have determined that the Government's request is reasonable in both length and rational based on the Government's stated basis.

3. My point of contact for this matter is Staff Judge Advocate, CDR Beasley-Ledet, JAGC, USN (757) 322-2936, or via email at ronisha.t.beasleyledet.mil@us.navy.mil.

[redacted]
C. A. LAHTI

Copy to:
Detailed Defense Counsel
File

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]
C. E. MORGAN III

08 Aug 25

From: LT Patricia Cannaday, JAGC, USN, Trial Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 25 July 2025 through 15 August 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. On 1 July 2025, the Government requested excludable delay from 10 June 2025 through 25 July 2025. This request was granted 9 July 2025.

3. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

4. Although NCIS and the Government have exercised all expedience in this case, several lengthy investigative steps remain. First, as to the allegation of murder, outstanding steps include receipt of the final reports of investigation, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, a finalized toxicology report, and interviews of several witnesses. The Government is also waiting on returns from various providers relating to UCMJ Article 30a matters, and it is unclear when those results will be in the Government's possession. Second, regarding the sexual assault allegations, NCIS recently acquired information concerning pre-service incidents and a fifth post-service allegation, which may provide evidence regarding the current charges, or could constitute further charges. NCIS requires time to pursue these leads by interviewing witnesses, gathering court documents, and reviewing digital evidence.

5. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Accordingly, the Government respectfully requests the time beginning on 25 July 2025 through 15 August 2025 be excluded.

6. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at patricia.t.cannaday.mil@us.navy.mil or via phone at (757) 341-4509.

[redacted]

P. T. CANNADAY

Copy to: Detailed defense counsel

11 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO SECOND EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25
(f) Defense objection to excludable delay of 1 Jul 25 w/ encls
(g) Your ltr 5810 Ser N00J/421 of 9 Jul 25
(h) Second Request for excludable delay of 8 Aug 25

Encl: (1) Request for Redress to meet with counsel of 29 Jul 25
(2) Email from USS JAMES E WILLIAMS of 7 Aug 25
(3) Demand for speedy trial of 16 Jun 25
(4) Demand for speedy trial of 25 Jul 25
(5) Request for Discovery of 30 Jul 25

1. Per references (a) through (d), CSSN Copeland, through counsel, objects to any excludable delay and demands a speedy trial or immediate release from pre-trial confinement.

2. CSSN Copeland has been held in pre-trial confinement for 62 days – over two months – without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, despite the defense submitting a formal request to the trial counsel for discovery. Therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1) of reference (f).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e). That same day, the defense objected to that request as many of the alleged offenses occurred over year ago and the government failed to state with any specificity why excludable delay was necessary in a case where the accused remains in the most restrictive confinement without proper access to counsel. On 9 July 2025, you granted the government request for excludable delay until 25 July 2025. On 25 July 2025, CSSN Copeland again demanded a speedy trial. The Office of Special Trial Counsel neither acknowledged or responded to this request. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for professional responsibility because the

[1] A status that at least one military judge has held is illegal pretrial punishment.

defense requires and is entitled to fairness and equal access to discovery. Further, discovery would reduce the risk of prejudicial speedy trial issues if charges are ever preferred in this case. The trial counsel neither acknowledged or responded to this request. Instead, on 8 August 2025, the trial counsel once again requested excludable delay.

4. On 29 July 2025, the defense once again requested to meet with CSSN Copeland for an in-person private meeting. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request providing no reasoning.

5. The defense again objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). A higher degree of specificity is required before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and CSSN Copeland's access to defense counsel has been restricted.

6. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel once again provided no evidence or documents supporting the vague reason for the delay. The generalized notion of the need to "conduct further investigation" does not amount to the specificity required under the Rules. Why does the government require excludable delay until 15 August 2025? What specific actions do they expect to be completed by that date? What has trial counsel and NCIS done between 25 July 2025 and 8 August 2025 to take immediate steps to bring this case to trial? Why are there witnesses who have not been interviewed? The military has no jurisdiction over pre-service misconduct. CSSN Copeland should not linger in maximum confinement while law enforcement investigates civilian charges. You must demand more specificity; you must demand charges. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require

more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 62 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with the requested discovery and a written response to the government's excludable delay request.

9. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil

A. M. SERFESS

Copy to:

CDR Mayo
CSSN Copeland

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]

C. E. MORGAN III

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA) |
| **Cc:** | Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Subject:** | RE: Charge Sheet ICO CSSN Copeland |
| **Date:** | Saturday, August 23, 2025 1:15:00 PM |

CDR Mayo,

Additionally, we will need the command's assistance getting CSSN Copeland in the proper uniform for the Article 32.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:14 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** RE: Charge Sheet ICO CSSN Copeland

CDR Mayo,

We have our Art. 6 inspection from 8-19 – but no one is coming to Pensacola so I could really be anywhere for that. Right now, I will be in Jacksonville from 24 Sept – 3 October. So really I could make anything before that work. The week of the 15th being my preference. (But, let me talk to Clifton).

We would like to meet with our client before the Art. 32. We'd request to schedule the hearing in the afternoon so that we can meet with him in the morning. (NCIS can meet with him in person, but we cannot….).

Please let us know what you need from us.

V/r
Amanda Serfess
LCDR, JAGC, USN

Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

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**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Friday, August 22, 2025 3:09 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** Re: Charge Sheet ICO CSSN Copeland

LCDR Serfess,

Attached is the preferred charge sheet.

We are looking at mid-September. What does your schedule look like around that time?

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:41 PM

**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** Charge Sheet ICO CSSN Copeland

CDR Mayo/LT Dempsey,

I understand there are preferred charges in the CSSN Copeland case. Can you please send LCDR Morgan and I a copy of the charge sheet?

When are you thinking of doing the Article 32 hearing?

V/r

Amanda Serfess

LCDR, JAGC, USN

Officer in Charge

Defense Service Office Southeast

Detachment Pensacola, Florida

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**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

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| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION FOR APPROPRIATE RELIEF**<br><br>**(REVIEW OF PRETRIAL CONFINEMENT AND ORDER GOVERNMENT TO REFRAIN FROM INTERFERING IN CSSN COPELAND'S ATTORNEY CLIENT RELATIONSHIP AND PREPARATION WHILE HE IS IN PRE-TRIAL CONFINEMENT)**<br><br>**26 Aug 2025** |

## MOTION

Pursuant to Article 30a and Rule for Courts-Martial (R.C.M.) 309(b)(6), the defense moves this Court to order the government to permit the defense to meet with CSSN Copeland, in private, in order to prepare for trial – including the Article 32 preliminary hearing – or order the release of CSSN Jermiah Copeland from pretrial confinement.

## SUMMARY

On 9 June 2025, CSSN Copeland was ordered into pretrial confinement. On 16 June 2025, a 7-day reviewing officer held a hearing and approved continued confinement. That same day, the defense began requesting to confer privately with CSSN Copeland. The trial counsel, the brig, and CSSN Copeland's commanding officer denied those requests. Pursuant to Article 30a and R.C.M. 309, this Court can review the pretrial confinement of an accused prior to referral. The defense requests that this Court review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room to have confidential meetings in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or at another location in Hampton Roads, Virginia. Alternatively, this Court should order the release of CSSN Copeland from pretrial confinement.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 9 June 2025, CSSN Copeland was ordered into confinement. (Enclosure (1): Confinement Order of 9 Jun 25).

2. CSSN Copeland is confined at the Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a maximum status prisoner. This means, he is in his cell alone for at least 22 hours per day. At least one military judge has ruled that this type of confinement is illegal pretrial punishment. (Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25).

3. On 16 June 2025, an Initial Review Officer (IRO) hearing was held at the NCBC, where the defense team met with CSSN Copeland for the first time. That same day, a 7-day reviewing officer approved continued confinement. (Enclosure (3): IRO Memo of 17 Jun 25).

4. Based on CSSN Copeland's status, his defense team cannot have a contact visit with him at the brig. The brig will only allow the defense team to meet with him behind glass. This room makes it difficult, if not impossible, for the attorneys to hear our client and makes it difficult for CSSN Copeland to hear his attorneys. Additionally, communications from outside this room can be heard while inside, which means communications within the room can also be heard. Further, there is no means to review discovery with CSSN Copeland in this room as there are only tiny slots to pass a few sheets of folder paper and no way for CSSN Copeland to review a video or electronic evidence. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 16; Enclosure (5): Mrs. Hoffmeister Affidavit).

5. On 16 June 2025, the defense demanded a speedy trial and requested that CSSN Copeland be brought to building A-50 to meet with his defense counsel. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 10; Enclosure (6): Demand for Speedy Trial of 16 Jun 25).

6. On 24 June 2025, after the defense followed up on our initial request, the trial counsel responded to inquire as to why the defense wanted to meet with our client in-person. The defense responded and explained. The same day, the Staff Judge Advocate for the USS JAMES E. WILLIAM's ISIC stated that the command was standing by to assist. However, on 30 June 2025, the trial counsel stated that "the government would not be able to support…." The defense asked the trial counsel for justification as to why the government would not support our request. However, the trial counsel never responded. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 4-6).

7. Despite the trial counsel not responding to the defense's request for justification, on 1 July 2025, the trial counsel submitted a request for excludable delay from 10 June 2025 to 25 July 2025. (Enclosure (7): Excludable Delay Request of 1 Jul 25). That same day, the defense objected to that request. (Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25).

8. On 9 July 2025, the convening authority granted the government request for excludable delay until 25 July 2025. (Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25).

9. On 25 July 2025, CSSN Copeland again demanded a speedy trial. (Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25). The Office of Special Trial Counsel neither acknowledged nor responded to this request.

10. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for Professional Responsibility because the defense requires and is entitled to fairness and equal access to discovery. Further, the defense explained that discovery would reduce the risk of prejudicial speedy trial issues if charges were ever preferred in this case. The trial counsel neither acknowledged nor responded to this request. (Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25).

11. Instead, on 8 August 2025, the trial counsel once again requested excludable delay. (Enclosure (12): Second Excludable Delay Request of 8 Aug 25).

12. On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 13).

13. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request and later refused to provide any reasoning. (*Id.* at 21).

14. On 11 August 2025, the defense objected to the second request for excludable delay. (Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25). As of this filing, the convening authority has not responded to the trial counsel's request.

15. On 13 August 2025, CSSN Copeland filed a complaint pursuant to Article 138, UCMJ. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25).

16. As of this filing, no response has been issued to CSSN Copeland.

17. On 21 August 2025, NCIS was permitted to meet with CSSN Copeland at the brig and have a contact visit. The special agents were allowed to be in a room with CSSN Copeland. Touch him and take a buccal swap, get his fingerprints, and take his photograph. (Proffered testimony from SA Fritzer Philemon).

18. On 22 August 2025, the government preferred charges in this case. On that same day, the defense reached out about scheduling the Article 32 hearing and meeting with our client in preparation for the hearing. (Enclosure (14): Emails with the trial counsel of 22 Aug 25).

19. As of this filing, the defense has not been able to coordinate a means to have a private in-person meeting with CSSN Copeland.

## LAW

20. "In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense."[1] Necessarily included in the Sixth Amendment right to counsel is the right of an accused to *confer privately* with his attorney.[2]

21. The accused has the right to be represented by counsel during an investigation under Article 32, UCMJ, and before a general or special court-martial.[3] In the military justice system, the right to counsel includes the right to counsel detailed under Article 27, UCMJ. The right to the services of detailed counsel "is substantial, and extends to both the pretrial and the trial proceedings."[4]

22. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel…. [A defendant] is unfamiliar with the rules of evidence…. He lacks both the skill and knowledge adequately to prepare his defense, even though he [may] have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him."[5] Courts have concluded that an order preventing a defendant from consulting his attorney even during an overnight recess infringes upon this substantial right.[6]

23. "A concomitant right is the right to confidential communications between the attorney and client."[7] M.R.E. 502(a) requires confidential communications "for the purpose of facilitating the rendition of professional legal services to the client."

24. Article 30a of the UCMJ states that "the President shall prescribe regulations for matters relating to proceedings conducted before referral of charges and specifications to court-martial for trial, including the following: … Pre-trial confinement of an accused…."

25. Article 30a was revised to include review of the pretrial confinement of the accused under a provision called "Expansion of pre-referral matters reviewable by military judges and military magistrates in the interest of efficiency in military justice."[8]

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[1] U.S. CONST. amend. VI.
[2] *United States v. Brooks*, 66 M.J. 221, 223 (C.A.A.F. 2008) (citing *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996); *Geders v. United States*, 425 U.S. 80, 88-91 (1976)) (emphasis added).
[3] Article 38(b)(1), UCMJ. *See* U.S. CONST. amend. VI; *United States v. Davis*, 60 M.J. 469, 473 (2005).
[4] *United States v. Tellier*, 13 C.M.A. 323, 327 (1962); s*ee United States v. Eason*, 21 C.M.A. 335, 337-39 (1972).
[5] *Geders v. United States*, 425 U.S. 80, 88-89 (1976) (quoting *Powell* v. *Alabama,* 287 U.S. 45, 68-69 (1932); *see also Argersinger* v. *Hamlin,* 407 U.S. 25, 31- 36 (1972); *Gideon* v. *Wainwright,* 372 U.S. 335, 343-345 (1963).
[6] *Id.* (referencing *United States* v. *Venuto,* 182 F. 2d 519 (CA3 1950); *People* v. *Noble,* 42 Ill. 2d 425 (1969); *Commonwealth* v. *Werner,* 206 Pa. Super. 498 (1965)).
[7] *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996) (citing Mil. R. Evid. 502).
[8] National Defense Authorization Act For Fiscal Year 2020, Subtitle D – Military Justice (available at https://www.govinfo.gov/content/pkg/PLAW-116publ92/html/PLAW-116publ92.htm).

26. "A military judge detailed under regulations of the Secretary concerned may conduct proceedings under Article 30a, before referral of charges and specifications to court-martial for trial, and may issue such rulings and orders as necessary to further the purpose of the proceedings. A military judge may issue such orders and rulings only when the matters would be subject to consideration by a military judge in a general or special court-martial."[9]

27. After action by the 7-day reviewing officer under R.C.M. 305(j)(2)(C), a military judge may, upon application of an accused for appropriate relief, *review the propriety of pretrial confinement*.[10]

28. "Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of offenses."[11] It is "not punishment and shall not be used as such."[12] Moreover, "[a] person should not be confined as a mere matter of convenience or expedience."[13] In fact, "[p]retrial confinement inevitably makes defense of a case more difficult," so "unless there is a need for it, pretrial confinement should be avoided."[14]

29. An accused is presumed innocent until proved guilty, and, therefore, punishment for an alleged offense is prohibited before trial.[15]

30. The Department of the Navy Corrections Manual (SECNAV M-1640.1 of May 2019) permits military judges to make exceptions to brig policies. This includes allowing a confinee in any status (including "MAX" and "MDI") to meet without escorts or restraints.[16]

## ARGUMENT

31. **This Court has the authority to detail a military judge to this proceeding to review the pretrial confinement of the accused.** R.C.M. 309 states that a military judge may conduct proceedings pursuant to Article 30a, before referral of charges. R.C.M. 309(a)(6) states that after action by a 7-day reviewing officer, a military judge may review the propriety of pretrial confinement. Propriety means "the quality or state of being proper or suitable."[17] Here, there was action by the 7-day reviewing officer. Therefore, this court may review the quality of CSSN Copeland's confinement and issue remedies "as necessary to further the purpose of the proceedings."[18]

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[9] R.C.M. 309(a)(1).
[10] R.C.M. 309(a)(6).
[11] R.C.M. 304(a)(4).
[12] R.C.M. 304(f).
[13] R.C.M. 305(i)(B), Discussion.
[14] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[15] E*.g.,* 10 U.S.C. § 813.
[16] Department of the Navy Corrections Manual at 4-6, 4-7.
[17] MERRIAM-WEBSTER'S DICTIONARY (available at https://www.merriam-webster.com/dictionary/propriety).
[18] R.C.M. 309(a)(1).

32. Further, it is clear that the expansion of Article 30(a) to ruling on matters relating to the pretrial confinement of the accused was intended to increase "efficiency in military justice." That is evident from the title of the section of the NDAA that included the expansion. Ordering the government to stop interfering with CSSN Copeland's rights to counsel at the prereferral stage will increase efficiency and prevent speedy trial issues and other litigation in the future. This Court should hear this application pursuant to Article 30a, as it is a proper review of the propriety of CSSN Copeland's pretrial confinement.

33. **A review of CSSN Copeland's pretrial confinement demonstrates that his pretrial status is interfering with his rights to counsel.** CSSN Copeland has the right to counsel, included in that right is the right to meet and confer privately with counsel. CSSN Copeland has been unable to confer privately with his attorneys despite numerous requests.

34. The defense and CSSN Copeland have repeatedly requested to be able to meet in-person privately and have a confidential meeting. The brig will only permit the defense a "no-contact" visit. This occurs in a room where defense counsel would have to shout and CSSN Copeland would have to shout back through a Plexiglass window. This is unacceptable considering conversations from outside the door can be heard within the room. That is neither private nor in-person. Even according to the Navy's correctional manual "MAX" and "MDI" prisoners must be escorted at all times; however, a military judge may order exceptions.[19] Additionally, CSSN Copeland's command could escort him to another secure location outside of the brig to allow him to meet with counsel. However, the government continues to deny the defense's reasonable requests to facilitate a private, confidential meeting with our client. Further, despite these restrictions put in place to keep CSSN Copeland from meeting with his counsel, NCIS has been permitted to be in the same room with him and have contact visits. Finally, no brig policy or instruction can interfere with CSSN Copeland's rights to counsel – or his right to confer privately with his attorneys.

35. While the phone does allow communication with the client that the defense presumes are confidential, it is not sufficient to prepare for trial or pretrial hearings, now or on a consistent basis. For instance, the defense cannot review discovery with the client over the phone. Further, if CSSN Copeland desires to testify in his own defense, whether at the preliminary hearing, an Article 39(a), or at trial, his defense counsel could not properly prepare him for that decision or the hearing over the phone.

36. This Court must review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room for a confidential meeting in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or another location in Hampton Roads, Virginia.

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[19] Department of the Navy Corrections Manual, SECNAV M-1640.1 of 15 May 19 at 4-6, 4-7.

## RELIEF REQUESTED

Pursuant to Article 30a and R.C.M. 309(b)(6), the defense moves this Court to order the government to permit the defense to privately meet with CSSN Copeland in-person in order to prepare for trial, including the Article 32 preliminary hearing, or order the release of CSSN Jermiah Copeland from pretrial confinement. If the government cannot facilitate CSSN Copeland's right to confer with counsel while he is in pretrial confinement, this Court should order CSSN Copeland's release.

## EVIDENCE & HEARING

37. The defense requests the production of SA Fritzer Philemon for in person or telephonic testimony at the Article 30a hearing.

38. The defense offers the following enclosures as evidence in support of this Motion:

a. Enclosure (1): Confinement Order of 9 Jun 25
b. Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25
c. Enclosure (3): IRO Memo of 17 Jun 25
d. Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls
e. Enclosure (5): Mrs. Hoffmeister Affidavit
f. Enclosure (6): Demand for speedy trial of 16 Jun 25
g. Enclosure (7): Excludable Delay Request of 1 Jul 25
h. Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25
i. Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25
j. Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25
k. Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25
l. Enclosure (12): Second Excludable Delay request of 8 Aug 25
m. Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25
n. Enclosure (14): Emails with the trial counsel of 22 Aug 25

39. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter. The defense is available for an Article 39(a) motions hearing on the following dates: 8-19 September 2025.

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 August 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

A. M. SERFESS
LCDR, JAGC, USN
Detailed Defense Counsel

**DEPARTMENT OF THE NAVY**
**NAVY MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JEREMIAH COPELAND**<br>**CSSN/ E-3**<br>**USN** | **R.C.M. 701(a) DISCLOSURE** |

On 2 September 2025, CDR Lauren Mayo and LT Christopher Dempsey, JAGC, USN, interviewed CDR Brian Flanagan, USN, in the presence of Ms. Sharell Welch, RSC(AW) Amanda Cole, USN and LN1 Kathleen Vanetti, USN at RLSO MIDLANT. The following is a summary of the interaction and is not intended to be verbatim:

CDR Flanagan explained that CSSN COPELAND is currently in a maximum security confinement status (MAX), with some special conditions. As such, COPELAND is permitted to be out of his cell for three hours a day; one hour to clean the p-way and showers, one hour for personal time, and one hour for recreation. The hour to clean is a recent addition and is considered a "step down" from his full MAX status and is permitted without supervision. This began on 11 August 2025. Prior to 11 August, he spent 22 hours a day in his cell.

While in MAX, he is allowed phone calls and visitation by his defense counsel in a no-contact booth in addition to the three hours he is normally allowed out of his cell. The no-contact room is private, has plexi-glass with slots to allow the parties to pass documents between client and attorney, allows for videos to be seen by the client, and can have white noise machines placed outside of the room to further ensure conversations cannot be overheard by anyone outside of the attorney-client privilege relationship. Any phone call requests made by the defense attorney during business hours (between 0730 and 1530) will be accommodated, even if the requested call time is outside of business hours.

In accordance with the Chesapeake Brig Standard Operating Procedures (SOP) and the SECNAVMAN-1640.1, contact visits between COPELAND and defense counsel would not be permitted while he is in a MAX status. Every 30 days, COPELAND may participate in a C&A Board that evaluates his security risk as a prisoner, and makes recommendations to the OIC, CDR Flanagan, as to any changes to COPELAND's security status. COPELAND has participated in the last two C&A Boards, and was informed that he has the right to appeal the determination of the C&A Board. COPELAND has not appealed any of the determinations of the C&A Board (which have kept him in a MAX status).

CDR Flanagan reported that there have not been any behavioral issues with COPELAND and

that he has attended at least one class while at the Brig. In addition to his behavior at the brig, the C&A Board must consider factors such as the prisoners' civilian and military record, the seriousness of the offenses alleged, and the potential length of confinement awarded if found guilty in calculating a certain amount of points. Once a certain point threshold is met, the classification status can change. CDR Flanagan can override the decision of the C&A Board under limited circumstances. CDR Flanagan did not foreclose the opportunity that COPELAND may be able to leave MAX at some point based on consideration of these factors even with the charges he is facing. However, he acknowledge reclassification is unlikely. He explained that the opportunity for an hour to clean the p-way and his shower was a recent step down to allow COPELAND an opportunity to prove his good behavior. A recommendation from the trial counsel would not influence the brig's decision on classification.

CDR Flanagan expressed a separate concern that the general population of the Chesapeake Brig has been exposed to the local news and he has some concern for COPELAND's safety if COPELAND were to be moved to general population based on the news coverage his case has attracted.

To date, Defense Counsel has not requested to use a white noise machine during visits with COPELAND at the brig. The email sent by Defense Counsel that asked about having COPELAND attend a meeting at the Defense Service Office was responded to with a logistical explanation of such a movement, as well as what accommodations were available within the Brig for a meeting that ensured attorney-client privilege. If the command decided that such a meeting was appropriate, the Brig would not be able to prevent the command from taking COPELAND to meet with his counsel at a separate location.

/s/
K. E. Vanetti
LN1, USN, Trial Paralegal

# Chapter 4: Control, Security, and Emergencies

## Section 1. Prisoner Accountability System

### 4101. Master Control Center Function

1. The control center is the focal point for all military correctional facility (MCF) security and control operations. The control center must be utilized for 24-hour continuously staffed monitoring and coordinating of the MCF's security, life, safety, and communications systems. It is here that all prisoner movements are directed, controlled, and accounted for; that all active keys are controlled and accounted for; where the entry and exit of all prisoners, staff, and visitors are controlled; and where emergency equipment may be stored. Main communications terminals, both regular and emergency, are located in the control center. Outside telephone switchboards will not be operated from the control center during normal daytime working hours. Master count records and the brig log are maintained in the control center and the reports of daily counts are prepared and verified there.

2. The control center must be manned and its security integrity maintained at all times. Access to the control center will be limited to only authorized personnel designated in writing by the brig officer. Prisoners must not be allowed access to the control center under any circumstances.

### 4102. Control Center Accountability Systems

1. Certain basic information must be maintained and controlled to ensure adequate accountability of prisoners at all times. Accountability systems will be controlled and maintained in the control center. The extent of these systems will be tailored to meet local needs. Many required accountability forms and reports, required per reference (z) and this manual, can be generated and accessed by utilizing the Correctional Management Information System (CORMIS) or its electronic equivalent.

2. Accountability System Elements

a. DD 2707 Confinement Order. A copy of the confinement order will be delivered to the control center by the Receiving and Release (R&R) supervisor immediately upon receipt of a new

prisoner. The control center supervisor will make necessary adjustments to count records and the brig log.

b. Prisoner Identification Badge. Four prisoner identification badges will be created by R&R upon arrival of a new prisoner. A badge is given to the prisoner. A badge is forwarded to the supervisor responsible for records management for inclusion in the prisoner's individual confinement record. A badge is forwarded to the control center for inclusion in the control center's master file. A badge is forwarded to the prisoner's quarters supervisor. The control center will maintain their copies of prisoner identification badges in alphabetical order and in a readily visible file in the control center. New badges will be added only when new prisoners are received and those on file will be removed from the master file only upon receipt of an updated prisoner badge or an executed DD 2718 Prisoner Release Order. Removed badges will be forwarded to the supervisor responsible for records management.

c. Quarters Assignment Record. This record will follow the living quarters configuration of the MCF and show where each prisoner is specifically assigned (rack or cell). This billeting information will also be maintained in CORMIS or its electronic equivalent.

d. Work Assignment Record. This record is established to accommodate local work assignments for quick verification of work detail and location of the prisoner. Work assignment information will also be maintained in CORMIS or its electronic equivalent.

e. Out-Count Record. Format may be a wall chart or a log that, at a minimum, has the prisoner's name, status, custody, destination, and departure time.

f. Daily Change Sheet (DCS). Initiated by the classification and adjustment (C&A) board, a listing of all authorized changes of status, custody, program, billeting, and work assignments must be prepared each workday. The DCS must be authenticated by the brig officer's signature and distributed to applicable posts. All housing moves, except emergencies, must be accomplished in conjunction with the DCS.

g. Daily Appointment Sheet. A daily appointment sheet will be prepared listing all authorized prisoner appointments for the following workday (e.g.; medical appointments, legal appointments, etc.) and distributed to all applicable posts. The daily appointment sheet will list prisoner name, date and time of the appointment, appointment location, and any other relevant information (e.g.; escorts' names for outside agency escorts, uniform, fasting required for medical). This may be generated by CORMIS or its electronic equivalent from data previously entered.

h. DD 2718 Prisoner Release Order. A copy of an executed release order will be delivered to the control center for verification, log entries, and updating the count log.

i. Brig Log. The brig log is the permanent record of daily and historical events and other significant events of the operation of the MCF. It will be maintained in the control center and reviewed and countersigned by the command duty officer (CDO) or duty brig supervisor (DBS) at the conclusion of each shift. An accurate running count must be included in this log. Refer to section 8104 of this manual for other pertinent information to be logged in the brig log. Where authorized by Bureau of Naval Personnel Corrections and Programs Office (BUPERS-00D) and Deputy Commandant of the Marine Corps (Plans, Policies, and Operations (DC PPO)), an electronic brig log may be maintained.

## 4103. Counts

1. A minimum of three formal scheduled prisoner counts must be made daily (reveille, end of workday, and taps). More frequent and informal counts may be required depending on prisoner population and physical characteristics of the MCF; however, the frequency of counts will not unduly interfere with normal workday activity. In addition to scheduled counts, work supervisors and quarters supervisors shall be required to make irregular but frequent checks of all prisoners under their supervision, the frequency of checks shall not exceed one hour. There must be periodic bed checks of all prisoners during the night; however, prisoners must not be awakened for this purpose and silent counts will be used. Routine formal counts will be scheduled at times that will not interfere with work, training, sleep, or recreation schedules. Results and times of all counts

(i.e.; scheduled, unscheduled, or others directed by local policy) must be entered into the brig log.

2. Brig officers will develop, publish, and train staff to conduct count.

3. Under no circumstances will prisoners assist staff with count.

4. Unscheduled counts may be conducted whenever deemed necessary.

5. The control center will verify prisoner accountability, by telephone, the presence of all overnight temporary absences during regularly scheduled counts.

4104. Prisoner Movement

1. Activities and movements of prisoners must be controlled, orderly, punctual, and well supervised.

2. Prisoner passes or electronic prisoner tracking systems (e.g., biometrics) will be used in MCFs to control unescorted prisoner movements (exceptions may be made for installation custody prisoners). Either system will be used for instances which require prisoners to leave their regular details. Strict control of either system must be maintained. All staff and prisoners must be instructed in the operation of the MCF prisoner movement system and procedures.

3. In lieu of an Armed Forces identification card, installation custody prisoners will carry a DD 512 Installation Custody Agreement describing their status and limits of movement when outside of the security perimeter of the MCF.

4105. Sally Port Operations

1. A sally port is basic to the secure operation of any MCF. Used properly, it affords security and control over entry to and exit from the MCF.

2. The following procedures must be followed in sally port operations:

a. Provisions will be made to prevent two doors or gates from being inadvertently opened at the same time;

b. If sally port doors or gates are electrically operated, the controls will be located inside the control center or within a secure post that has an unobstructed view of the sally port; and

c. If the sally port is used primarily for vehicles, it must be constructed so the largest vehicle entering can be contained inside with both gates closed. Ensure that any prisoners accompanying a vehicle have been properly logged out of the MCF by the control center supervisor. All vehicles entering and exiting a sally port must be searched for contraband and prisoner escape attempts.

## Section 2. Prisoner Custody Classification

### 4201. Purpose and Definitions

1. Purpose. Custody classifications establish the degree of supervision and restraint needed for control of individual prisoners. Custody classification allows for and supports graduated release through a systematic decrease in supervision and a corresponding increase in prisoner responsibility as part of the classification program. Custody classifications provide guidance for supervision of prisoners and permit establishment of security measures consistent with requirements of the individual. Where there is fair and impartial treatment, prisoners generally present no serious disciplinary problems. There are some prisoners, however, who can be uncooperative or aggressive. Efforts must be made to identify all special cases and control measures instituted to ensure the safe and orderly administration of the MCF. An objective-based custody classification process that addresses the characteristics of the prisoners must be used per reference (z) and this manual. CORMIS, which incorporates the objective-based classification process, or CORMIS' electronic equivalent, will be employed.

2. Classification Definitions. Every prisoner must be assigned one of the following custody classifications:

a. Maximum Custody (MAX). Prisoners requiring special custodial supervision because of the high probability of escape

or are potentially violent or dangerous, and whose escape would cause concern of a threat to life, property, or national security. Ordinarily, only a small percentage of prisoners will be classified as MAX.

(1) Supervision. When inside their cell, observation checks by MCF staff will be at irregular intervals not to exceed 15 minutes. DD 509 Inspection Record of Prisoner in Segregation must be posted outside the cell door and appropriate entries made at least every 15 minutes. Two or more staff members must be present when MAX prisoners are out of their cell or the cell door is opened, and supervision must be immediate (e.g., near at hand or close proximity) and continuous (e.g., without loss or interval of time) unless physical plant design negates this requirement. Camera cells may be utilized for constant observation but do not replace the requirement for staff to physically view the prisoner in the prisoner's cell.

(2) Work. MAX prisoners will not be assigned to work details outside of their cell.

(3) Quarters. MAX prisoners must be assigned to the restricted housing unit (RHU).

(4) Restraints and Escorts

(a) MAX prisoners must wear hand-irons when outside of their cells in the RHU, unless the facility's design supports security and control, negating this requirement.

(b) Max prisoners must wear full restraints (hand irons, transport belt, and leg irons) and be escorted by a minimum of two escorts at all times when outside the RHU area. Exceptions may only be made for exigent circumstances (fire or safety) or on a case-by-case basis (court appearance or military judge ordered). The brig officer or designee will be notified of any request to remove restraints.

b. Medium Custody In (MDI). Prisoners who present security risks not warranting MAX.

(1) Supervision. Direct supervision within the security perimeter, and immediate and continuous when outside the security perimeter.

(2) Work. MDI prisoners must not be assigned to work details outside the security perimeter.

(3) Quarters. MDI prisoners will normally be assigned to general population housing where direct supervision is required.

(4) Restraints and Escorts

(a) MDI prisoners will not normally wear restraints inside the security perimeter. Any MDI prisoner required to wear restraints inside the security perimeter will be assigned to the RHU.

(b) MDI prisoners must wear hand irons and a transport belt at a minimum when outside the security perimeter unless the brig officer or designee directs otherwise. Escorts will carry leg irons.

(c) MDI prisoners must be escorted by at least two escorts at all times outside the security perimeter. When transporting multiple MDI prisoners, the brig officer or designee may direct only one escort be required for each additional MDI prisoner. Exceptions may only be made for exigent circumstances (fire or safety) or on a case-by-case basis (court appearance or military judge ordered). The brig officer or designee (senior security personnel) will be notified of any request to remove restraints.

c. Medium Custody Out (MDO). Prisoners who present security risks not warranting MDI.

(1) Supervision. Direct supervision within the security perimeter, and immediate and continuous when outside the security perimeter.

(2) Work. MDO prisoners may be assigned to work details inside or outside the security perimeter.

(3) Quarters. MDO prisoners will normally be assigned to general population housing where direct supervision is required.

(4) Restraints and Escorts

(a) MDO prisoners are not required to wear restraints while inside or outside the security perimeter. Escorts will carry hand irons when escorting MDO prisoners outside of the security perimeter.

(b) MDO prisoners require at least one escort when outside the security perimeter. Working party and other escort ratios will be determined by the brig officer or designee when escorted by MCF staff. Escort ratios for command escorts must be no less than one escort per five MDO prisoners.

d. Minimum Custody (MIN). Prisoners who present security risks not warranting higher classifications.

(1) Supervision. Will be occasional (periodic, situational dependent, and accountable as necessary by supervisory staff) within the security perimeter or outside the security perimeter.

(2) Work. MIN prisoners are normally assigned work outside the security perimeter.

(3) Quarters. MIN prisoners will normally be assigned to general population housing.

(4) Restraints and Escorts

(a) MIN prisoners are not required to wear restraints while inside or outside the security perimeter. Escorts will carry hand irons when escorting MIN prisoners outside of the security perimeter.

(b) MIN prisoners will require at least one escort when outside the security perimeter. Working party and other escort ratios will be determined by the brig officer or designee when escorted by MCF staff. Escort ratios for command escorts must be no less than 1 escort per 10 MIN prisoners.

e. Installation Custody (IC). Prisoners who present minimal security risks not warranting higher classifications.

(1) Supervision. Require only limited supervision. They may work and move about much the same as individuals in normal duty status.

(2) Work. IC prisoners are normally assigned work outside the security perimeter.

(3) Quarters. IC prisoners normally will be assigned to general population housing but may be housed outside the security perimeter.

(4) Restraints and Escorts

(a) IC prisoners are not required to wear restraints while inside or outside the security perimeter.

(b) IC prisoners normally will not require escorts when outside the security perimeter.

(5) Selection Criteria for IC

(a) Have completed at least one half of the confinement adjudged or the convening authority has taken action, whichever occurs first.

(b) Not more than 12 months from adjusted minimum release date or approved supervised release date.

(c) Consideration must be taken into account as to the nature of offense and applicable Federal, State, and local laws concerning unsupervised release for work and recreation into local geographical areas (especially those areas with schools, daycare centers, housing, etc.).

(d) Have not been removed previously from this custody for cause.

(e) IC prisoners must sign DD 512 Installation Custody Agreement and carry it with them at all times when outside the MCF's security perimeter. A locally prepared agreement listing the limitations on movement outside the MCF must be agreed to, signed by IC prisoners, and countersigned by the MCF commanding officer (CO). The DD 512 will be turned in and checked out from the R&R supervisor as required.

Assignments will depend on the ability to handle responsibility and, whenever possible, be commensurate to the prisoner's previous training, skill, needs of the Service, and potential training value to the prisoner.

(6) Additional Privileges. Additional privileges such as attending the installation theater, library, sports events or similar activities, and messing sequence may be authorized by the MCF CO.

4202. Classification Criteria

1. Custody classification will be based on the amount of supervision and restraint each prisoner requires.

2. All new prisoners, except those specifically deemed serious management problems, must be assigned an MDI custody classification during the reception phase. Pretrial prisoners must not be assigned any custody classification except MDI or MAX.

3. Ultra-conservative custody classification results in a waste of prisoner and staff manpower. A large number of MAX and MDI prisoners reduces the number of staff available for supervision of the kinds of productive work available to lower custody classifications. Classification systems must follow established, but flexible, procedures.

4. Prisoners will be placed in a lower custody classification as soon as practical and as warranted.

5. Override of the Objective-Based Screening Decision

a. The below factors, though not all-inclusive, are considered in assessing whether to override the objective-based classification system to increase a prisoner’s custody:

(1) Assaultive behavior;

(2) Disruptive behavior;

(3) Serious drug abuse;

(4) Serious civil or military criminal record (convicted or alleged);

(5) Low tolerance of frustration;

(6) Intensive acting out or dislike of the military;

(7) History of previous escape(s);

(8) Pending civil charges or detainers filed;

(9) Serving a sentence that the individual considers unjust or severe;

(10) Poor home conditions or family relationships;

(11) Emotional or mental instability;

(12) Indication of unwillingness to accept responsibility for personal actions, past and present;

(13) Demonstrated pattern of poor judgment;

(14) Length, or potential length, of sentence;

(15) Gang affiliation or ties with disruptive organizations;

(16) Awaiting transfer;

(17) A sentence length exceeding the designated length of confinement authorized at the MCF; and

(18) Refusal to accept or participate in recommended treatment or education programs.

b. The below factors, though not all-inclusive, are considered in assessing whether to override the objective-based classification system to decrease a prisoner’s custody:

(1) Clear military record, aside from present offense;

(2) Close family ties - good home conditions;

(3) The offense(s) charged is not serious;

(4) Emotional and mental stability;

(5) Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

(6) Behavior during confinement, and

(7) Successful completion of, or active participation in, offense-related treatment programs or groups.

c. The factors mentioned above are only indicators, not ironclad rules; therefore, the brig officer will consider objective-based overrides where applicable. An evaluation of all phases of the prisoner's performance will be made prior to each custody change. By following the criteria and concepts outlined in this chapter, the brig officer should be able to make more efficient use of staff and provide an atmosphere in which rehabilitative efforts will be more effective.

6. Adult Internal Management System (AIMS). An AIMS classification will be determined for each prisoner confined in level II MCFs. This is a five-level classification of prisoners based on aggressiveness of personality and methods of problem management used by an individual. AIMS is never used for custody or incentive determination but is very useful for housing and programming prisoners together in order to maximize their opportunities to succeed and to utilize programs offered. Each C&A Board will consider (but not be bound by) a prisoner's AIMS classification in assignment of berthing, program, and work assignment. AIMS classification is applicable only to male prisoners. AIMS is integrated within CORMIS or its electronic equivalent.

## 4203. Evaluation of Prisoners

1. All members supervising prisoners will be responsible for evaluating prisoners and must submit periodic written reports on their performance. Quarters supervisors and work supervisors will complete a prisoner evaluation, no less than monthly, to show levels of performance on a continuing basis. The evaluation must be submitted on DD 2712 Prisoner Evaluation.

2. A prisoner program plan must be developed for each post-trial prisoner to identify and prioritize all required and recommended correctional programs. The program plan will serve as the central source for documenting program progress and completion. The prisoner program plan should take into account the prisoner's sentence length, confining offense(s), needs, and program sequence.

3. Each staff member has responsibility for communicating information concerning prisoners to the proper authority in the MCF. The behavior and attitude of the prisoner in living quarters, at work, in recreation, and in a classroom provides a good overall indicator of problem areas and adjustment progress. Continuous documented staff evaluation of each prisoner cannot be overemphasized.

4204. C&A Board and Unit Team Management (UTM)

1. The C&A board will establish a prisoner's custody classification using objective-based classification or reclassification procedures. When the C&A Board convenes to develop prisoner classification and assignment, it will be composed of the brig officer, or designated representative, and members from varying departments of the MCF as appointed in writing by the MCF CO. At a minimum, the C&A Board must be comprised of a chairperson and no fewer than two additional members to ensure a multi-disciplinary perspective. See article 6401 of this manual for program functions of the C&A Board.

2. UTM. Level II MCFs may utilize UTM principles in the operation of their C&A boards. Unit teams oversee prisoner program plans, custody classification, incentive levels, and counseling on a routine basis. Unit teams are comprised, at a minimum, of a unit manager, case manager or counselor, leading chief petty officer or leading petty officer (or Military Service equivalent), and quarters supervisor(s).

4205. Quarters

1. General Population Quarters

a. To the largest extent that design and staffing allow, newly confined prisoners generally will be housed in an orientation quarters, that may be located in the RHU, and

administered separately from post-orientation prisoners. During reception processing and orientation, prisoners will be objectively evaluated and a custody classification assigned prior to transfer to the general population.

b. Although preferred, there is no requirement that prisoners of different legal status (pretrial or post-trial) be berthed separately. Separation of prisoners may be by custody or AIMS classification or both (see article 4202.6 of this manual). Optimum situations permit housing different custody classification prisoners in different and separate areas. In many MCFs, practicality dictates commingling of prisoners in the same quarters; however, every effort will be made to maintain separate berthing where possible and when staffing allows. Direct supervision is required in general population housing.

2. RHU

a. The RHU provides living conditions similar to those of the general population; all exceptions will be clearly documented. RHU cells will be designed to permit prisoners to converse with and be observed by staff members. Prisoners are assigned to the RHU by the brig officer or designee and will not have normal privileges restricted unless privileges must be withheld for reasons of security or prisoner safety. In these cases, all restrictions must be documented on a special handling letter and signed by the brig officer or designee.

b. Definitions of Segregation Categories. Abbreviated segregation statuses listed below align with those in CORMIS or its electronic equivalent.

(1) Administrative Segregation (AS). A form of separation from the general population when the presence of the prisoner in general population poses a serious threat to life, property, self, staff, or other prisoners, or to the good order and discipline of the MCF. This segregation category is administrative in nature and may be for relatively extensive periods of time. Sub-categories of AS coincide with housing assignments in CORMIS or its electronic equivalent. Assignment to and removal from AS is authorized by the brig officer or designee.

(a) Medical Segregation (MED). MED is utilized for medical reasons.

(b) Prevention of Injury (POI). POI may be recommended by clinical, medical, CDO or DBS.

(c) Suicide Risk (SR)

1. Prisoners who are considered suicidal must be immediately referred to the medical department, clinical services, or mental health department for further evaluation and appropriate action, which may include hospitalization. References (aa) and (ab) provide guidelines in cases involving emergencies, specialized treatment or evaluation, or psychiatric treatment that cannot be deferred.

2. Such prisoners are normally hospitalized, but if not, the prisoner must be placed in the status of "SR" for continuous observation.

3. SR prisoners must be under continuous observation. Direct physical observation must be by a staff member and considered a primary duty. For documentation purposes, a logbook must be maintained by the staff observer (prisoner's name, date, observer, time the observer took over and ended the shift to include relief, and behavioral remarks as applicable). Annotation on the prisoner's DD 509 Inspection Record of Prisoner in Segregation will be made every 5 minutes. Supplemental (physical) sighting of and visit to suicide risk prisoners will be officially recorded on DD 509 and include date, time, name of visitor, and any appropriate remarks.

4. At levels II and III MCFs, a suicide watch companion program may be authorized by BUPERS-00D or DC PPO.

5. The brig officer or designee may direct removal of a prisoner's clothing and replacement with a suicide protection smock or privacy gown, or approved suicide blanket when deemed necessary by medical, clinical, or the CDO or DBS.

6. When no longer considered to be a suicide risk by medical officers, psychiatrists, doctoral-level clinical psychologists, or doctoral-level clinical social workers with

clinical practice privileges, prisoners will be returned or stepped-down to POI or placed back in appropriate quarters.

(d) Escape Risk (ER). ER may be recommended by CDO or DBS or by the C&A Board due to seriousness of offense, misconduct while in confinement, or confinement capabilities.

(e) Potentially Violent or Dangerous (PVD). PVD may be recommended by CDO or DBS or by the C&A Board due to seriousness of offense, confinement capabilities, or dangerous conduct previously in general population.

(f) Pending Investigation (PI). PI may be recommended if the prisoner cannot be left in general population during an investigation.

(g) Loss of Privileges (LOP). LOP is used only when necessary to enforce loss of certain privileges requiring the prisoner to be housed in the RHU. LOP can also be served in general population based on the magnitude of the lost privileges.

(h) Awaiting Transfer (AT). A prisoner may be placed in AT when waiting to transfer to another facility.

(i) Protective Custody (PC). PC is a form of separation from the general population for prisoners requesting or requiring protection from other prisoners for reasons of health and safety. Admission to PC, to include rationale, must be fully documented with a consent form signed by the prisoner. Assignment to and removal from PC may be authorized by the brig officer or designee.

(j) Indoctrination (INDOC). Newly arriving prisoners assigned to the orientation program will normally be berthed in RHU on INDOC status until medically and clinically cleared to join general population.

(2) Disciplinary Segregation (DS). A form of separation from the general population directed by the approving authority after due process, in which prisoners committing violations of conduct, considered serious from an institutional standpoint, are housed within the RHU.

3. Procedures

a. Assignment to the RHU is not a punitive measure, except for DS, and must not be used as such. Prisoners must be aware of the reason they are assigned to the RHU and acknowledge in writing the limitations of their assigned status. All authorized special handling instructions that impact prisoners in the RHU must be annotated on a special handling letter.

b. When a prisoner is transferred to the RHU, health care staff will be informed immediately and will provide a screening and review as indicated by the protocols established by the health authority. Unless medical attention is needed more frequently, each prisoner in the RHU will receive a daily visit from a qualified health care professional. The visit ensures that offenders have access to the health care system. The presence of a health care provider in the RHU will be recorded on DD 509. The frequency of physician visits to the RHU is determined by the health authority.

c. All prisoners in the RHU will be under direct supervision. They will be sighted at least once every 15 minutes by a staff member and will be visited daily by members of the programs staff and the brig officer or designee. In addition, it is highly desirable that prisoners in the RHU be visited daily by a chaplain. Prisoners who are violent or who demonstrate unusual behavior may receive observation that is more frequent. The DD 509 must be used to document each sighting and visit to any RHU prisoner. Documentation of visits will include date, time, name of visitor, and any appropriate remarks.

d. Prisoners in the RHU must have the opportunity to be outside of their cell for at least 2 hours daily. The 2 hours may be comprised of opportunities for sunshine, recreation, exercise call, education, clinically appropriate treatment therapies, skill-building, and social interaction with staff and other prisoners. The amount of time and type of opportunity will depend on the prisoner’s status; however, at a minimum, all prisoners residing in the RHU who are not designated as on a specific restricted housing reportable status must receive 2 hours outside of their cell daily. If a prisoner is a safety or security concern and cannot receive 2 hours outside of their

cell daily, they will be classified as a specific RH-reportable status and will be handled per article 4206 of this manual.

e. Alternative meal service may be provided to a prisoner in the RHU who uses food or feeding utensils in a manner that is hazardous to self, staff, or other prisoners. Alternative meal service will be on an individual basis, based on health or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the brig officer or designee, or responsible health authority. The substitution period must not exceed 7 days.

f. Prisoners in the RHU can write and receive letters on the same basis as prisoners in general population.

g. Prisoners in the RHU have opportunities for visitation unless there are substantial reasons for withholding such privileges. These restrictions must be documented on a special handling letter.

h. Prisoners in the RHU are allowed telephone privileges, unless restricted for cause or under investigation concerning the abuse of telephone privileges. Prisoners on DS are allowed limited telephone privileges. Regardless of status, prisoners in the RHU will have unlimited access to telephone calls related specifically to their attorney of record.

i. Prisoners in the RHU, regardless of status, must have access to legal materials, available legal reference materials, allowed access to legal counsel, access to courts, and access to reading or library materials.

j. Prisoners in the RHU will have access (which may or may not include attendance) to programs and services that include, but are not limited to, the following:

(1) Educational services;

(2) Commissary services;

(3) Library services;

(4) Social services;

(5) Counseling services;

(6) Religious guidance; and

(7) Recreational programs

4. Review of Segregated Prisoners

a. 72-Hour Review. The status of each prisoner placed in the RHU must be reviewed by the C&A Board within 72 hours of assignment of the RHU status. A prisoner placed in the RHU under PI status must be reviewed within 24-hours. This PI review may be accomplished through means other than the C&A Board as dictated through local policy.

b. 7-Day Review. A review of the status for prisoners in the RHU by the C&A Board must be conducted at least every 7 days for the first 60 days and every 30 days thereafter.

c. 30-Day Review

(1) A credentialed mental health provider must personally interview and provide a written report on any prisoner remaining in the RHU over 30 days. If segregation continues beyond 30 days, a credentialed mental health provider must make an assessment at least every 3 months, or more frequently if prescribed by the MCF medical officer, psychiatrist, or clinical services director. Prisoners in the RHU may develop symptoms of acute anxiety or other mental problems; regular psychological assessment helps ensure the mental health of anyone in the RHU for over 30 days.

(2) DS. A review of the status for prisoners in DS for more than 30 days must be reviewed and approved by the MCF CO. If a prisoner is in DS over 60 days, the prisoner must be provided the same program services and privileges as prisoners in AS (security and safety concerns permitting).

4206. Restrictive Housing (RH). Reference (ac) details RH policy for use within MCFs. RH-reportable status must only be utilized in extreme situations when no other corrections alternative is available.

1. Definition. Any type of detention or segregation that involves all three of these basic elements triggers an RH-reportable status:

a. Removal from the general prisoner population, whether voluntary or involuntary

b. Placement in a locked room or cell, whether alone or with another prisoner

c. Inability to leave the room or cell for the vast majority of the day, typically more than 22 hours.

2. Placement in RH-Reportable Status

a. Prisoners will be housed in the least restrictive setting necessary to ensure their own safety, as well as the safety of staff, other prisoners, and the public. Assignment of a prisoner to the RHU does not necessarily mean the prisoner is in an RH-reportable status. RH-reportable status may only be used for a prisoner in the RHU if there is no safer alternative. To administer the corrections mission safely, a prisoner in the RHU may meet the definitional parameters in paragraph 4206.1 of this manual.

b. MCFs must strive to limit the use of RH-reportable statuses whenever possible, and to the extent used, to limit the length of a prisoner's stay and to identify services including group, educational, and therapeutic services that the prisoner can safely participate in while in an RH-reportable status.

c. A RH-reportable status must always serve a specific correctional purpose. In each instance, MCFs must clearly articulate and document the specific reason(s) for a prisoner's placement and retention in an RH-reportable status. CORMIS or its electronic equivalent is the primary method for documenting all prisoner record entries. The reason(s) and duration for use of an RH-reportable status must be supported by objective-based rationale and factual statements. Prisoners will remain in the RH-reportable status for no longer than necessary to address the specific reason(s) for their placement.

d. A prisoner's initial placement in an RH-reportable status will be reviewed by the C&A Board the next business day

and ongoing placement in an RH-reportable status will be reviewed by the C&A Board every business day in an attempt to remove the prisoner from the RH-reportable status as soon as possible. This review will include not only security and housing staff but also medical and mental health professionals and be endorsed by the MCF CO.

e. All correctional staff will be trained annually on RH policies (inclusive of pre-service and in-service training). Correctional supervisors must ensure compliance with RH policies and training standards. This training will be reflected in staff training records. Emphasis must be placed on the difference of being housed in the RHU vice actually being in an RH-reportable status.

f. MCFs will formally establish a RH committee, consisting of command and department-level correctional staff to regularly (i.e., not less than semi-annually) evaluate existing RH policy, develop safe and effective alternatives to the use of RH, and craft special handling letters and step-down plan strategies.

## 4207. Management of Mixed-Gender Prisoners and Staff Supervision of Opposite-Gender Prisoners

1. Background. Confinement of both male and female prisoners in a MCF manned by both male and female staff present significant correctional challenges and requires a gender-relevant approach to ensure safety, security, and meet identified privacy needs.

2. Definitions

a. Commingled Mixed-Gender Prisoners. Male and female prisoners mixed in the same space or area at the same time.

b. Opposite-Gender Supervision. MCF staff supervising a prisoner of the opposite gender.

3. Management and Supervision of Commingled Mixed-Gender Prisoner Policy

a. There must be no prisoners of the opposite gender confined in the same space at the same time. For the purposes of this manual, the term “space” refers to quarters, to include

cells and open-bays. At no time will male and female prisoners be commingled in any space during the period between taps and reveille; or at any time or location without direct staff supervision.

b. MCFs must ensure visual and acoustic berthing separation of males and females confined, if simultaneous confinement of male and female Service members is authorized. For the purposes of this manual, "acoustic separation" is defined as out of range of normal conversation.

c. For operational planning purposes, the plan of the day must distinctly identify authorized commingled, mixed-gender events and times for general population prisoners. Adequate supervision and communication requirements must be in place prior to the commencement of the activity.

d. To the greatest extent possible, male and female prisoners will not be assigned simultaneously in the same program or work areas, while ensuring both have full access to a full range of programming opportunities. If assignment to the same work site simultaneously is unavoidable to ensure the same programming opportunities, the supervisor must provide direct supervision continuously and enforce prisoner rules that restrict mixed-gender communication to only that required to carry out the assigned work or task.

e. Mixed-gender prisoner working parties are not authorized outside the MCF security perimeter without specific authority of the brig officer or designee.

f. At no time will commingled male and female prisoners be unsupervised without a staff member being directly present in the program, workroom, or immediate area.

g. Staff members will permit no integration between opposite-gender prisoners except for verbal greetings and authorized exchanges during supervised activities (e.g.; work details, religious activities; morale, welfare, and recreation activities such as holiday functions; assigned group therapy sessions, etc.).

4. Staff Supervision of Opposite-Gender Prisoners

a. Staff must not be assigned duties that require supervision of prisoners of the opposite sex at times when routine nudity occurs.

b. Prisoners must be informed during reception that they are subject to observation by staff, to include staff members of the opposite sex. During the use of the toilet, showering, changing clothes, and similar periods of undress and nudity, mitigation efforts must be employed by the MCF to protect prisoner privacy. Efforts (temporary or otherwise) may include staff replacements to ensure observation by only staff members of same sex, privacy screens or partitions for each head area or shower area, etc. Nudity must not be permitted in common areas.

c. When both male and female prisoners are simultaneously confined in the MCF, at least one male and one female staff member must be on duty at all times and be positioned in a manner to support same-gender supervision requirements.

d. Accommodations must be in place to ensure camera monitoring by staff ensures adequate mixed-gender privacy (e.g.; during use of the toilet, showering, changing clothes, and similar periods of undress and nudity). Where necessary, staff augmentation will be employed to mitigate security and supervision concerns. For RHU prisoners in a camera cell, specialized clothing may be used to provide privacy from camera view. Such clothing will provide sufficient coverage of the body when seated on a toilet (i.e., longer than a standard uniform shirt).

e. MCF staff, volunteers, and all visitors who interact with prisoners of the opposite gender must always be under the continuous observation of correctional staff, at all locations. While direct observation is desired, frequent indirect observation such as camera or observation through a window is authorized.

f. Correctional staff must not conduct mixed-gender frisk searches, except as necessary in the event of an emergency affecting MCF safety and security. Such searches must be documented with an incident or information report and notated in the brig log.

g. Opposite-gender strip searches or opposite-gender visual body cavity searches (meaning a search of the anal or genital opening) are prohibited. These searches may only be performed by medical practitioners.

(1) MCF staff must not search or physically examine a transgender, intersex, or gender non-conforming prisoner for the sole purpose of determining the prisoner's genital status. Upon initial receipt and prior to search, if the prisoner's genital status is unknown, it may be determined during conversations with the prisoner, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical officer.

(2) Transgender, intersex, or gender non-conforming prisoners who do not feel comfortable being frisk-searched or stripped-searched by a staff member of the same sex will be searched by medical personnel.

h. Where mixed-gender correctional activities are authorized, there will be direct communication (radio) between the correctional staff and the control center. The CDO or DBS must pre-authorize and acknowledge mixed-gender presence, ensuring supervision requirements are in place prior to commencing the activity.

i. Male staff must not be permitted to enter places where females are housed, including a visual control center, unless they are accompanied by female staff or female staff are present, and only when entry is justified. The area must first be visually clear of prisoners who may be clothed inappropriately for the presence of male staff, and prior to entry, "male on deck" must be sounded loud enough to be heard. When female staff members enter a male area, the same procedures are followed and "female on deck" must be sounded. Justification for entry includes:

(1) Assist a prisoner;

(2) Restrain a prisoner;

(3) Accompany medical personnel; and

(4) Conduct official business.

j. Prisoner rules and regulations must be published at each MCF that:

(1) Identify mitigation efforts that provide privacy such as screens or partitions for each head area or shower area, etc., and the prisoner's obligation to use available protocols and procedures to avoid compromising themselves or undermining the staff

(2) Advise prisoners that they must not initiate or involve themselves in unduly familiar relationships with staff, volunteers, or other prisoners (e.g.; knowingly expose themselves in a state of undress where not authorized, conduct conversations of an intimate nature, or engage in sexual contact of any nature).

## Section 3. Security Systems

### 4301. Responsibilities for Security

1. The primary purpose of a MCF is custody and control of prisoners. Control of prisoners requires impartial enforcement of reasonable rules and regulations that are necessary for the safe and orderly operation of the MCF. Custody and control measures must be adequate to maintain good order and discipline and to protect staff and prisoners.

2. An effective system of security, custody, and control must be established in each MCF. Every staff member must be aware that custody and security do not stand-alone but are interdependent with all other portions of the operation. Each staff member is responsible for security, custody, and control, regardless of duty assignment.

3. Fixed posts must be maintained to ensure all traffic is channeled with authorized access permitted to enter or leave only upon suitable identification and inspection. Use of armed staff within the security perimeter is not authorized. When necessary to post staff external to the security perimeter, staff must be located in a manner to ensure an unobstructed view of the observation area.

4. Security measures inside the MCF are the day-to-day control and supervision procedures designed to facilitate the movement

of prisoners, to assure control of their whereabouts, to guard against violation of rules, and to promote good order and discipline. Posts must be established at key points such as in quarters and at entrances to work and recreation areas to afford control and direct supervision. Provisions must also be made for direct supervision during meals and plan-of-the-day activities.

5. Persons not assigned to duty at the MCF will not be allowed to enter the MCF except on official business or as authorized visitor. Authorized visitors shall wear a visitor's badge on the front of their outside garment, above the waist.

4302. Contraband and Searches

1. Contraband

a. Contraband is anything not specifically authorized by proper authority to be in a prisoner's possession, or any item authorized for use by a prisoner that has been modified for a use other than originally intended. Contraband can be controlled through close supervision and frequent searches.

(1) Unscheduled searches of prisoners, cells, visiting rooms, recreation areas, library, heads, dining facility, work areas, vehicles, deliveries, shipments, etc., are essential. Personal property and items of clothing that accompany new prisoners must also be closely searched to prevent the introduction of contraband.

(2) Staff will be provided sufficient furnishings, implements, and materials to conduct their duties. Introduction of unnecessary items into the secure area of the MCF must be strictly limited. Staff briefcases, purses, carrying bags, offices, and work areas are subject to search, along with all other areas of the MCF where prisoners may access for any reason. Regular and random searches of MCF staff should be conducted by the operations officer.

b. When contraband is discovered, a written report must be made listing the items and covering precisely the circumstances of discovery. The contraband items, along with the report, will be submitted to appropriate staff per local policy. It is essential that a strict chain of custody be maintained of any

evidence that may be used in disciplinary action. OPNAV 5580/22 Evidence/Property Custody Receipt must be used.

2. Searches. Prisoners will be instructed that all persons, quarters, and work areas are subject to search at any time while confined. There are two types of searches, of a person and of an area. Searches are conducted to control contraband or recover missing or stolen property; use of non-intrusive methods (scanners) or other techniques instead of body searches should be used whenever feasible. Where random frisk or area searches are authorized, an objective-based method will be used; on-the-spot selection by staff is not an acceptable method. Random strip searches are not authorized. Searches are described below and will be used as the situation requires.

a. Search of the Person. Searches must be conducted by staff members of the same sex as the prisoner, absent emergency circumstances.

(1) Frisk Search. The prisoner's body, clothing, and possessions will be searched by the staff member. Requirements for prisoners to assume exaggerated positions are not authorized. Unnecessary force is prohibited. A quick, careless search is useless.

(2) Strip Search. A strip search must be conducted on prisoners being newly confined, entering or leaving the MCF on a temporary release, after visitation call, before and after transfer, or initially assigned to the RHU. Unnecessary strip searches must be avoided. Other than instances already stated, strip searches may be conducted only when specifically authorized by the brig officer or designee and there is reasonable belief that the prisoner may be in possession of an item of contraband or a good opportunity for concealment of contraband has occurred (e.g.; reliable information that the prisoner possesses contraband, the discovery of contraband in the prisoner’s living space, a serious incident in which the prisoner was involved or where the prisoner was present, refusal to be frisk searched, or breaks in custody). In these searches, prisoners must remove their shoes and all clothing. Clothing and personal effects must be physically searched. The prisoner’s body will be visibly searched. No contact is authorized. Strip searches must be made in privacy with only one prisoner at a time present and the searcher must have

another staff member present as a witness. Both staff must be of the same sex as the prisoner. Strip searches must be documented in a log with date, time, prisoner name, staff, and reason for search.

(3) Body Cavity Search. Internal examination of body orifices may be conducted only by qualified medical personnel, when authorized by the MCF CO or designee, and only when there is a reasonable belief that prisoners are concealing contraband in or on their person. The use of body cavity searches must be extremely limited and fully documented.

b. Area Search. All areas will be subjected to a thorough search at random times and on an unscheduled basis. Visiting areas, including visitor-parking areas, must be searched by staff before and after all visits and must be completed prior to any further access by prisoners. Area searches will be conducted in an organized orderly manner (zone search). Prisoners must not be present during the search nor be permitted to see how the search is conducted. If prisoners are occupying the area to be searched, they will be escorted out of the area, each being frisk-searched upon leaving. All authorized articles will be handled carefully and replaced as neatly as possible when the search is completed. Care will be exercised to avoid any undue disturbance of the prisoners' personal effects.

4303. Key Control

1. Control of keys is a major element of security. Key control procedures must be rigidly enforced. A key control system must include routine (at least monthly) inspections to ensure the authorized number of keys are available and will operate their corresponding locks. The key control system must identify each key or ring of keys and give its location at all times. No key will be marked to indicate its function; however, keys to emergency exits must be properly controlled and distinctly marked. Locks and keys for fire escapes and emergency doors must be checked frequently to ensure their operation.

2. There must be three identical sets of keys and all keys will be stored in lockable security containers. All three sets of keys must be rotated regularly (at least every 6 months) to ensure proper function and even wear of keys.

a. Active keys will be located in the control center unless an electronic key watch system is approved by BUPERS-00D or DC PPO; however, emergency keys must always be kept in the control center. Emergency keys must be readily identifiable and stored in such a way that provides accessibility in case of emergencies.

b. The second set of keys will be located on the premises of the MCF but outside the security perimeter.

c. The third set of keys will be located outside of the MCF and at a secure location providing 24-hour access.

3. The active key set must be inventoried daily for accountability and inspected monthly for functionality. All three sets of keys must be inventoried quarterly for accountability, and rotated at a minimum of every 6 months to ensure even wear. Results of inspections, inventories, and verification of rotation of keys will be documented and maintained on file locally for 3 years.

4. Only authorized staff members on duty will have MCF keys in their possession and then only during the performance of duties requiring the use of those keys. A sentry within a locked area must have only the keys to a locked sub-area (such as keys to cells within a unit). Keys, except permanently issued keys, must not be taken from the MCF. Staff members authorized to draw keys or key rings will use a metal tag, logbook, or personal identification number system for each key or key ring drawn and returned. An accurate inventory showing the number of each key, trade name of lock and its location, and number and location of keys for that lock must be maintained in a secure location. Each key or ring of keys will have its own hook on a lockable key panel board or key watcher location. All keys must be accounted for at all times.

5. In the event of lost, misplaced, or stolen keys, an investigation must be conducted immediately; thereafter, a determination to replace affected locks or cores must be made by the brig officer or designee. Any lock, core, or key replacement deemed necessary must be accomplished immediately. Replacement or reserve locks, cores, and keys must be secured to preclude access by unauthorized individuals.

6. A system for the control of MCF staff and visitors' personal keys must be implemented.

7. A key custodian and alternate key custodian must be appointed in writing by the MCF CO to administer the key control program.

4304. Tool Control. All MCFs must have a formal tool control plan that includes culinary, barber, and medical and dental instruments and supplies. Tools must be etched or tagged for identification and closely controlled. Where tools or equipment are kept in a MCF, a secure and lockable tool crib equipped with shadow boards, ladder racks, and garden tool storage racks will be provided. Ladders, ropes, cords, and hoses, as well as other equipment that can be used for escape purposes or for weapons, must be included in the tool control plan and highly supervised.

1. Restricted and hazardous tools must be easily identifiable, used only under supervision, and secured in a double-locked environment. A list of restricted tools (not all-inclusive) follows:

a. Workshops. Files, hacksaws, blades, welding torches, and pipe or bolt cutters;

b. Culinary. Kitchen knives, meat saws, cleavers, ice picks;

c. Medical and Dental Instruments and Supplies. Syringes, needles, and other sharps; and

d. Miscellaneous. Barber instruments

2. Procedures

a. A record of all tools, including life-cycle, must be maintained and monitored, tracking each item from the time it enters the MCF until the date it is removed from the MCF.

b. Keep tools to a minimum and maintain an accurate up-to-date inventory.

c. Utilize a shadow-board with outlines for tools where feasible.

d. Restricted and hazardous tools such as hacksaw blades, knives, culinary instruments, files and tips for cutting torches, and welding equipment must be specially marked, placed in identifiable containers and double-locked.

e. Account for all tools daily.

f. Maintain a tool log to include identification number of the tool, name of personnel or prisoner in possession, date and time issued and returned, and the issuing personnel.

g. Frequently verify location of all tools. Restricted tools and hazardous must only be used by prisoners under continuous staff supervision.

h. Tools allocated to various departments within the MCF will be distinctly marked or etched for ready identification and to determine which department has responsibility.

i. Prisoner utensils and culinary tools must be inventoried after each meal .

j. Broken, damaged, or worn tools must be turned in to the responsible supervisor for disposal. The responsible supervisor must account for all pieces and parts of a broken tool prior to its disposal.

k. Missing or lost tools must be reported immediately to the CDO or DBS. In the event of lost, misplaced, or stolen tools, an investigation must be conducted immediately and a search must be conducted in an effort to locate the missing tool(s). A report of the lost, missing, or stolen tool(s) will be forwarded to the brig officer or designee as soon as possible, but no later than the end of the shift in which the tool(s) were noted missing.

4305. Vehicle and Equipment Control

1. Authorization for entry of any vehicle into the MCF compound is contingent upon consent to search. No personal vehicles are authorized within the security perimeter. All vehicles entering

or leaving the security perimeter must be carefully searched. A staff member will remain with the vehicle the entire time it is in the security perimeter unless the compound is clear of all prisoners. Containers entering the compound must be searched unless they were banded or sealed at a point of shipment and have not since been opened. Laundry, trash, and other containers must be searched before leaving the compound. All vehicles that remain in the security perimeter overnight must be disabled with security safeguards implemented per local policy.

2. Vehicles parked in the MCF staff or visitor parking area must be locked, keys removed, and windows fully closed.

4306. Flammable, Toxic, and Caustic Substance Control. Supplies, which may be dangerous, must be stored and secured per applicable Navy or Marine Corps policy, Navy Occupational Safety and Health standards, and reference (h).

1. Definitions

a. Flammable or Combustible. Flammable materials, liquids with a flash point below 100 degrees Fahrenheit.

b. Toxic. Materials or substances that through chemical reactions or mixture can produce possible injury or harm to the body by entering through the skin, digestive tract, or respiratory tract (e.g.; zinc, chromate paint, ammonia, chlorine, antifreeze, herbicides, and pesticides).

c. Caustic. Materials or substances that can destroy or eat away by chemical reaction (e.g.; lye, caustic soda, sulfuric acid).

d. Medical Supplies. Everything containing a narcotic or alcohol requires special handling and accounting. Refer to chapter 10 of this manual for further information on medical supplies.

e. Flavoring Extracts, Spices, and Food. When the MCF operates its own dining facility, close supervision by dining facility personnel must be maintained to prevent theft of material for making alcoholic beverages or weapons.

2. Control

a. Handling. If a material or substance possesses more than one of the above definition properties, the safety requirements for all applicable properties should be considered. Prisoners must never possess such items unless they are under the close supervision of qualified staff. Substances that do not contain one or more of the above properties but that are labeled "Keep Out of the Reach of Children" or "May Be Harmful If Swallowed" is not prohibited; their use and control, however, will be addressed in local policies. Safety data sheets must be maintained as applicable. Personnel handling flammable, toxic, or caustic materials must use appropriate personal protective equipment and be trained in their proper use.

b. Storage. All flammable, toxic, and caustic materials must be stored in secured areas that are inaccessible to prisoners and a prescribed system must be used to account for their distribution. Fuel (e.g.; gasoline or diesel) will be stored outside the MCF. If stored within the security fence line perimeter, hazardous material (HAZMAT) must be stored in locked authorized HAZMAT containers. HAZMAT items must only be brought into the security perimeter when necessary and then only in the amounts needed for the immediate work on hand and managed under staff supervision.

c. Safeguards. Staff will not introduce any form of unauthorized flammable, toxic, caustic material or substance into the security perimeter.

4307. Weapons. Immediate medical examination and treatment is required in all instances involving the use of a weapon. A written report detailing the use of force involved, detailing prisoners, staff, or others involved, and to describe the nature of the offense must be submitted to the MCF CO or designee no later than the conclusion of the tour of duty when any weapon or chemical agent is used. If injury or adverse public reaction occurs, an interim telephonic report must be made immediately to BUPERS-00D or DC PPO with follow-up reports as soon as additional information becomes known.

1. Restrictions. The MCF CO must ensure proper training of staff prior to employment of any weapons within the MCF. Firearms, ammunition, non-lethal, or chemical riot control

equipment will only be allowed inside the security perimeter of the MCF when specifically authorized by the MCF CO, or higher authority, and then only to prevent or stop a riot or major disturbance. The officer authorizing such use will ordinarily be physically present during the period of authorized use.

2. Firearms. Use of firearms must be authorized by the MCF CO, or higher authority, only as a last resort. The MCF CO must ensure all MCF personnel authorized to use firearms receive appropriate training and demonstrate competency in their use before being assigned to a post involving the possible use of such weapons. Weapon competency will be renewed at least annually (each 12-month period rather than calendar year). Firearms training should be conducted using a systematic curriculum and be appropriately documented. Firearms must be used only to prevent serious injury, loss of life, or to protect staff or prisoners who are held as hostages. Persons must not be fired upon to prevent their escape unless in their efforts to escape, they harm or threaten to harm others seriously, or in any other way endanger the lives of others. Orders to halt will be given first. Warning shots will not be fired. Firearms must be used only by personnel qualified in their use.

3. Batons. Batons of any type (e.g., riot batons, asps, Monadnock PR-24, etc.) may be considered deadly weapons if used improperly. The MCF CO, or higher authority, may authorize their use only when the degree of force that can be applied by hand is inadequate to quell violence or control unruly prisoners. When authorized, the minimum force necessary to control the situation will be applied. Specific training and annual certification is required.

4. Non-Lethal. Use of non-lethal weapons may be authorized by the MCF CO or higher authority. The Marine Corps has been designated as the executive agent for the DoD Joint Non-Lethal Weapons (JNLW) Program for the responsibility in providing program recommendations and for estimating and coordinating JNLW requirements. Due to the array of applications available and unique scenarios appropriate for their use, pre-selection of such weapons or munitions is required. Purchase of non-lethal weapons for use by MCFs must first be authorized by BUPERS-00D or DC PPO. The MCF CO must publish policy governing training requirements and application consistent with JNLW Program guidelines.

5. Arms Locker. An arms locker must be provided outside the security perimeter for the storage of weapons carried by personnel who visit the MCF. An arms clearing trap must be provided outside the security perimeter to safely clear all weapons prior to storage in the arms locker. Instructions on the safe loading and unloading of common types of firearms utilized must be posted to assist personnel in the safe loading and clearing of their firearms.

4308. Chemical Agents. Chemical agents may be used only upon order of the MCF CO, or higher authority, and only by a person trained in its use. All personnel authorized to use chemical agents must receive thorough training in their use and in the treatment of individuals exposed to a chemical agent. A special training curriculum will be established that includes both individual and group instruction by competent authorities. A trained riot force of the MCF must be utilized. Oleoresin Capsicum (OC) and Ortho-Chlorobenzylidene Malonitrile (CS) gas may be used in all MCFs, with the exception of overseas facilities where OC or CS gas is prohibited by the status-of-forces agreement with the host nation. OC and CS gas must be inventoried and weighed at least monthly and after each use to determine condition, amounts available, and expiration dates. A record must be maintained on the use of OC or CS gas during disturbance control, training, or accidental release to monitor the number of individuals exposed and any attributed adverse outcomes. Immediate medical examination and treatment is required in all instances involving the use of a chemical weapon. A written report detailing use of force involved, detailing prisoners, staff, or others involved, and to describe the nature of the offense must be submitted to the MCF CO or designee no later than the conclusion of the tour of duty when any chemical agent is used. If injury or adverse public reaction occurs, an interim telephonic report must be made immediately to BUPERS-00D or DC PPO with follow-up reports as soon as additional information becomes known. Additional restrictions and responsibilities are provided below.

1. OC Spray. Exposure to OC spray may cause respiratory failure in susceptible individuals. If the situation and time allow, medical records will be reviewed to determine at-risk prisoners prior to deployment of OC. Ensure MCF staff members are appropriately trained in basic life support procedures before using OC spray.

2. CS Gas. CS gas may be used when there is a large number of rioters so situated that their removal would be hazardous to other prisoners or staff members. CS gas will not be authorized in conjunction with any other chemical agent.

a. Sufficient CS gas must be used at the first attempt to quickly break-up all resistance. Minimum effective amounts and maximum amounts that can be safely used in any given area must be computed in advance and be maintained as part of the riot control plan.

b. Provisions for equipment and personnel must be made for a follow-up action. CS gas will likely break the resistance, but prisoners may have to be forcibly removed. A follow-up squad equipped with gas masks must be ready to enter the affected area.

c. CS gas must be permitted to develop fully but not to dissipate before sending in follow-up squad(s).

4309. Instruments of Restraint. Instruments of restraint are never applied as punishment, discipline, coercion, convenience, or retaliation by staff and are applied only with the approval of the MCF CO or designee. Instruments of restraint should be used only as a precaution to prevent escape during transfer, for medical reasons if directed by the medical officer, or to prevent self-injury, injury to others, or property damage. Restraints should not be applied for more time than is necessary.

1. Definitions

a. Ambulatory Restraints. Corrections-related restraint equipment (as opposed to medical-related) that limits movement of body extremities without preventing the prisoner from moving about an area (also referred to as "walking restraints"). Ambulatory restraints generally allow the prisoner to eat, drink, move, and take care of basic human needs with no or minimum staff intervention.

b. Authorized Restraints. Restraints authorized by BUPERS-00D or DC PPO include steel handcuffs, leg irons, and waist chains (referred to as "hard restraints"), transportation

or restraining belts, “body cuff universal restraint system,” and other restraints (referred to as "soft restraints").

c. Full Restraints. Full restraints include the collective use of steel handcuffs, leg irons, and transportation or restraining belts.

d. Progressive Restraint. Use of the least restrictive restraints deemed necessary to control the prisoner (e.g.; first use hand irons, then leg irons, then transportation or restraining belts, etc.). When MCF design supports single cells within the general population quarters, progressive restraint may also include de-escalation interventions such as staff directing a disruptive prisoner to return to his or her cell for a “cool down” period. Based on the prisoner’s behavior, more or less-restrictive restraints and transportation belts may be used.

e. Soft Restraints. Soft restraints are made of material such as Velcro, vinyl, plastic or leather and designed to prevent excessive movement of the prisoner’s body part to which they are attached in order to prevent the prisoner from Self-harm. Select soft restraints may also be considered “authorized restraints” when specifically authorized for use by BUPERS-00D or DC PPO.

f. Therapeutic Restraints. Therapeutic restraints include restraint equipment directed by a medical officer, most often a psychiatrist. Therapeutic restraints may include, but are not limited to, ambulatory soft restraints and immobilizing restraints such as “four-point” or “five-point” restraints, or a restraining chair. Immobilizing restraints secure the prisoner in such a way that the prisoner is prevented from self-rising, using toilet facilities, drinking, or eating. The use of four-point or five-point restraints is not authorized in MCFs but may be utilized during hospitalizations as prescribed by health care authorities. Medical, vice correctional, policy and regulation applies for use of therapeutic restraints. Neither the MCF CO nor staff have the authority to authorize the use of these restraints within MCFs.

2. Procedure

a. The MCF CO or designee is responsible for implementation

of all aspects of prisoner ambulatory restraint policy and management with one exception. A military judge may direct restraints to be removed from a prisoner in the courtroom (and that the prisoner remain unrestrained while in the courtroom) if, in the judge's opinion, such restraint is deemed unnecessary.

(1) This exception does not extend to legal visits such as prisoner and attorney meetings occurring outside of court-martial proceedings.

(2) The MCF CO or designee is the approving authority (with exception to military judges as noted above) for any request to remove restraints outside of the MCF's security perimeter.

(3) Upon conclusion of court-martial, pretrial prisoners may be awarded "time served" or found "not guilty" resulting in pending release from confinement. In these instances, prisoners should be properly restrained based on their custody classification and returned to the MCF for out-processing and permanent release.

b. The MCF CO may delegate restraint authority to security personnel. MCF CO's will employ use of progressive restraint consistent with governing policy and guidance herein.

c. Restraint policy and guidance associated with prisoner custody classification is found in article 4201.2 of this manual.

d. The use of restraints on female prisoners during the active labor and delivery of a child is prohibited. Any deviation from this policy requires approval by, guidance on, and methodology from, the medical officer directing use of restraints and is based on serious security risks.

(1) The medical officer will provide guidance on the use of restraints on a pregnant prisoner prior to active labor and delivery.

(2) Restraints used on pregnant prisoners prior to active labor and delivery should not put the pregnant prisoner nor the fetus at risk.

e. Restraint equipment will be applied only for appropriate purposes and per applicable procedures. Staff and prisoner escorts must be specifically trained to each type of locally available authorized restraint.

f. Restraints may be authorized when regaining control during a disorder or when a prisoner is violent or escape-minded. If restraints are used because of a disorder or on a violent or disruptive prisoner, the brig officer will be notified immediately. The brig officer or designated senior security personnel will make an immediate on-site visit to observe that the use of restraints is appropriate and, where warranted, will report that use to their immediate superior in command. An incident report, a use of force statement, voluntary statements (including medical), and an updated scars and marks form must be submitted by the end of shift in all cases where restraints are applied in a non-routine use. In any case, senior security personnel will ensure restraints are removed as soon as practical.

g. Care will be taken not to unnecessarily display restrained prisoners to the public during transportation.

h. Staff may apply restraints to a prisoner who continues to resist after staff achieves physical control of that prisoner and may apply restraints to any prisoner who is placed under control by use of force (e.g., forced cell move). If a prisoner in a forcible restraint situation refuses to move to another area on his or her own, staff may physically move that prisoner by carefully lifting and carrying the prisoner to the appropriate destination. Staff members must not use the restraints for lifting or carrying a prisoner.

i. In circumstances when immediate use of restraints is required for control of the prisoner, the MCF CO or designee may require a prisoner to be restrained while in a cell or authorize restraints to remain on a prisoner once placed in a cell. Leaving prisoners restrained and unattended in a cell by themselves must not be authorized. Use of restraints on a prisoner in a cell must not be used unless a staff member directly and continually monitors the prisoner face-to-face. Staff must be cautioned and trained regarding the potential of injury to prisoners who are in restraints while in a cell by

themselves. Injury can result from situations where prisoners fall and are not able to protect themselves from harm because of restricted movement.

j. Restraint equipment or devices must be used as designed and may not be used in any of the following ways:

(1) About a prisoner's neck or face or in any manner that restricts blood circulation or obstructs the prisoner's airway. Binding must never be placed around a prisoner's mouth, nose, and neck, or so tight to a limb that circulation is restricted. Staff protective gear generally provides sufficient insulation from a prisoner's spitting or biting; therefore, no effort should be made by use of towels, sheets, blankets, hosiery, masks or any other devices to prevent a prisoner from spitting or biting. However, when endorsed by a medical officer and approved by the MCF CO, the use of a medical mask may be authorized on a prisoner.

(2) In a manner that causes unnecessary physical pain or extreme discomfort and:

(a) Staff in general and supervisory personnel in particular must ensure that unnecessary pressure is not placed on a prisoner's body in applying restraints (e.g.; the prisoner's chest, back, or neck). While the proper application of restraints may result in some discomfort, examples of prohibited uses of restraints would include, but are not limited to: "hog-tying;" unnecessarily tight restraints; improperly applied restraints; or unauthorized restraints. Soft restraints, when specifically authorized by a medical officer, should only be used when all lesser measures to prevent the prisoner from harming him or herself are not working or such use is in the interest of safety. Helmets may also be considered as protective devices. Videotaping the application of restraints during a forced-cell move or for self-injurious prisoners is a good practice. Having medical personnel observe and examine the prisoner after application is also good practice.

(b) Restraints will be administered in a natural body position. If restrained in a supine position (face up), head should be free to rotate from side to side and, when possible, elevate head of bed to prevent risk of aspiration. Always avoid use of prone position (face down) due to

possibility of a prisoner's airway becoming obstructed and lung expansion being restricted.

(4) To secure a prisoner to a fixed object, such as a cell door, cell grill, or vehicle component

k. De-escalation Interventions

(1) The effective handling of aggressive prisoners is one of the most demanding aspects of working in corrections. It is an area where good interaction and communication skills are required. The majority of situations, where there is a potential for violence, can be handled through effective communication. Staff must be trained to recognize the signs of aggression (e.g.; standing tall, red faced, raised voice, rapid breathing, direct prolonged eye contact, exaggerated gestures) and reasons for aggression (e.g.; frustration, unfairness, humiliation, immaturity, excitement, learned behavior, reputation, means to an end, decoy).

(2) Staff faced with aggressive prisoners should seek to defuse the situation as they continually assess the risk of violence. Staff should be cautious to do nothing to further escalate the situation, yet maintain control of the situation. Training must be provided to staff in methods to: appear confident; display calmness; create some space; speak slowly, gently, and clearly; lower their voice; avoid staring; avoid arguing and confrontation; show that they are listening; and calm the prisoner. Staff should adopt a non-threatening body posture: use a calm, open posture (sitting or standing); reduce direct eye contact (as it may be taken as a confrontation); allow the prisoner adequate personal space; keep both hands visible; avoid sudden movements that may startle or be perceived as an attack; avoid audiences, as an audience may escalate the situation.

(3) When MCF design supports single cells within the general population quarters, progressive restraint may also include de-escalation interventions such as staff directing a disruptive prisoner or prisoners to return to their cell for a "cool down" period. Such periods cannot exceed 30 minutes and all cases will be reported immediately to the CDO or DBS, be documented in the quarters supervisor’s log, and be brought to the attention of senior security personnel. Where warranted,

the CDO or DBS can extend the cool down period by an additional 30 minutes.

l. Staff and prisoner escorts should be thoroughly trained in the use of locally authorized restraints. Restraints can be cumbersome to apply and harmful to a prisoner if proper training is not provided. In the rare cases where restraint is required for pregnant prisoners, an approved vinyl or leather restraint belt should be used instead of a metal waist chain, whenever possible, to prevent injury to the prisoner or fetus. Where a metal waist chain is directed for use on a pregnant prisoner, where possible, medical personnel should check for proper application.

m. All prisoners in restraints, internal or external of the MCF, must be under direct and continuous observation, supervision and, if under movement, assisted control.

n. To support prisoner escorts, restraint guidance for use on a specific prisoner must be indicated in the "Remarks" field (block 6) of DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person.

o. Requests for use for other than traditional "hard restraints" must be forwarded to BUPERS-00D or DC PPO with pictures, design intent, technical specifications, application procedures, and training curriculum. For audit purposes, authorizations must be retained locally and readily available for review.

3. Staff Training

a. Brig officers will ensure all correctional staff, to include support staff and prisoner escorts, are thoroughly trained in the policy, application, and use of available authorized restraint equipment and such training will be inclusive within pre-service and in-service training programs and documented within staff training records.

b. At a minimum, restraint-related training should include such issues as: restraint terminology; types of restraints; staff authorized to direct restraints; proper procedures for applying and removing restraints; de-escalation interventions; communication skills; role of the medical officer; terminology,

physiology, and medical risks associated with the application and the use of restraints; procedures for lifting or carrying a restrained prisoner; supervision, movement, and monitoring prisoners in restraints; measures to reduce the risk for asphyxia and death; and legal implications and liability.

## Section 4. Disturbances and Emergencies

### 4401. Prevention of Disturbances

1. There are causes for all disturbances. Trouble may be indicated when prisoners become restless and flare-up easily or when they avoid contact with staff members. Excessive numbers of disciplinary reports, requests for work or housing changes, and suicide attempts are indications of potential trouble and must be investigated. To eliminate incidents that could result in a riot or disorder, staff should be able to observe and detect tensions and unrest among prisoners and report them promptly. Frequent causes of disturbances are mistreatment, untrained staff, failure to separate problem prisoners, and improperly prepared or served food.

2. When an incident or disturbance occurs, staff members must identify individual prisoners involved and report their actions. Immediate identification and isolation of leaders may prevent development of a major disturbance. Staff members will be trained in the exercise of patience in the control of troublesome groups. Unnecessary use of force or arbitrary actions may precipitate a disturbance.

3. Each MCF must implement adequate disturbance and emergency plans, and all MCF staff must be trained in their implementation. Work stoppage and riot or disturbance plans are communicated only to appropriate supervisory or other personnel directly involved in the implementation of those plans. An annual review of all disturbance and emergency plans must be an essential element of staff pre-service and in-service training. New staff must be thoroughly familiar with all disturbance and emergency plans prior to their permanent post assignment.

4. The principles of Incident Command System for Corrections (ICS-C) will be followed in the development and implementation of emergency bills. The ICS-C is based upon the National Incident Management System (NIMS) protocols, which identify

steps for improved coordination in response to incidents that impact correctional operations. The result of the basic protocols is emergency management and incident response systems that provide a common operating picture, to include common incident response procedures, communication and language spoken, and universal priorities which applies across the spectrum of response agencies and departments whether Federal, State, local, or tribal governments. NIMS protocols directly relate to corrections and detention settings.

4402. Controlling Disturbances

1. Staff personnel must avoid use of force where the assigned responsibilities can be effectively discharged without its use. If security cannot be accomplished without the use of force, personnel will use the minimum amount of force necessary to control the situation.

2. When deciding a course of action, consideration must be given to general public safety, safety and welfare of hostages (if any), prevention of loss of life or injury to other personnel, prisoner welfare, and protection of property.

4403. Priorities of Force. Use of physical force is restricted to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, then only as a last resort per this manual. When use of force is necessary, it will be exercised according to priorities of force and limited to the minimum degree necessary under the particular circumstances. All instances requiring the use of force must be fully documented. Use of firepower is justified only when ordered by the MCF CO or higher authority, under conditions of extreme necessity as a last resort, and when all lesser means have failed or cannot be reasonably employed. Examples of such circumstances are stated in article 4404 of this manual. The application of any or all of the priorities of force listed or the application of a higher priority of force without first employing a lower priority of force will depend on and be consistent with the situation encountered during any particular disorder. Priorities of force and who may order them are as follows:

| **Priority of Force** | **Who May Order (billet)** |
|---|---|
| An order | Any staff member |
| Show of force (condition or code) | Any staff member |
| Show of force (organized) | Brig officer or authorized representative |
| Use of physical force (individual) | Staff member in self-defense or CDO or DBS |
| Use of physical force (organized) | Brig officer or authorized Representative (if immediate action is required; otherwise CO |
| Chemical agents (OC spray) | CO |
| Use of batons | CO |
| Non-lethal munitions or use use of high pressure water water | CO |
| Fire by selected marksmen or full firepower | CO |

4404. Deadly Force. Deadly force is defined as that force which is used with the purpose of causing, or which a person knows or should know would cause, a substantial risk of death or serious bodily harm.

1. The following are examples of extreme situations where use of deadly force may be directed:

a. To protect citizens, staff personnel, or hostages when a reasonable belief exists that they are in imminent danger of death or serious bodily harm; or

b. To prevent the commission of a serious offense involving violence and the threatened death or serious bodily harm to another prisoner

2. The CO must verify that all elements of intent, capability, and opportunity are in place prior to application of deadly force.

a. Intent. Threat or will of a person to cause injury to another

b. Capability. A means to carry out the threat; i.e., a weapon of some sort

c. Opportunity. Space in which a subject is in to complete the threat. Subjects with knives cannot injure individuals 50 yards away; however, if they had pistols the situation changes.

4405. Emergency Response Plan. The MCF emergency response plan will be prepared to ensure the safety of staff and prisoners in the event of an emergency and reviewed annually. At a minimum, the MCF must publish the following required bills; fire, escape, riot, hostage, natural disaster, work stoppage, hunger strike, and bomb threat. MCF staff must be trained in the implementation of written emergency response plans during pre-service and in-service training. Emergency response plans will specify the means for immediate release of prisoners from locked areas in case of an emergency requiring evacuation and provide for a back-up system in case the primary system fails. These plans must be safeguarded to ensure prisoners do not have access.

1. Fire Bill. Fire bills will provide for the following:

a. Secure and prompt evacuation of all personnel to a pre-selected control point and the means for the immediate release of prisoners from locked areas in case of emergency and provide for a back-up system of release;

b. Availability of efficient firefighting equipment at all times;

c. Modern, portable fire extinguishers in close proximity to all living quarters and at other strategic locations, as determined by the fire marshal;

d. Keys to emergency exits properly controlled and distinctly marked;

e. Availability of portable floodlight equipment;

f. Prisoners will be trained in fire evacuation procedures;

g. Prominent posting of primary and alternate evacuation routes and use of exit signs and directional arrows for traffic flow as information to staff and prisoners in quarters and administrative spaces;

h. Fire drills to be conducted at least monthly and recorded in the brig log;

i. All fire bills must be coordinated with and approved by the installation fire department. Fire bills must be reviewed annually, updated if necessary, and re-approved by the installation fire department; and

j. Detailed plan of building(s) for fire department only.

2. Escape Bill. All precautions must be taken to prevent the escape of prisoners. Reasonable precautions include proper custody classification of prisoners, adequate instruction and supervision of staff, alertness of all staff members, a system of security inspections, and issuance of an adequate escape bill. All staff members and prisoner escorts from other activities or units must be familiar with procedures to be followed in the case of an escape or attempted escape. In the event of an escape, or attempted escape, action as outlined below must be taken.

a. Attempted Escape from a MCF. If a prisoner attempts to escape from inside the MCF, take action in the following order:

(1) Command the prisoner to “halt” and repeat the command one time, if necessary.

(2) If unsuccessful using the command "halt," prevent the escape by physical pursuit and restraint as may be necessary under the circumstances.

(3) An escape, whether successful or unsuccessful, will tend to cause unrest and could lead to a disturbance. Care must be taken to ensure a proper count is conducted and the daily routine is resumed as soon as possible; and

(4) If the prisoner is injured when captured, request medical assistance immediately.

b. Attempted Escape from an Escort. If a prisoner tries to escape from an escort outside the MCF or if the person refuses to obey an order to remain with the detail, the escort will attempt to restrain the prisoner with any effective means at hand, provided it can be done without jeopardizing control over the remaining prisoners in the detail. If the prisoner successfully escapes, the escort will move the remaining prisoners to the nearest means of communication, report the incident to the MCF and request instructions.

c. Escape Bill Requirements. Specific procedures that can be used quickly when an escape occurs should be made available to all staff. Procedures must include the following: prompt reporting of the escape to the MCF CO; mobilizing of staff; implementing of a predetermined search plan; notify base security or provost marshal's office; higher headquarters; public affairs office; preparing of escape circulars for distribution and mailing; and, after apprehension of the escapee, promptly notify all who were previously alerted to the escape. Additional considerations include:

(1) Procedures for reporting absence of a prisoner and sounding the alarm without loss of time;

(2) Maintenance of an up-to-date list of all staff members with addresses and telephone numbers so they can be recalled when needed (emergency recall bill). The recall roster must be safeguarded to ensure compliance with personally identifiable information requirements and tested every quarter, at a minimum, to verify accuracy of recall numbers and response time of staff members;

(3) A listing of escape posts to be manned while the search is in progress. These may be divided into groups that provide for coverage according to areas and known circumstances;

(4) Escape post-specific instructions will be provided for each staff member assigned to an escape post. Instructions will include post number, location of nearest law enforcement agency, and any other information that will assist staff members when they arrive on the post. Portable communication will be issued for each escape post;

(5) Provisions for notification of military and civil law enforcement agencies in the area when an escape has occurred and their notification upon apprehension. The applicable Service Deserter Information Point (DIP) will be notified immediately via telephone with a message to follow the next working day, and DD 553 Deserter/Absentee Wanted by the Armed Forces will be completed and forwarded to the Service DIP by the most expeditious means available. The below points of contact are provided:

(a) USN: Toll free (877) 663-6772
Commercial (901) 874-2522

(b) USMC: Commercial (703) 604-0395, 6666

(c) USA: Commercial (502) 626-3711

(d) USAF: Toll free (800) 433-0048
Commercial (210) 565-3727

(6) Provisions for picking-up personnel assigned to outlying posts and for turn-in of equipment;

(7) Provisions for not disrupting unrelated activities of the installation or station; and

(8) Provisions for securing and preserving any evidence of, or related to, the escape.

3. Riot Control Bill

a. Personnel assigned to riot control response units must be properly equipped and trained in local riot control measures.

b. Each team must be given specific instructions in the course(s) of action to be followed.

c. An assessment of the situation must be made before committing personnel to a condition that could result in a hostage-taking situation. Reinforcements must be called as necessary to handle the situation and they will be assembled as soon as they arrive. This delay can be used to plan the operation and determine immediate objectives. Outer perimeter must be secured.

d. Chemical agents may be used as directed by article 4308 of this manual.

e. Prior arrangements must be made for appropriate emergency response units, not assigned to the MCF, to secure the outside perimeter of the MCF to prevent escape during the period of time spent in forming and briefing the MCF riot squad. Practice drills must be held on a periodic basis. Kind and amount of force used will be directed by the situation. A standby reaction force will be employed as required.

f. Riot control bills must provide for the following:

(1) Sounding the alarm;

(2) Basic procedures for dealing with riots in the mess hall, recreation area, auditorium, or any place where large numbers of prisoners normally gather; and

(3) Instructions for identifying, separating, and housing agitators and ringleaders

g. Provisions for notifying the MCF CO; security, fire, and utilities departments; public affairs; and staff members (emergency recall bill) who may be needed in controlling the riot

h. Safety measures for staff and prisoners who are not participants

i. Provisions for the protection of property

j. Taking immediate steps to close the security perimeter to any avenue of escape or breaching

k. Procedures for localizing the disturbance

l. Procedures to be followed in the event of a hostage-taking situation

m. Procedures for permitting withdrawal from the affected area by prisoners not wishing to participate

n. Provisions made for securing communications facilities, heat, water, and main electrical controls

o. Cause of the disturbance will be ascertained if possible. Rioters may be conferred with, but no promises will be made regarding any demands other than they will have a fair hearing. Use of a formally trained negotiator must be provided for in the emergency bill, but senior decision-making personnel must not become directly involved in negotiations with prisoners.

p. Personnel will be instructed to closely observe actions of the prisoners in order to provide future evidence concerning the agitators and ringleaders.

q. Use of cameras and video recording is encouraged during disturbances as they can serve as a deterrent, as well as providing graphic evidence in the case of future disciplinary hearings. A bullhorn, video camera, and tape recorder are practical equipment to have available for disturbances.

r. Detailed plan of building(s) (blueprint or video)

s. Steps must be taken as soon as the disturbance is under control to ensure no one has escaped and that the physical plant of the MCF is secure.

(1) Segregate all prisoner participants of the riot and assign sufficient supervision to prevent a recurrence of the disturbance.

(2) Account for all prisoners and involved staff.

(3) Provide extra supervisory personnel in all quarters and mess hall until it is certain the disorder is completely subdued.

(4) Segregate all prisoner leaders and agitators in the RHU pending investigation.

(5) Curtail all work and recreation activities, if necessary, and rearrange dining schedules so it is possible to provide adequate supervision for small groups of prisoners.

(6) Conduct a thorough investigation of the incident.

(7) Photograph all damaged areas and destruction before making repairs.

(8) Arrange for repair of damage to the MCF's physical plant and equipment.

(9) Debrief staff members.

(10) Evaluate use of traumatic stress teams.

4. Hostage Bill. Proper training of all staff members and specialized training of hostage reaction teams is imperative. A person, regardless of grade, held hostage has no authority. All orders received from an individual under duress or being held hostage will be referred to the applicable (non-hostage) staff member in the chain of command before being acted upon.

5. Natural Disaster Bill

a. If a MCF is not secure enough to withstand natural disasters, prisoners and staff may be evacuated prior to the final alert stage or condition. Pre-planning and coordination must be made with BUPERS-00D or DC PPO as appropriate.

b. Disaster bills must include the following:

(1) A secure area or structure must be predetermined for the security and prompt evacuation of all personnel

(2) Evacuation routes must be carefully predetermined for security and prompt evacuation of all personnel and take into account natural and manufactured barriers along the route

(3) Emergency food, water, first-aid supplies, fuel, and communications planned for either evacuation site or remain-in-place operations (3-day supply)

(4) If time permits, individual prisoner records will accompany personnel to the evacuation site.

(5) MCFs will be secured once evacuation is complete.

(6) Medical assistance must be provided for injured personnel.

(7) Procedures to account for all personnel and a plan to effect the orderly return to the MCF; and

(8) Working parties will be formed as necessary to repair damage and clear debris.

6. Civilian Work Stoppage Bill. A work stoppage occurs when civilian staff members actively demonstrate dissatisfaction by striking, calling in sick, and or creating work slowdowns or substandard performance.

a. Procedure. At a minimum, each MCF must maintain a work stoppage bill that includes:

(1) Continuity of operations based on the length of the adverse action(s);

(2) Security and safety;

(3) Communications with employees;

(4) Communication with the public affairs office; and

(5) Documentation of employee actions during adverse job actions.

b. After Action. At a minimum, upon resolution of a work stoppage, the MCF must:

(1) Devise a plan to release temporary assigned personnel from other commands;

(2) Resume normal MCF operations as soon as possible;

(3) Analyze cause of the action; and

(4) Analyze lessons learned for improvements.

7. Hunger Strike Bill. MCFs must publish a hunger strike bill consistent with the provisions contained within article 10201.6 of this manual.

8. Bomb Threat Bill. MCFs must prepare a bomb threat bill to react to bomb threats or explosions. Any type of bomb threat must be treated seriously and never ignored. All threats must be investigated before making a declaration that the threat is a hoax. The bomb threat bill must contain the following procedures:

a. Bomb threat by phone (bomb threat checklist);

b. Bomb threat by mail;

c. Suspicious items;

d. Event of an explosion;

e. Threat evaluation;

f. Bomb search procedures;

g. Bomb search techniques;

h. Evacuation;

i. Reporting or notification requirements; and

j. After action reports

**DEPARTMENT OF THE NAVY**
NAVAL CONSOLIDATED BRIG CHARLESTON
1050 REMOUNT RD, BLDG 3107
CHARLESTON. SC 29406-3515

UNITED STATES NAVAL
CONSOLIDATED BRIG CHARLESTON
CODE: 20
DATE: 14 JAN 2025

SOP: 401
SUBJECT: CLASSIFICATION
TITLE: CUSTODY CLASSIFICATION

Ref: (a) SECNAV M-1640.1
(b) ACA Standards **5-ACI-2B-02, 5-ACI-2B-03, 5-ACI-5B-01, 5-ACI-5B-02, 5-ACI-5B-03, 5-ACI-5B-04, 5-ACI-5B-05, 5-ACI-5B-06, 5-ACI-5B-07, 5-ACI-5B-08, 5-ACI-5B-09, 5-ACI-5B-11, 5-ACI-5B-12, 5-ACI-5F-03, 5-ACI-7A-09**
(c) NAVCONBRIG CHASN SOP 633
(d) NAVCONBRIG CHASN SOP 635
(e) NAVCONBRIG CHASN SOP 431

Encl: (1) 48 Hour Notice of Classification Form

Cancellation. NAVCONBRIGCHASNSOP 401 of 28 Jun 2023.

Effective date. Twenty-four hours after issue.

1. Purpose. To set forth policies and procedures governing objective classification for prisoner custody level.

2. Applicability. To all staff and prisoners.

3. Definitions

a. Classification. A process for objectively determining the level of security and program requirements for prisoners based upon existing resources.

b. Custody. The degree of supervision each prisoner requires.

c. Prisoner. An individual in naval confinement. This includes individuals in pretrial confinement.

d. Unit Team. The Unit Teams are appointed by the Commanding Officer and comprised, at a minimum, of a Unit Manager, Unit Counselor, and Quarters Supervisor (s).

e. Security Perimeter. That area within the confines of the facility walls and/or the dual twelve-foot fence.

4. Policy

a. Staff will determine the degree of supervision, restraint and control needed for individual prisoners. This will be based on individual interviews and a review of all available records as from intake, orientation, program plan development, and evaluation by staff. Initial classification actions will be completed by the Command Duty Officer (CDO). Reclassification actions will be completed by the Unit Team and Classification and Adjustment Board (C&A Board) and approved by the Brig Officer or designee.

b. A written policy, procedure, and practice provide for a written prisoner classification plan. The plan specifies the objectives of the classification system and methods for achieving them, and provides a monitoring and evaluation mechanism to determine whether the objectives are being met **(5-ACI-5B-01)**.

c. The classification system will specify the level of custody required and provides for a regular review of each classification **(5-ACI-5B-02)**.

d. The classification plan will provide for maximum involvement of representatives of relevant institutional programs and the prisoner concerned in classification reviews **(5-ACI-5B-03)**.

e. The institution or parent agency solicits and uses pre-institutional assessment information regarding the prisoner's progress and adjustment **(5-ACI-5B-04)**.

f. At initial classification, each prisoner will be assigned to a staff member to ensure supervision and personal contact; a unit team may perform this function **(5-ACI-5B-05)**.

g. The written plan for each prisoner classification status will be reviewed at least every 12 months **(5-ACI-5B-06)**.

h. The classification plan specifies criteria and procedures for determining and changing a prisoner's program status; the plan includes at least one level of appeal **(5-ACI-5B-07)**.

i. Unless precluded for security or other substantial reasons, all prisoners appear at their classification hearing and are given notice 48 hours prior to the hearing; such notice may be waived by the prisoner in writing **(5-ACI-5B-08)**.

j. Prisoners may initiate a review of their progress and program status by submitting a request to their unit team **(5-ACI-5B-09)**.

k. Special needs prisoners will be identified by receiving personnel, clinical, medical, or unit team staff or other qualified personnel **(5-ACI-5B-11)**.

l. Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults will not reside in the brig **(5-ACI-5B-12)**.

m. The maximum size of a single management unit is variable and is based upon the characteristics of its prisoner population but does not exceed 80 prisoners. The exact size of each management unit is determined by (1) the security classification of the prisoner occupants (higher security levels require smaller unit size), and (2) the ability of staff to complete regular security checks, maintain visual and auditory contact, maintain personal contact and interaction with prisoners, and be aware of unit conditions **(5-ACI-2B-03).** The Brig rated capacity is 175 which is designated by PERS-00D.

n. Security and program determinations necessary for any individual to be eligible for industries work are made by the unit team and the C&A Board, as outlined in ref (d) **(5-ACI-7A-09).**

o. Graduated release through a systematic decrease in supervision and corresponding increase in prisoner responsibility will be considered during the classification process **(5-ACI-5F-03).**

p. Staff and prisoner interaction are encouraged. Brig staff, particularly Unit Teams, follow the unit management system which provides staff with the authority to make decisions, and the ability to make recommendations regarding security, classification, services, and programs for prisoners as out lined in ref (c) **(5-ACI-2B-02).**

q. A graduated release through a systematic decrease in supervision and corresponding increase in prisoners responsibility is part of the classification program **(5-ACI-5F-03).**

r. The security and program determinations necessary for any individual to be eligible for industries work are made by the Classification and Assignment Board **(5-ACI-7A-09).**

5. Procedures

a. Initial Custody Classification. The initial custody classification is conducted during the reception process by the CDO using pre-institutional assessment regarding progress and adjustment **(5-ACI-5B-05).** The facility solicits and uses pre-institutional assessment information regarding the prisoner's progress and adjustment **(5-ACI-5B-04).** The CDO shall ensure the following are completed:

(1) Complete Prisoner Background Summary DD Form 2710.

(2) Complete Initial Custody Classification Form DD Form 2711.

(3) Determine prisoner level of custody and identify any special needs or problems **(5-ACI-5B-11).**

(4) An initial custody classification of MDI will be assigned to all pre-trial and post-trial prisoners, except when MAX is required due to special circumstances. Under no circumstances should a prisoner have an initial classification of MDO/MIN/IC.

(5) Classification actions are entered into the Corrections Management Information System (CORMIS).

(6) All prisoners shall be initially assigned to the Special Quarters' Chief to ensure supervision and personal contact, pending clinical/medical clearance and urinalysis. Once cleared, the prisoner will be assigned to the Orientation Housing Unit. **(5-ACI-5B-05).** **Transient prisoners will remain in Special Quarters until transfer is affected.**

(7) Policy, procedure, and practice provide for a written prisoner classification plan. The plan specifies the objectives of the classification system and methods for achieving them, and it provides a monitoring and evaluation mechanism to determine whether the objectives are being met **(5-ACI-5B-01).**

(8) Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults will not reside in the brig **(5-ACI-5B-12).**

b. Prisoner Notification. Unless precluded for security or other substantial reasons, all prisoners will be given the opportunity to appear at their classification hearing. They will be notified in writing at least 48 hours before the next Classification Review, using enclosure (1). Prisoners may waive the 48 hour notice and/or their right to appear at the hearing **(5-ACI-5B-05).** The right to appeal the outcome to the Commanding Officer is retained even if the prisoner declines to appear. Unless precluded for security or other substantial reasons, all prisoners appear at their classification hearing and are given notice 48 hours prior to the hearing; such notice may be waived by the prisoner in writing **(5-ACI-5B-08).**

c. Custody Reclassification. Custody reclassification shall be focused on the graduated release through a systematic decrease in supervision and corresponding increase in prisoner responsibility **(5-ACI-5F-03).**

(1) After orientation, prisoners will be reviewed by the Orientation Unit Team for placement in the general population, custody, housing, work, and special programs. Reclassification will be done if the following occurs:

(a) Meeting time requirements listed in paragraph (d) below.

(b) A guilty finding from a Discipline and Adjustment Board.

(c) Receipt of more than three negative spot reports within a 90-day period.

(d) After movement from disciplinary segregation.

(e) Any time determined appropriate by a unit team member or at the prisoner's request.

(2) To effect a reclassification review; the Unit Team will:

(a) Complete the Custody Reclassification Form DD Form 2711-1. This form is verified by the Unit Manager with input from the Unit Team. If the Unit Team agrees with the objective recommendation, "no" is circled on the override line. If the C&A Board disagrees recommendation, "yes" is circled with the override code and rationale written on the form for review by the Brig Officer. Override of the objective classification recommendation will be determined by the Brig Officer. An override will normally increase/decrease the custody by one level unless otherwise approved by the Brig Officer.

(b) Determine change in custody level and housing assignment.

(c) Notify the prisoner of the unit team decision.

(d) Forward form to Brig Officer via the Classification and Adjustment Board (C&A Board), a multi-disciplinary board, in accordance with SOP 635, and place completed form in the prisoner's file after Brig Officer's approval **(5-ACI-5B-03)**.

(e) Input the classification actions into CORMIS after final approval is received.

d. Time Schedule for Reclassification. In accordance with reference (b), reclassification of prisoners will be accomplished by the Unit Team as follows **(5-ACI-5B-02) (5-ACI-5B-06)**:

| Criteria | Pretrial | Post-Trial |
|---|---|---|
| At completion of orientation or upon change in legal status | Maximum Custody | All |
| Every 30 Days | Maximum Custody | Maximum Custody |
| Initiated by staff recommendation to change custody classification to a higher/more restrictive level based on identification of risk, other salient factors or management problems. (e.g., MDI to MAX) | Medium-In Custody | All except Maximum Custody |
| Initiated by staff recommendation to change custody classification to a lower/less restrictive level based on performance, risk or other salient factors. (e.g., MDI to MDO) | N/A | All except Installation Custody |
| Quarterly* | N/A | Medium-In, or those with sentences of one year or less |

| | | |
|---|---|---|
| Semi-annual* | N/A | All with sentences of 1 to 3 years |
| Annual* | N/A | All with sentences over 3 years |

*Reclassification may also be conducted based on review of the prisoner's hard-card, work evaluations, disciplinary actions, or other performance or security issues. This review is initiated by the Unit Team at its weekly meeting, which reviews prisoner hard-cards and other related performance information. A review of the prisoner program plan will also be conducted at least annually and documented in CORMIS.

e. Prisoner Initiated Reclassification. Prisoners may initiate a review of their progress and program status, and custody classification at any time by submitting a DD Form 510 request to their unit team **(5-ACI-5B-09)**. If a request for custody classification is received, the Unit Team will assess the prisoner and make a recommendation to the C&A Board. The C&A Board will review the prisoners request and Unit Team recommendation, and forward their recommendation to the Brig Officer for approval.

f. Guidelines for Custody Reclassifications. The Unit Team shall take into consideration the degree of supervision and restraint needed for control of individual prisoners, inside and outside the security perimeter, as outlined in Reference (a), Article 4201. The Unit Team/C&A Board will use the following guidelines to establish proper custody classification assignments for all post-trial prisoners; exceptions to any of the elements listed below must be approved by either the CO or XO.

**NOTE: Time awarded for pretrial confinement and other administrative credits deemed appropriate by the court will be considered as time served and used in computing minimum time eligibilities for custody classification.**

(1) Maximum Custody (MAX). Pre-trial and post-trial prisoners requiring special custodial supervision because of the high probability of escape, are potentially violent or dangerous, and those who are at risk of harming themselves. Ordinarily, only a small percentage of prisoners shall be classified as MAX.

(2) Medium Inside (MDI). Pre-trial and post-trial prisoners who present security risks not warranting MAX and are not regarded as dangerous or violent.

(a) Assigned to all new prisoners, except those specifically deemed to be serious management problems (MAX), shall be assigned a MDI custody classification during the reception/orientation phase.

(b) All pre-trial prisoners will maintain an MDI custody classification, except those specifically deemed to be serious management problems (MAX).

(c) Assigned to General and Special Courts-Martial prisoners who have more than 90 days remaining on their sentence and who have not served one fourth 1/4 of their sentence to confinement.

(d) May also be used when special circumstances warrant (e.g., previous or current conduct in confinement, convicted of serious violent crime, previous convictions, escape risk, pending civil charges, etc.).

(3) Medium Outside (MDO). Post-trial prisoners who present security risks not warranting MDI are considered MDO prisoners.

(a) Will normally be assigned to Summary Courts-Martial prisoners after completion of orientation unless special circumstances warrant remaining MDI.

(b) Assigned to General and Special Courts-Martial prisoners who have served one fourth (1/4) of their sentence to confinement or have less than 90 days remaining on their sentence to confinement unless special circumstances warrant remaining MDI (e.g., convicted of serious violent crime, previous convictions, escape risk, pending civil charges, etc.).

(4) Minimum Custody (MIN). Post-trial prisoners who present security risks not warranting the above classifications are considered MIN prisoners.

(a) Summary courts-martial prisoners may be assigned upon completion of orientation if facility needs require.

(b) May be assigned to General and Special Courts-Martial prisoners who have served one third (1/3) of their sentence to confinement or have less than 2 years remaining on their sentence to confinement.

(c) Must be active in or completed all required programs associated with their convicted offense(s) or any other condition that may exist (i.e., Sexual Offender Education (SOED), General Violence (GO) Treatment, Innovative Skills, Techniques, Options and Plans for Better Relationships (STOP) Treatment, Substance Use Treatment).

(d) No DRs or negative Observation Reports within 90 days. If more than 3 DR's received, prisoner must have completed 120 days without incident since their last DR. Exceptions may be granted on a case-by-case basis. Should a minimum custody prisoner be found guilty at a disciplinary hearing, the prisoner shall be reviewed for increased custody.

(e) Work and Training Reports must reflect above average to outstanding marks.

(f) A prisoner increased from minimum custody will not normally be reassigned to minimum.

(5) Installation Custody (IC). Certain post-trial prisoners who require only limited custodial supervision. They may work and move about much the same as individuals in a normal duty status.

(a) Assigned to prisoners upholding the highest standards of personal conduct and behavior.

(b) Have completed at least one half (1/2) of their confinement adjudged, or the convening authority has acted, whichever occurs first.

(c) No violent charges or any charges that are of a sexual nature.

(d) No more than twelve months from minimum release date.

(e) Never previously removed from IC classification for poor performance or behavior.

(f) Must be active in or completed all required programs related to their offense or any other condition that may exist.

(g) No DR's or negative Observation Reports within 180 days of the nomination. If more than 3 DR's received, he must have completed 180 days without incident since his last DR. Exceptions may be granted on a case-by-case basis.

(h) Work and Training Reports must reflect above average to outstanding marks.

(i) Consideration will be taken when assigning jobs to prisoners adjudicated for serious sexual or aggravated assault offenses.

(j) IC Classification shall be administered in accordance with ref (e).

g. Other Factors Affecting Custody Classification

(1) Factors, though not all inclusive, to be considered in assessing higher custody classifications (MAX or MDI) include:

(a) Assaultive behavior.

(b) Disruptive behavior.

(c) Serious drug abuse.

(d) Serious civil/military criminal record (convicted or alleged).

(e) Low tolerance of frustration.

(f) Intensive acting out or dislike of the military.

(g) History of previous escape(s).

(h) Pending civil charges/detainer filed.

(i) Serving a sentence which the individual considers to be unjust or severe.

(j) Poor home conditions or family relationships.

(k) A mental evaluation indicating serious neurosis or psychosis.

(l) Indication of unwillingness to accept responsibility for personal actions past and present.

(m) Demonstrated pattern of poor judgment.

(n) Length, or potential length, of sentence.

(o) Gang affiliation or ties with disruptive organizations.

(p) Awaiting transfer to another confinement facility.

(q) Refusal to accept/participate in recommended treatment programs.

(2) Factors that indicate lower custody classifications (MDO, MIN, or IC) include:

(a) Clear military record, aside from present offense.

(b) Close family ties; good home conditions.

(c) The offense(s) charged is not serious.

(d) Apparently stable mental condition (responsible for own actions).

(e) Indications the individual wishes to return to duty.

(f) Comparatively short sentence to confinement; however, length of sentence shall not be an overriding factor.

(g) Behavior during a previous confinement.

(h) Completion of, or active participation in, treatment programs or groups.

(3) The factors listed above are indicators, not ironclad rules; therefore, the Brig Officer will consider objective based overrides where applicable. An evaluation of all phases of prisoner performance shall be made prior to each custody change. By following the criteria and concepts outlined above, the Brig Officer shall be able to make more efficient use of staff and provide an atmosphere in which rehabilitative efforts shall be more effective.

h. Staff and prisoner interaction are encouraged. Brig staff, particularly unit teams, follow the unit management system which provides staff with the authority to make decisions, and the ability to make recommendations regarding security, classification, services, and programs for prisoners (see SOP 633) **(5-ACI-2B-02)**. The maximum size of a single management unit is variable and is based upon the characteristics of its prisoner population but does not exceed 80

prisoners. The exact size of each management unit is determined by (1) the security classification of the prisoner occupants (higher security levels require smaller unit size), and (2) the ability of staff to complete regular security checks, maintain visual and auditory contact, maintain personal contact and interaction with prisoners, and be aware of unit conditions **(5-ACI-2B-03).**

i. The security and program determinations necessary for any individual to be eligible for industries work are made by the Classification and Assignment Board **(5-ACI-7A-09)**.

6. Appeals. Appeals of classification decisions shall be forwarded to the Commanding Officer via DD Form 510 in accordance with the Prisoner Handbook (5-ACI-5B-07).

7. Records Management. Records created as a result of this SOP, regardless of media or format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

8. Review and Effective Date. Per OPNAVINST 5215.17A, the originator will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9.

J. M. BRISCO JR.

Releasability and distribution:
This SOP is cleared for public release and is available electronically only via Y Drive\\Naeachrlfs101v\navperscom$\CHRL\TownHall\Instructions - SOPs\SOPs\401

Distribution:
PERS-00D
Department Heads
Special Assistants
Unit Teams

## 48 HOUR NOTICE OF CLASSIFICATION

The notice is to advise you that your classification status will be reviewed as explained below. You are encouraged to attend this classification hearing - it is your opportunity to personally hear the discussion and consideration of the factors that affect your classification. If you choose not to attend you still retain the right to appeal the outcome to the Executive Officer. You may waive the 48 hour notice and/or your right to appear at your hearing. Such notice will be made by your signature, which verifies your preference and indicates receipt of notice.

UNIT: _____

DATE: _____

TIME: _____

LOCATION: _____

NAVCONBRIG CHARLESTON, SC

1640/35 (NEW 05/93)

## 48 HOUR NOTICE OF CLASSIFICATION

| DATE | NAME | WAIVE NOTICE | WILL ATTEND | WAIVE APPEAL | SIGNATURE |
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MAGNET FORENSICS®

# FORENSIC EXAMINATION REPORT

## CASE NUMBER 01JUN25-NFNF-00237-7MNA

| | |
|---|---|
| Case generated | Thursday, June 5, 2025 |
| Report generated | Thursday, September 4, 2025 |

Record 1

| | |
|---|---|
| Tags | 29Jun25 timeline |
| Type | PlaceCardTap |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 5/29/2025 1:10:59.116 PM |
| Action | GET_DIRECTIONS |
| Location Name | Bermuda |
| Country | Bermuda |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Location | • File Offset 346588 |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Recovery method | • Parsing |
| Item ID | 798281 |

Record 1

| | |
|---|---|
| Search Term | norfolk airport |
| URL | https://www.google.com/search?q=norfolk+airport&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari&dlnr=1&sei=IrQ9ZqKoDPihptQPvMGG8A8#cobssid=s&dlnr=1&wptab=si:ACC90nw1iFjLNTDUIV-gYYwlwGJPH-ZiErUy9FvC_xiBozCkI3J-taYwYH9nt1jhgUnHPDV8ZHhwNO4k0kS8LJphhf_jRrmegTub_1hASB8c-LevJaEMb6wh6P9635mYAjsivLU0xGXwvnhz_f_pM7AqSJPX0vk4Xw%3D%3D&lpg=cid:CgIgAQ%3D%3D |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/3/2025 8:41:43.067 PM |
| Search Session Start Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 5/10/2024 1:44:02.000 AM |
| Web Page Title | norfolk airport - Google Search |
| Artifact | Safari iCloud Tabs |
| Artifact ID | 30646 |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Safari\CloudTabs.db |
| Location | • Table: cloud_tabs(rowid: 4674)<br>• Table: cloud_tab_device(rowid: 2) |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Item ID | 30666 |

Record 2

| | |
|---|---|
| Search Term | virginia airport |
| URL | https://www.google.com/search?q=virginia+airport&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/3/2025 8:41:43.914 PM |
| Web Page Title | Can't Open Page |
| Artifact | Safari iCloud Tabs |
| Artifact ID | 31280 |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Safari\CloudTabs.db |
| Location | • Table: cloud_tabs(rowid: 4708)<br>• Table: cloud_tab_device(rowid: 2) |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Item ID | 31291 |

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **GOVERNMENT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF: REVIEW OF PRETRIAL CONFINEMENT**<br><br>**8 SEPTEMBER 2025** |

## MOTION

1. This Court lacks jurisdiction to consider the Defense's motion. Specifically, because the Defense is not challenging the propriety of confinement as defined by R.C.M. 305 and 309 and is instead challenging the conditions of confinement, there is no jurisdiction under Article 30a, UCMJ to conduct a proceeding for this motion.

2. Alternatively, if this Court has jurisdiction, the Defense's motion is without merit and should be denied. The Accused's maximum confinement (MAX) status does not unlawfully interfere with private pretrial preparation with his Defense counsel. In this case, the Government's regulations are "reasonably related to legitimate penological interests."[1]

## JURISDICTION

3. Article 30a, UCMJ provides limited bases for proceedings to occur prior to referral.[2] Included among these bases are "[p]re-referral matters relating to . . . [p]re-trial confinement of the Accused."[3] But Article 30a also directs that "[t]he President shall prescribe regulations" for these types of proceedings. Those regulations can be found in Rule for Court-Martial (R.C.M.) 309. What is not included in Article 30A or R.C.M. 309 are pre-referral motions like the current motion before the Court challenging the conditions of confinement.

4. Specific to pretrial confinement, R.C.M. 309 provides that pre-referral proceedings for pretrial confinement are limited only to a "review of the propriety of pretrial confinement" as previously decided by a reviewing officer under R.C.M. 305(j)(2)(C).[4]

5. Rule for Court-Martial 305(j)(2)(C) explains what that reviewing officer's previous decision entails. Within 7 days of imposition of confinement, a reviewing officer must review the initial

1. *Turner v. Safley*, 482 U.S. 78, 89 (1987).
2. Art. 30a, UCMJ.
3. Art. 30a(a)(1)(E), UCMJ.
4. R.C.M. 309(b)(6).

probable cause determination as well as the necessity of continued pretrial confinement. This includes a review of the findings that "(1) an offense triable by court-martial has been committed; (2) the person confined committed it; and (3) confinement is required by the circumstances," including if the confinee will not appear at trial, pretrial hearings, or preliminary hearings, if the confinee will engage in serious criminal misconduct, and if less severe forms of restraint are inadequate.[5] The discussion section of R.C.M. 305(i)(2) provides a number of factors to assess when making this determination. Of note, the right to counsel is not included for consideration.

6. The motion submitted by the Defense does not challenge the propriety of pretrial confinement. The Defense does not allege a lack of probable cause or the necessity of pretrial confinement. Because access to counsel is not a consideration when weighing the propriety of pretrial confinement, there is no jurisdiction to hear this motion under Article 30a.

7. But should this Court disagree and find that it does have jurisdiction, the facts, law and argument put forth below establish that the Defense's motion lacks merit and should be denied.

**FACTS**

8. The Accused was ordered into confinement on 9 June 2025.[6]

9. The Accused is classified as a MAX prisoner and has been since the start of his confinement.[7] MAX is defined as "[p]risoners requiring special custody supervision because of the high probability of escape or are potentially violent or dangerous, and whose escape would cause concern of a threat to life, property, or national security."[8]

10. Initially, the Accused spent 22 hours a day in his cell. As of 11 August 2025, his status was stepped down and he now spends 21 hours a day in his cell but is still in a MAX status.[9]

11. Every 30 days, his classification is reviewed.[10] The board considers a range of factors from SECNAV M-1540.1, such as his behavior at the brig, the prisoners' civilian and military record, the seriousness of the offenses alleged, and the potential length of confinement awarded if found guilty in calculating a certain amount of points.[11] If a certain threshold is met, the classification is reduced.[12] The Accused has the option to appeal the board's determinations to keep him in a MAX status, but has not done so.[13]

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5. R.C.M. 305(d) and (j)(2)(C)
6. Def. Encl. A.
7. Encl. 1.
8. Encl. 2 at 4-5 and 4-6.
9. Encl. 1.
10. Encls. 1; 3 at 5.
11. Encl. 1; *see also* Encl. 2 at 4-10 to 4-13; Encl. 3 at 8-9.
12. Encl. 1.
13. Encl. 1; Encl. 3 at 10.

12. The Accused's step-down on 11 August provides him an additional hour a day outside of his cell to clean.[14] This was done to allow him additional opportunity to prove that his behavior is improving and that re-classification may be appropriate.[15]

13. While in MAX, the Accused is allowed private phone calls and visitation with his defense counsel in a no-contact booth.[16] Private phone calls can be accommodated at any time as long as the request is made during business hours (0730-1530).[17] The no-contact booth is only occupied by the attorneys and the Accused, has plexiglass in the middle with slots to pass documents between client and attorney, allows for videos to be seen by the client, and can have white noise machines placed outside of the booth to avoid conversations being overheard by anyone outside of the attorney-client conversation.[18] No requests have been made by the Defense for the use of a white noise machine.[19]

14. Charges were preferred against the Accused on 22 August 2025.[20] These charges include allegations of premediated murder and violent sexual misconduct.[21] These allegations span five victims in a less than one-year period.[22]

15. Both during and after the commission of the alleged offenses, but before the imposition of pretrial confinement, the Accused searched for options to escape.[23] Specifically, he searched for directions to "Bermuda" on 29 May 2025, the date of the alleged murder, and conducted searches for "norfolk airport" and "virginia airport" in the following days.[24]

**BURDEN**

16. In this motion for appropriate relief, the Defense bears the burden of proof by a preponderance of the evidence and the burden of persuasion as the moving party.[25]

**LAW**

17. MAX status can be appropriate for pretrial prisoners, even if the sole reason for placement in that status is because of the seriousness of his or her offenses.[26] But an accused in pretrial

14. Encl. 1.
15. Encl. 1.
16. Encl. 1.
17. Encl. 1.
18. Encl. 2.
19. Encl. 1.
20. Charge Sheet.
21. Charge Sheet.
22. Charge Sheet.
23. Encl. 4.
24. Encl. 4.
25. R.C.M. 905(c)(1) & (2).
26. *United States v. Felicies*, NMCCA 9900206, 2005 CCA LEXIS 124, *21 (N-M. Ct. Crim. App. Apr. 27, 2005).

confinement is entitled to the appointment of military counsel regardless of status.[27] This right, particularly as it applies to this case, is guaranteed by the Sixth Amendment to the Constitution.[28]

18. However, that right to counsel is not absolute for prisoners in pretrial confinement. "Prison regulations that impede an inmate's constitutional rights will . . . be upheld if the regulation 'is reasonably related to legitimate penological interests.'"[29] The Supreme Court held in *United States v. Turner* that there are four factors to consider when assessing the reasonableness of a prison regulation:

> (1) Whether there is a valid, rational connection between the prison regulation and the legitimate governmental interest put forward to justify it,
>
> (2) whether there are alternative means of exercising the right that remain open to prison inmates,
>
> (3) the impact the asserted constitutional right will have on guards and other inmates, and on the allocation of prison resources, and
>
> (4) the existence of obvious, easy alternatives may be evidence that the regulation is not reasonable, but is an exaggerated response to prison concerns.[30]

19. All four factors are not always "equally useful nor need be applied with equal value, depending on the circumstances of the case and the regulation that is challenged."[31] This test has been applied in military courts in a variety of challenges.[32]

20. In evaluating the first *Turner* factor, a court should only strike down a regulation when a logical connection between the regulation and asserted goal does not exist or is "so remote as to render the policy arbitrary or irrational."[33] "[An Accused's] complaint may not be plausible unless

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27. R.C.M. 305(e), (g).
28. *Rothgery v. Gillespie Cty., Tex.,* 554 U.S. 191, 194 (2008).
29. *United States v. Moi*, 2021 U.S. Dist. LEXIS 171470, *24 (D. Alaska 2021) (quoting *Turner*, 482 U.S.at 89).
30. *Turner*, 482 U.S. at 89-90 (cleaned up).
31. *United States v. Green*, ACM 36664, 2007 CCA LEXIS 475, at *8-9 (A.F. Ct. Crim. App. Oct. 12, 2007) (citing *Beard v. Banks*, 548 U.S. 521 (2006)).
32. *See e.g.*, *United States v. Guinn*, Army 20170500, 2021 CCA LEXIS 423 (A.C.C.A. Aug. 20, 2021) (considering the Frist Amendment right to familial association); *United States v. Frantz*, ACM 39657, 2020 CCA ELXIS 404 (A.F. Ct. Crim. App. Nov. 10, 2020) (considering policy restricting contact with son); *United States v. Arnold*, Army 20180418, 2019 CCA LEXIS 516 (A. Ct. Crim. App. Dec. 17, 2019) (considering a policy against minor visitors); *United States v. Green*, ACM 36664, 2007 CCA LEXIS 475 (A.F. Ct. Crim. App. Oct. 12, 2007) (considering a policy against sex offenders meeting with minors), *Felicies*, 2005 CCA LEXIS 124 (considering a policy against material and conversation that was in a foreign language).
33. *Turner*, 482 U.S. at 89-90.

it contains specific factual allegations demonstrating why the government's justifications do not have a rational connection to the challenged restrictions."[34]

21. In considering the second *Turner* factor, the existence of alternative means to exercise a constitutional right means a regulation is less likely to violate the Constitution.[35] Some deference is owed corrections officials in assessing the validity of a regulation.[36] "Alternatives are interpreted broadly; if a prisoner can still exercise the asserted right in a similar, though not identical way, the prisoner's constitutional rights are preserved."[37]

22. In assessing the third *Turner* factor, "the right of the prisoner is weighed against the rights of other prisoners and prison employees, and where 'the right in question can be exercised only at the cost of significantly less liberty and safety for everyone else, guards and other prisoners alike, we should defer to the informed discretion of corrections officials."[38] "Deference to prison administrators is due '[w]hen allocation of resources and the ability of administrators to protect staff and detainees at the facility are at issue.'"[39] Prisons do not need to use the least-restrictive available options.[40] "The *Turner* analysis . . . does not invalidate a policy just because it restricts one of many forms of legal assistance.:[41]

23. And last, in reviewing the fourth factor, "if an inmate claimant can point to an alternative that fully accommodates the prisoner's rights at de minims cost to valid penological interests," the regulation may be unreasonable. "[T]he burden is on the inmate 'to point to an alternative that accommodates their rights at de minimis cost to security."[42]

24. In *United States v. Moi*, the United States District Court for Alaska found a difference in the adequacy of representation that occurred between a private contact visit and a visit conducted behind a plexiglass wall and that difference was an unreasonable interference on the right to counsel for inmates at a specific facility.[43] In *Moi*, the plexiglass barrier prevented the ability to physically exchange material and the room contained other people, including prison visitors.[44] This ruling did not specifically contemplate potentially dangerous prisoners and was instead a review of the prison's COVID protocols.[45]

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[34] *Crawford v. Garland*, 2025 U.S. Dist. LEXIS 36440, *17 (D. Colo. Feb. 5, 2025) (citing *Gee v. Pacheco*, 627 F.3d 1178, 1185 (10th Cir. 2010).
35. *Turner*, 482 U.S. at 90.
36. *Moi*, 2021 U.S. Dist. LEXIS 171470, *24 (citing *Turner* at 89-90).
37. *Id*. at *25 (citing *Mauro v. Arpaio*, 188 F.3d 1054, 1061 (9th Cir. 1999)).
38. *Moi*, 2021 U.S. Dist. LEXIS 171470 at *26 (citing *Mauro*, 188 F.3d at 1062).
39. *Id*. at *26 (quoting *Bull v. City & Cty. Of San Francisco*, 595 F.3d 964, 976 (9th Cir.)).
40. *Thornburgh v. Abbott*, 490 U.S. 401, 411 (1989); *Hammer v. Ashcroft*, 570 F.3d 798, 801 (7th Cir. 2009).
41. *Sebolt v. Samuels*, 749 Fed. Appx. 458, 461 (7th Cir. 2018) (citing *Shaw v. Murphy*, 532 U.S. 223, 230 (2001)).
42. *Id*. (quoting *Casey v. Lewis*, 4 F.3d 1516, 1523 (9th Cir, 1993).
43. *Id*. at *24-27
44. *Id*.
45. *Id*.

## ARGUMENT

25. The Brig's classification of the Accused as a MAX prisoner is not contested by the Defense and is appropriate. The options available to the Defense for in-person meetings with the Accused while he remains in that status are "reasonably related to legitimate penological interests"[46] as all four *Turner* factors favor the Government.[47]

26. First, there is a valid, rational connection for not allowing unrestrained contact visits between the Accused and his counsel. The Accused is charged with extreme instances of violent behavior, including murder and violent sexual offenses. And after he had committed his most egregious offenses, he sought to escape. MAX classification, including a limitation on contact visitation, ensures the safety of the staff and other persons and also works to prevent any escape opportunities.

27. Second, there are alternative means of exercising the Accused's right to confer with his counsel in private. In addition to phone calls, the Brig is willing to facilitate meetings behind plexiglass that still allow for the transfer of documentation and full privacy, unlike in *Moi*. The Brig is also willing to provide white noise outside of the room to ensure no communications are overheard. While not identical to a contact meeting, any interference with the attorney-client relationship is minimal and should not overcome the discretion given to prison officials.

28. Third, "[d]eference to prison administrators is due '[w]hen allocation of resources and the ability of administrators to protect staff and detainees at the facility are at issue.'[48] Unlike in *Moi*, the Accused is an alleged highly violent offender and would require additional security measures for a contact visit. Deference should be given to prison administration officials here.

29. And last, contact visits are not an easy alternative for the same safety concerns noted above. This is not an exaggerated response.

30. In summary, any differences between a non-contact visit under these circumstances and a contact visit are minimal. That minimal difference is vastly outweighed when considering the *Tucker* factors. The restrictions in place are "reasonably related to legitimate penological interests" and should be upheld.[49]

31. It should also be considered that the Brig is reviewing the Accused's classification status every 30 days and has already provided him an opportunity to develop a rapport by allowing an hour a day to clean unsupervised. As such, the Brig staff are acting in accordance with their instructions in doing so. The Accused has also never appealed his MAX classification determinations.

## REQUESTED RELIEF

46. *Turner*, 482 U.S. at 89.
47. *Id*.
48. *Moi*, 2021 U.S. Dist. LEXIS 171470 at *26.
49. *Turner*, 482 U.S. at 89.

32. The Government respectfully requests that the Court deny the Defense's motion for appropriate relief.

## ENCLOSURES

33. The Government provides the following enclosures in support of this motion:

1. R.C.M. 701 Summary of Interview with CDR Brian Flanagan, USN, dated 2 September 2025.
2. SECNAV M 1640.1, Chapter 4.
3. NAVCONBRIG CHASN SOP 401 dated 14 Jan 2025.
4. Internet Search History of the Accused.

## ORAL ARGUMENT

34. The Government requests oral argument if the Court finds jurisdiction to hear this motion.

[redacted]

Christopher B. Dempsey
LT, JAGC, USN
Trial Counsel

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 9 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 9 of 25, and Article 30a Proceedings (Continued).



# 30a PROCEEDINGS

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

**IN THE MATTER OF THE SEARCH OF:**

**Information Associated with the Sony Interactive Entertainment LLC Account Associated with the Online ID:** [redacted]
**With associated email address** [redacted]

**That is Stored at the Premises Controlled by Sony Interactive Entertainment LLC, Corporation Service Company 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219**

**Case Identifier:**
**01JUN25-NFNF-00237-7HNA**

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. I make this affidavit in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Sony Interactive Entertainment LLC

(hereafter "Sony") to disclose to the government records and other information, including the contents of communications, associated with the Sony account associated with online ID and email (the **SUBJECT ACCOUNT):**

a. **Online ID: dripdip02**
b. **jermiahcopeland@gmail.com**

and seize information associated with that account that is stored at premises owned, maintained, controlled, or operated by Sony. The information to be disclosed by Sony and searched by the government is described in the following paragraphs and in Attachments A and B.

4. This application seeks a warrant to search all responsive records and information under the control of Sony, a provider subject to the jurisdiction of this court, regardless of where Sony has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Sony's possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.

5. Your Affiant anticipates executing this warrant by using this warrant to require Sony to disclose to the government copies of the records and other information (including the content of communications) described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. I have set forth only those facts that I believe are necessary to establish probable cause that evidence, fruits, and instrumentalities of violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) are present in the information associated with the above listed **SUBJECT ACCOUNT.** Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

## JURISDICTION

7. As defined in 18 U.S.C. §2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. §§2703(a), (b)(l)(A), (c)(l)(A), and 10 U.S.C. § 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of Title 10 (UCMJ)."

## PERTINENT STATUTES UNDER THE UNIFORM CODE OF MILITARY JUSTICE

8. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain

particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

9. Article 118 (Murder): Intent to kill or inflict great bodily harm; A certain named or described person is dead; Death resulted from the act or omission of the accused; the killing was unlawful; and at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon a person.

10. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## OTHER LEGAL AUTHORITY

11. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from 18 U.S.C. §§ 2701-2711, entitled "Stored Wire and Electronic Communications and Transactional Records Access." Section 2703(a) provides in relevant part as follows:

> (1) A governmental entity may require the disclosure by a provider of electronic communication service of the contents of an electronic communication that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant. A governmental entity may require the disclosure by a provider of electronic communications services of the contents of an electronic communication that has been in electronic storage in an electronic communications system for more than one hundred and eighty days by the means available under subsection (b) of this section.

18 U.S.C. § 2703(b) provides, in relevant part, as follows:

> (1) A governmental entity may require a provider of remote computing service to disclose the contents of any electronic communication to which this paragraph is made applicable by paragraph (2) of this subsection -
>
> > (A) Without required notice to the subscriber or customer, if the governmental entity obtains a warrant issued under the Federal Rules of Criminal Procedure or equivalent State warrant.
>
> (2) Paragraph (1) is applicable with respect to any electronic communication that is held or maintained on that service -
>
> > (A) On behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by

means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) Solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

12. The government may also obtain records relating to e-mail communications, such as subscriber identifying information, by way of a search warrant. 18 U.S.C. § 2703(c)(l)(A).

13. 18 U.S.C. §§ 2703(b)(l)(A) and 2703(c)(l)(A) allow for nationwide service of process of search warrants for the contents of electronic communications and records concerning electronic communication service or remote computing service if such warrant is issued by a court with jurisdiction over the offense under investigation.

## DEFINITIONS

14. "Electronic communication service provider" (ECSP) means (a) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934; (b) a provider of electronic communication service, (c) a provider of a remote computing service, (d) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or (e) an officer, employee, or agent of an entity described in subparagraph (a), (b), (c), or (d).

15. "Electronic Communications System" means any wire, radio, electromagnetic, photo optical, or photo electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. 18 U.S.C. § 2510(14).

16. "Electronic storage" means (a) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (b) any storage of such communication by an electronic communication service for purposes of backup protection of such communication. 18 U.S.C. § 2510(17).

17. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

18. "Computer," as used herein, refers to "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related

to or operating in conjunction with such device" and includes smartphones, and mobile phones and devices. 18 U.S.C. § 1030(e)(l).

19. "Computer passwords and data security devices," as used herein, consist of information or items designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates what might be termed a digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software of digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

20. "Internet Protocol Address" (IP Address), as used herein, refers to refers to a unique number used by a computer or other digital device to access the Internet. IP addresses can be "dynamic," meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be "static," if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. A "natting" IP address is a type ofIP address that becomes assigned to multiple devices at the same time when those devices are connected to a common router (normally the term is invoked when multiple individuals are connected to the same cellular towers and cellular data network. All devices connected to the same tower will be assigned the same "natting" IP Address.)

21. "Internet Service Providers" or "ISPs" are commercial organizations which provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers, including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer various means by which to access the Internet including telephone based dial-up, broadband based access via a digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called "bandwidth," that the connection supports. Many ISPs assign each subscriber an account name such as a user name or screen name, an e-mail address, and an e-mail mailbox, and the subscriber typically creates a password for the account. By using a computer equipped with a telephone or cable modem, the subscriber can establish communication with an ISP over a telephone line or through a cable system, and can access the Internet by using his or her account name and password."

22. Remote Computing Service" as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

23. "Log Files" are records automatically produced by computer programs to document electronic events that occur on computers. Computer programs can record a wide range of

events including remote access, file transfers, log-on/log-off times, and system errors. Logs are often named based on the types of information they contain. For example, web logs contain specific information about when a website was accessed by remote computers; access logs list specific information about when a computer was accessed from a remote location; and file transfer logs list detailed information concerning files that are remotely transferred.

24. The terms "records," "documents," and "materials" include all information recorded in any form, including the originals and all non-identical copies thereof, whether different from the original by reason of any notation made on such copies or otherwise, including, but not limited to the following:

a. graphic records or representations;

b. photographs;

c. pictures;

d. images, and

e. aural records or representations.

25. The terms "records," "documents," and "materials" include all of the foregoing, in whatever form and by whatever means, the records, documents, or materials, and their drafts, or their modifications may have been created or stored, including (but not limited to): any electrical, electronic, or magnetic form (including but not limited to any information on an electronic or magnetic storage device such as hard disks).

26. "Web hosts" provide the equipment and services required to host and maintain files for one or more websites and to provide rapid Internet connections to those websites. Most hosting is "shared," which means that multiple websites of unrelated companies are on the same server in order to reduce associated costs. When a client develops a Website, the client needs a server and perhaps a web hosting company to host it. "Dedicated hosting," means that the web hosting company provides all of the equipment and assumes all of the responsibility for technical support and maintenance of a website. "Co-location" means a server is located at a dedicated hosting facility designed with special resources, such as a secure cage, regulated power, a dedicated Internet connection, online security and online technical support. Co-location facilities offer customers a secure place to physically house the customers' hardware and equipment as opposed to keeping it in their offices or warehouse, where the potential for fire, theft or vandalism is greater.

27. "Website" consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-up Language (HTML) and is transmitted from web servers to various web clients via Hyper-Text Transport Protocol (HTTP).

## TECHNICAL BACKGROUND ON SONY INTERACTIVE ENTERTAINMENT

28. I know that Sony Interactive Entertainment LLC (SIE) is a digital entertainment company associated with Sony. SIE develops gaming consoles, game development, and companion applications to their consoles. Sony is the developer and owner of the PlayStation gaming system, PlayStation Mobile, and PlayStation Plus. A PlayStation is a gaming console that connects wirelessly or via cable to the internet. Users can purchase game disks or purchase games through the PlayStation store, and can play individually or online with parties around the world in real time. Users of the PlayStation gaming systems are provided with the option to create a player profile where they can add their name, link an email address to their player profile, and create an account with the gaming system to store game progress, applications, and customized settings. On the PlayStation, users can purchase and download games from the PlayStation Store after adding a purchased gift card or by inputting billing information, purchase subscriptions to enable online play, and add applications to their PlayStation to stream shows and movies such as Netflix and other third party services. PlayStation additionally has created a messaging component for users to communicate where voice messages, photos, and attachments can be exchanged by users using the gaming console, a cellphone/electronic device via the PlayStation messaging app, or a computer. Sony collects various information about its users including stored chats, purchase history and billing information, and associated application sign on information such as Netflix apps or Spotify, IP address information, and other items.

29. I know from experience, a PlayStation 5 can be used to access and search the internet via applications such as Google. However, while there is not a dedicated application on the PlayStation 5, as was on older models, a user can still access search engines such as Google.

30. A PlayStation 5 user can also access their account through a web browser, including from a mobile device.

## PROBABLE CAUSE TO SEARCH THE SUBJECT ACCOUNT

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

31. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks.

32. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

33. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

34. During an interview with AN John CALISSE, a suitemate of COPELAND, he stated that COPELAND and, now who we know to be RESENDIZ, were singing along with Karaoke in the common area of their barracks room at approximately 0200 on 29 May 2025. COPELAND's PlayStation 5 was in the common area of the barracks room.

35. CALISSE advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

36. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

37. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

38. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

39. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

40. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

41. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

42. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

43. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

44. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

45. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

46. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

47. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

48. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

49. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

50. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

51. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

52. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

53. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

54. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

55. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

56. On June 03, 2025, NCIS executed a CASS, during which CSSN Sarah COOK, USN, CVN-77 was located inside the barracks of COPELAND. COOK stated she and COPELAND were hanging out and playing video games on his PlayStation 5.

57. NCIS has also obtained video footage from various friends of COPELAND, where the PlayStation in the common area owned by COPELAND is being utilized as a device to play music on.

58. NCIS was able to determine COPELAND's Sony username is Dripdip02 and the e-mail associated with that account is jerimahcopeland7@gmail.com, after reviewing emails associated with his iPhone 15 during forensic review.

## CONCLUSION

59. As explained herein, information stored in connection with the **SUBJECT ACCOUNT** may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored within the Sony account may give a timeline as to when the device was being used during the night in question of RESENDIZ's death. It may also provide relevant information in the form of internet

searches that were not found or associated with any of the other electronic devise NCIS has searched.

60. Based upon the information contained in this affidavit, I respectfully submit that probable cause exists to believe that the **SUBJECT ACCOUNT** described in Attachment A, contains evidence, fruits, and instrumentalities related to violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ).

61. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional law enforcement personnel, to search the **SUBJECT ACCOUNT** described in Attachment A, for the particular things to be seized, which are described in Attachment B.

62. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Because the warrant will be served on Apple, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

63. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Very respectfully submitted,

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.08.26 15:15:16 -04'00'

Jessica Gokey, Special Agent
Naval Criminal Investigative Service
Norfolk, Virginia

SUBSCRIBED and SWORN to before me on 26 August 2025

[redacted]

LT Christopher Dempsey, JAGC, USN
Special Trial Counsel

# ATTACHMENT A

## Property to Be Searched

This warrant applies to the electronically stored data, information, communications, and items contained in, related to, and associated with, including all preserved data associated with the Sony Interactive Entertainment LLC account of Jermiah Copeland with online ID and email:

a. **Online ID: dripdip02**
b. **jermiahcopeland@gmail.com**

that is stored at premises owned, maintained, controlled, or operated by Sony Interactive Entertainment LLC.

**ATTACHMENT B**
**Particular Things to Be Seized**

**I. Information to Be Disclosed By Sony Interactive Entertainment LLC (The "Provider")**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any messages, records, files, logs, or information that have been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). The Provider is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 28 May 2025 through 12 AM (EST) on 30 May 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

d. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

e. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

f. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user.

**II. Information to be seized by the government**

All information described above in section I. Including correspondence, records, documents. Photographs, videos, Electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 107, 118, 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 12AM (EST) on 28 May 2025 through 12 AM (EST) on 30 May 2025:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s):

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed and/or used to determine the chronological and geographic context of account access and use;

c. Records of application usage;

d. Online search history and other system usage information, including usage of web browsers or other applications to search the internet for information;

e. User attribution information, including account access logs, geographic location information, login information, and information regarding account usage.

**III**. **Disclosure by provider - By Order of the Court**

Sony. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@leo.gov). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the electronically stored data, information, communications, and items contained in, related to, and associated with, including all preserved data associated with the Sony Interactive Entertainment LLC account of Jermiah Copeland with online ID and email:

a. **Online ID:** [redacted]
b. [redacted]

that is stored at premises owned, maintained, controlled, or operated by Sony Interactive Entertainment LLC.



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.02 17:59:50 -04'00'

**ATTACHMENT B**
**Particular Things to Be Seized**

**I. Information to Be Disclosed By Sony Interactive Entertainment LLC (The "Provider")**

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any messages, records, files, logs, or information that have been deleted but are still available to the Provider, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f). The Provider is required to disclose, within 14 days from the date of issuance of this warrant, the following information to the government for the **SUBJECT ACCOUNT** listed in Attachment A from 12AM (EST) on 28 May 2025 through 12 AM (EST) on 30 May 2025:

a. All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, phone numbers, gender, hometown, occupation, and other personal identifiers;

b. All past and current usernames associated with the **SUBJECT ACCOUNT**;

c. All activity logs including IP logs and other documents showing the IP address, date, and time of each login to the **SUBJECT ACCOUNT**, as well as any other log file information;

d. All information regarding the particular device or devices used to login to or access the **SUBJECT ACCOUNT**, including all device identifier information or cookie information, including all information about the particular device or devices used to access the **SUBJECT ACCOUNT** and the date and time of those accesses;

e. All location information, including location history, login activity, information geotags, and related metadata to the extent this shows user attribution; and

f. All information and content contained within the subject account, including, but not limited to, correspondence, records, documents, photographs, videos, electronic mail and electronic media, all deleted files, transactions and transactional data, user access, account identifying information, and file activity logs, that are related to showing the identity of the user.

**II. Information to be seized by the government**

All information described above in section I. Including correspondence, records, documents. Photographs, videos, Electronic mail and electronic messages that constitutes fruits, evidence and instrumentalities of Article 107, 118, 131b of the Uniform Code of Military Justice (UCMJ), for the **SUBJECT ACCOUNT** listed on Attachment A, information pertaining to the following matters, from 12AM (EST) on 28 May 2025 through 12 AM (EST) on 30 May 2025:

a. The identity of the person or persons who created or used the **SUBJECT ACCOUNT**, including records which help reveal the whereabouts of such person(s):

b. Evidence indicating how and when the **SUBJECT ACCOUNT** was accessed and/or used to determine the chronological and geographic context of account access and use;

c. Records of application usage;

d. Online search history and other system usage information; and

e. User attribution information, including account access logs, geographic location information, login information, and information regarding account usage.

**III**. **Disclosure by provider - By Order of the Court**

Sony. shall disclose responsive data, if any, by sending to Special Agent Jessica Gokey, 1329 Bellinger Blvd, Norfolk, VA 23511, using the US Postal Service or another courier service or by electronic means (Jessica.gokey@leo.gov). Please include an attestation certificate for these records and provide the requested documents within ten (10) days of receipt of this warrant.

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

SONY RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 01JUN25-NFNF-00237-7HNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or before 16 September 2025
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN
*Rank and name of military judge*

Date and time issued: 20250902 1755 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge
*Military judge's name and title*

Naval Station Norfolk, Virginia
*Military installation or location:*

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.09.02 17:56:01 -04'00'
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN

*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

*Signature of military judge*

Questions and requests for relief should be directed to:

| | |
|---|---|
| Christopher | Dempsey |
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>SONY RECORDS FOR ACCOUNT: [redacted] | Case Identifier: 01JUN25-NFNF-00237-7HNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

AONY RECORDS FOR ACCOUNT: [redacted]

Case Identifier: 01JUN25-NFNF-00237-7HNA

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |
|---|---|
| Articles 86, 107, 118, 120, 120c, 128, 128b, 131b | False Official Statement, Murder, Sexual Assault, Obstruction of Justice, et. al. |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent
*Applicant's printed name and title*

GOKEY.JESSICA.RAY.[redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2025.08.26 15:15:46 -04'00'
*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

26 AUG 2025
*Date*

LT Christopher Dempsey, JAGC, USN
*Printed name and title of military j*[redacted]

Naval Station Norfolk
*Military installation or location*

*Signature of official administering oath*

| | |
|---|---|
| **From:** | Dempsey, Christopher B LT USN (USA) |
| **To:** | Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **Cc:** | Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); CJC_CLERK_OF_COURT |
| **Subject:** | RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033 |
| **Date:** | Monday, August 18, 2025 4:27:00 PM |

Copy all and understood.

V/r,

LT Dempsey

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 4:17 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
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**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

LT Dempsey:

Belay my last. After reviewing the affidavit; the request was DENIED in NCORS.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 3:28 PM
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<mishonda.m.mosley.mil@us.navy.mil>; CJC_CLERK_OF_COURT <CJC_CLERK_OF_COURT@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good afternoon, LT Dempsey:

I do not see the Word version of Attachments A and B attached to the Copeland Sony SW. The Word document labeled as "Attachments A, B, and C" only contains the Word version of the affidavit with changes tracked. It does not contain the Attachments A or B. Please upload Attachments A and B under supplemental request documents at your earliest convenience.

Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Wednesday, August 13, 2025 4:07 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Sears, Ryan J CAPT USN NAVMARJUDIC DC (USA) <ryan.j.sears2.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>; Morgan, Brittany E PO2 USN (USA) <brittany.e.morgan6.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Warrant, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

**From:** Dempsey, Christopher B LT USN (USA)
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); CJC_CLERK_OF_COURT; Mayo, Lauren A CDR USN CNO (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA)
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033
**Date:** Tuesday, August 19, 2025 10:30:00 AM

Good Morning Your Honor,

I did get that e-mail, so it is strange. I've never seen that before but will note it for the future. I am now able to see your notes. Thank you for that!

V/r,

LT Dempsey

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Tuesday, August 19, 2025 7:52 AM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; CJC_CLERK_OF_COURT <CJC_CLERK_OF_COURT@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

LT Dempsey:

For some reason none of the information I provided by filling out the form was recorded; though it was gone from the pending RCM 309 matters. That's an odd situation that reflects mixed data that don't make sense. This may indicate a software issue to raise with the NCORS dev team. If you run into this situation again with any other 309 matters in any other cases, please let me know and I'll reach out to the NCORS team because we would then have two (or more) data points.

Did you get a notification from NCORS that action had been taken on this warrant? The email would have been sent at approximately 1614 yesterday.

I have added all the information into the NCORS record; please let me know if it doesn't show up properly for you. It is showing denied now in my view:

| Submission Type | Recipient | Source | Is Ex Parte? | Submission Date | Is Issued? | Ruling Date | Actions |
|---|---|---|---|---|---|---|---|
| Warrant | Sony | Government | Green check mark | 8/13/2025 4:06 PM EDT | Red X | 8/18/2025 | |

Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Tuesday, August 19, 2025 7:42 AM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; CJC_CLERK_OF_COURT <CJC_CLERK_OF_COURT@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good morning, LT Dempsey:

Thank you for reaching out. I'm not sure why they didn't show up – I thought I pasted them but maybe I didn't do it correctly this time. I'll re-paste them and re-submit so the NCORS record is correct.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 8:12 PM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; CJC_CLERK_OF_COURT <CJC_CLERK_OF_COURT@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>
**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

Good Afternoon Sir –

I got the notification that this warrant was denied, but for whatever reason NCORS is showing no action on my end. You normally include notes – are you able to provide them here? Thank you.

V/r,

LT Dempsey

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 4:17 PM
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**Subject:** RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

LT Dempsey:

Belay my last. After reviewing the affidavit; the request was DENIED in NCORS.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
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**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 3:28 PM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; CJC_CLERK_OF_COURT <CJC_CLERK_OF_COURT@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** FW: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

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Thank you.

V/r,

Jason A. Pfeil
CDR, JAGC, USN
Military Judge
Navy-Marine Corps Trial Judiciary
Central Judicial Circuit
9620 Maryland Ave., Bldg. A-50, Ste. B303 Norfolk, VA 23511
Ph: 757-341-4567 (NO VOICEMAIL)
Em: jason.a.pfeil.mil@us.navy.mil

---

**From:** NoReplyNCORS@navy.mil <NoReplyNCORS@navy.mil> **On Behalf Of** NCORS Case Management System
**Sent:** Wednesday, August 13, 2025 4:07 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>; Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Sears, Ryan J CAPT USN NAVMARJUDIC DC (USA) <ryan.j.sears2.mil@us.navy.mil>; Cheek, Jacqueline A CIV USN COMNAVREG MIDLANT VA (USA) <jacqueline.a.cheek2.civ@us.navy.mil>; BALDERAMA-JIROV, Priscilla CIV USN RLSO MIDLANT NOR VA (USA) <priscilla.balderama-jirov.civ@us.navy.mil>; Riley, Cullan M LCDR USN RLSO MIDLANT DET GTN (USA) <cullan.m.riley.mil@us.navy.mil>; Morgan, Brittany E PO2 USN (USA) <brittany.e.morgan6.mil@us.navy.mil>
**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

An RCM 309 submission of type: Warrant, has been submitted by the Government on case U.S. v. Copeland (3), N-ML-25-0033. Please login to NCORS to view the submission.

Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

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|---|---|
| **From:** | Dempsey, Christopher B LT USN (USA) |
| **To:** | Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) |
| **Cc:** | Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA); Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); CJC_CLERK_OF_COURT |
| **Subject:** | RE: An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033 |
| **Date:** | Monday, August 18, 2025 4:16:00 PM |

Good Afternoon Your Honor,

I apologize – I have uploaded the correct word version. Thank you!

V/r,

LT Dempsey

---

**From:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Sent:** Monday, August 18, 2025 3:28 PM
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Navy-Marine Corps Trial Judiciary
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**Subject:** An RCM 309 Matter has been submitted on case U.S. v. Copeland (3), N-ML-25-0033

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Log Into NCORS

*This is an automated email by NCORS. Please do not respond directly.*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Life360, 1900 S Norfolk St., Ste. 310, San Mateo, CA, lawenforcement@life360.com
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Account records, including user name, for Jermiah Copeland

DOB: [redacted] e-mail [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN *Name* on 4 September 2025 *Date* as Military Judge *Issuing Authority*

[redacted] Digitally signed by PFEIL.JASON.ANDREW [redacted] Date: 2025.09.04 12:40:25 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney, bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ *Name of Person Served* _____ *Signature* _____ *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ *Name of Server* _____ *Signature* _____ *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA

Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland
*Subject of Investigation / Accused*

MCIO Case No. 02JUN25-NFNF-00237-7MNA *(Optional)*

## SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS

To: Life360, 1900 S Norfolk St., Ste. 310, San Mateo, CA, lawenforcement@life360.com
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

- ☐ an individual designated to take your deposition
- ☐ a Court-Martial of the United States
- ☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: E-mail to:
jessica.gokey@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Account records, including user name, for Jermiah Copeland
DOB: [redacted] e-mail: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ on _____ as _____
*Name* *Date* *Issuing Authority*

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Bethany Spinney
bethany.1.spinney.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey, JAGC, USN
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**4 SEP 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

8. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

9. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

10. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

11. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

12. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

13. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

14. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

17. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

21. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. COPELAND advised via Snapchat messages on 2 June 2025 to a user "desi.rv" that he had not turned off his Life 360 account and shared a screenshot indicating his account was active. The only identifying information included in the Snapchat image is the username "Jermiah." Text messages dating back to March 3, 20255 indicate he has had an account since at least that time. As understood from other investigative steps, COPELAND's primary e-mail account is jermiahcopeland7@gmail.com.

## INFORMATION AND RECORDS REQUESTED

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Life360 for account information relating to CSSN Jermiah Taylor Copeland, date of Birth 23 May 2005, e-mail jermiahcopeland7@gmail.com.

## REASON FOR REQUEST

30. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Life 360 to produce this information.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**ANGELINA RESENDIZ**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**4 SEP 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

8. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

9. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

10. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

11. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

12. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

13. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

14. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

17. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

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22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode

at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. NCIS obtained information pertaining to the transfer of COPELAND to a new high school after numerous complaints were filed against him at his previous high school. During this investigation, NCIS has knowledge of other disciplinary actions which allegedly involved sexual misconduct at Coupeville High School located in Coupeville, WA. NCIS previously obtained disciplinary records for two incidents from Oak Harbor High School that allege sexual misconduct committed by COPELAND.

## INFORMATION AND RECORDS REQUESTED

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Coupeville High School for the disciplinary records of CSSN Jermiah Taylor Copeland, date of Birth [redacted]

## REASON FOR REQUEST

30. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Coupeville High School to produce this information.

[redacted]

LT, JAGC, USN
Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Coupeville School District/Coupeville High School
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** All disciplinary records pertaining to Jermiah Copeland

DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 4 September 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW [redacted]
Date: 2025.09.04 12:34:51 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Christopher Dempsey, 757-341-4545 christophjer.dempsey2@navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545 christophjer.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Coupeville School District/Coupeville High School
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** All disciplinary records pertaining to Jermiah Copeland

DOB: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

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Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Cynthia B. Jackson, Clerk of Court
757-341-4570, cynthia.b.jackson.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545 christophjer.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**9 AUG 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

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6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

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15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

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18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

21. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. NCIS obtained a screen shot from a social media post from the publicly accessed Reddit forum "r/navy." Where the username "u/ovenistirl" posted publicly with the title "Recent Assault/murder of navy soldier". Wherein the post itself the username u/ovenistirl states they had gone to school with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95). u/ovenistirl alleges S/COPELAND "has always been a sex offender. He sexually assaulted multiple girls including myself all throughout elementary – middle school some even all the way into high school. We reported him numerous times to school authorities and police but were never taken seriously. My point is, It was clear the kind of person he was/was bound to become and no one did a damn thing to help any of us. This is the result you get when you ignore victims and laugh in their faces when they try to speak out. Not only did he get away with this form the age of 11 until now. But he also took an innocent girls life. Such a shame." After receiving the results from Reddit the only identifying information able to be located was lewismakk04@gmail.com. Utilizing Law Enforcement Resources, NCIS was not able to fully identify the owner of this email account.

## INFORMATION AND RECORDS REQUESTED

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Google for account subscriber information relating to the e-mail account [redacted]

## REASON FOR REQUEST

30. Trial Counsel and law enforcement request such information because these records might

further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Google to produce this information.

[redacted]

LT, JAGC, USN
Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Google LLC
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: Septemebr 24, 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Subscriber information as it relates to the following account:

[redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN on 9 September 2025 as Military Judge
*Name* *Date* *Issuing Authority*

[redacted] Digitally signed by PFEIL.JASON.ANDREW[redacted] Date: 2025.09.09 13:37:32 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Christopher Dempsey, JAGC, USN
757-341-4545; christopher.dempsey2@navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ _____ _____
*Name of Person Served* *Signature* *Date*

**IF SERVICE IS REFUSED**
By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ _____ _____ _____
*Name of Server* *Signature* *Date and Time of Service*

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Google LLC
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**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
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Date: Septemebr 24, 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
lauren.a.mayo2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Subscriber information as it relates to the following account:

[redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Cynthia B. Jackson, Clerk of Court; 757-341-4570, cynthia.b.jackson.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545; christopher.dempsey2@navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.10 16:30:12 -04'00'

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the information specified above in Section i, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized, namely:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

Attachment B AS ISSUED for T-Mobile Warrant

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.10 16:32:28 -04'00'

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 01JUN25-NFNF-00237-7HNA**<br><br>**FILED UNDER SEAL** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to AR JOHN CALISSE, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates, AR John CALISSE, USN, PSSN Irbin GORDILLOCRUZ, USN, and YN3 Sean MONAGHAN, USN

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH, USN received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, a suitemate of COPELAND and who shares a room with CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and the blood located in the closet and in the stairwell confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024

in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. During the interview with CALISSE, he stated he only called COPELAND on the morning of 02JUN25, after COPELAND had taken his vehicle the night before. However, after searching COPELAND's cellphone NCIS found text messages between CALISSE and COPELAND on the morning of 02JUN25.

50. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to CALISSE and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

51. The focus of this search and seizure are to obtain geolocation information to corroborate and investigate the offenses alleged against COPELAND.

52. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

53. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

54. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted]
Digitally signed by GOKEY.JESSICA.RAY.[redacted]
Date: 2025.09.09 13:18:41 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 9 day of SEPTEMBER, 2025.



Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or before 24 September 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250910 1636 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.09.10 16:37:23 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.09 13:21:37 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| [redacted] | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Date: 2025.09.09 13:27:11 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

Attachment A AS ISSUED for T-Mobile Warrant

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.09.11 11:32:28 -04'00'

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the information specified above in Section i, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized, namely:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

Attachment B AS ISSUED for T-Mobile Warrant

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.11 11:32:57 -04'00'

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to PSSN IRBIN GORDILLOCRUZ, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag.

Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to GORDILLACRUZ and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

1. The focus of this search and seizure are to obtain geolocation information to corroborate and investigate the offenses alleged against COPELAND.

2. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

3. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

4. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY.[redacted]
Digitally signed by GOKEY.JESSICA.RAY.[redacted]
Date: 2025.09.09 13:19:33 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 9 day of _____, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or before 25 September 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250911 1125 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.09.11 11:26:20 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.09 13:21:11 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN[redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN. Date: 2025.09.09 13:29:47 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.11 12:55:11 -04'00'

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the information specified above in Section i, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized, namely:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**



[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.09.11 12:56:05 -04'00'

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to YN3 SEAN MONOGHAN, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag.

Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to MONAGHAN and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. The focus of this search and seizure are to obtain geolocation information to corroborate and investigate the offenses alleged against COPELAND.

51. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

52. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2025.09.09 13:20:15 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 9 day of September, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| T-MOBILE RECORDS FOR CELL PHONE NUMBER 856-479-3880 | |

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or before 25 September 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Jason A. Pfeil, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250911 1256 hours

CDR Jason A. Pfeil, JAGC, USN, Military Judge

*Military judge's name and title*

Naval Station Norfolk, Virginia

*Military installation or location:*

[redacted]

Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.09.11 12:56:39 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.09.09 13:20:40 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.09.09 13:32:29 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Epiarx
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
christopher.b.dempsey2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Autopsy report for case number: ED25-1195

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 16 September 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted] Digitally signed by PFEIL.JASON.ANDREW[redacted] Date: 2025.09.16 13:40:28 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Christopher Dempsey, 757-341-4545 christopher.b.dempsey2.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545 christopher.b.dempsey2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 01JUN25-NFNF-00237-7HNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Epiarx
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**
to testify before:
☐ an individual designated to take your deposition
☐ a Court-Martial of the United States
☐ a court of inquiry

Date: 18 September 2025
Time: 1700
Location: Jessica.gokey@ncis.navy.mil
christopher.b.dempsey2.mil@us.navy.mil

☒ **2. To produce the following items on the date and location listed:** Autopsy report for case number: ED25-1195

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by _____ (*Name*) on _____ (*Date*) as _____ (*Issuing Authority*)

_____
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LN1 Cynthia B. Jackson, Clerk of Court
757-341-4570, cynthia.b.jackson.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Christopher Dempsey
*Name of Government Counsel*

757-341-4545 christopher.b.dempsey2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

**DEPARTMENT OF THE NAVY**
**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **REQUEST FOR INVESTIGATIVE SUBPOENA**<br><br>**16 SEP 2025** |

## FACTS

1. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

2. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

3. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

4. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

5. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

6. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

7. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

8. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

9. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

10. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

11. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

12. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

13. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

14. During an interview on 3 June 2025, COPELAND explained that she left his barracks room by herself.

15. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

16. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

17. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

18. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

19. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

20. During a search of COPELAND's room on 04 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

21. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

22. On June 09, 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on June 02, 2025 at 5:15AM.

23. NCIS was able to locate and extract heath data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. Which shows health data recorded on June 02, 2025, from 3:45AM to 5:57AM. Based off of the geolocation data located the approximately geolocation from the iPhone was in the approximately area of 2842 Cary Avenue, Norfolk, VA 23504.

24. On June 09, 2025, NCIS went to the location of the ping and began to search the area. Within the area of the ping, a duffel bag was located near a tree. After partially opening the duffel bag, a pair of human legs were observed to be inside the duffel bag.

25. On June 09, 2025, COPELAND was apprehended on DDG-95. COPELAND did not have any additional electronic devices on his person at the time of his apprehension. COPELAND was subsequently placed into Pre-Trial Confinement.

26. On June 10, 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag there was an E3 uniform patch located in the hair of the female.

27. On June 10, 2025, the remains of the female were identified as being CSSN Angelina RESENDIZ.

28. The Government was notified on 10 September 2025 that a second, private autopsy had been completed by RESENDIZ's family. The Government received records relating to that autopsy on the same date, but this did not include the entire autopsy file. The autopsy was completed by Epiarx. The Case number is ED25-1195.

**INFORMATION AND RECORDS REQUESTED**

29. Trial Counsel and law enforcement requests one subpoena relating to this case to better determine evidence that is relevant and necessary for the investigation. Specifically, Trial Counsel and law enforcement request:

a. A subpoena to Epiarx for the autopsy of RESENDIZ, case number ED25-1195.

**REASON FOR REQUEST**

30. Trial Counsel and law enforcement request such information because these records might further the investigation by providing corroboration and further detail to the alleged misconduct of CSSN Copeland.

31. For these reasons, we respectfully request a subpoena for Epiarx to produce this information.

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

    ii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.

    iii. Communications between CSSN Jermiah Copeland and any individuals who may have a Texas phone number based on area code from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number 254-203-0671 (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 01JUN25-NFNF-00237-7HNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to CSSN Angelina RESENDIZ, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international

mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific

house is accurate enough to provide block-level accuracy, in some cases. Investigators can use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and CSSN Jermiah COPELAND, USN, DDG-95.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. On June 01, 2025, COPELAND was interviewed by NCIS and told Agents RESENDIZ had become progressively more upset throughout the night due to her calling and speaking with two (2) ex-boyfriends from Texas.

50. COPELAND never gave a time for when these calls occurred, however, NCIS submitted for and obtained a warrant for RESENDIZ's T-Mobile account, dated 29 May 2025. These results did not show any outgoing or incoming phone calls from any person with a Texas phone number.

51. In order to gain further information about the ex-boyfriends in Texas, who COPELAND stated RESENDIZ spoke with, NCIS is requesting a warrant be issued for the date 28 May 2025.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

52. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to

on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

53. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

54. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

55. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.16 11:17:09 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 16th day of September, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| | |
|---|---|
| Articles 85, 86 | Desertion and Unauthorized Absence |
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.09.16 11:17:32 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| | |
|---|---|
| | LT Christopher Dempsey, JAGC, USN |
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.09.16 11:43:08 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Call/Text/Data Detail records**: All records associated with the SUBJECT PHONE NUMBER, also to include all numbers that communicate with this listed number relating to all delivered and undelivered inbound and outbound calls, text messages, and text message content to any of the above listed numbers, all voice mail, and all data connections from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**, and to include Cell-site and sector, date, time, direction, duration, number called or text to and/or received from, and bytes up/down, information related to each call, text or data connection, all text message content, and voicemails, as well as Call to Destination/Dialed Digits search for all numbers listed above. Please preserve all cell-site and sector information related to each call, text or data connections.

2. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

3. **Electronically Stored Records**: All records associated with the SUBJECT PHONE NUMBER, to include all stored communication or files, including voice mail, text messages, including numbers test to and received from and all related content, email, digital images (e.g. pictures), contact lists, video calling, web activity (name of website or application visited or accessed), domain accessed, data connections (to include Internet Service Provider (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each

connection and/or record associated with the SUBJECT PHONE NUMBER for the time range of **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

    ii. Evidence indicating the chronological and geographical locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER.

    iii. Communications between CSSN Jermiah Copeland and any individuals who may have a Texas phone number based on area code from **0500AM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 29 May 2025**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 01JUN25-NFNF-00237-7HNA**<br><br>**FILED UNDER SEAL** |

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to CSSN Angelina RESENDIZ, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statements), Article 118 (Murder), and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars; Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international

mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific

house is accurate enough to provide block-level accuracy, in some cases. Investigators can use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and CSSN Jermiah COPELAND, USN, DDG-95.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room, but admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. On June 01, 2025, COPELAND was interviewed by NCIS and told Agents RESENDIZ had become progressively more upset throughout the night due to her calling and speaking with two (2) ex-boyfriends from Texas.

50. COPELAND never gave a time for when these calls occurred, however, NCIS submitted for and obtained a warrant for RESENDIZ's T-Mobile account, dated 29 May 2025. These results did not show any outgoing or incoming phone calls from any person with a Texas phone number.

51. In order to gain further information about the ex-boyfriends in Texas, who COPELAND stated RESENDIZ spoke with, NCIS is requesting a warrant be issued for the date 28 May 2025.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

52. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to

on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

53. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

54. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

55. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.29 15:20:47 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 29th day of September, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before 13 October 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Mishonda Mosley, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250930 0928 hours

CDR Mishonda Mosley, Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

MOSLEY.MISHONDA.MONIQUE [redacted] Digitally signed by MOSLEY.MISHONDA.MONIQUE [redacted] Date: 2025.09.30 09:28:44 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 01JUN25NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of *(Briefly describe the property to be searched):* | Case Identifier: 01JUN25NFNF-00237-7MNA |
|---|---|
| T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | |

## Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, and Obstruction of Justice |
|---|---|
| The search is related to a violation of: *(Insert code or UCMJ section)* | Offense description: *(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.09.29 15:21:22 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250929 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.09.29 15:32:02 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

## ATTACHMENT A

## PROPERTY TO BE SEARCHED

1. This warrant applies to information associated with T-Mobile cellular phone number [redacted] (SUBJECT PHONE NUMBER) which is stored at premises owned, maintained, controlled, or operated by T-Mobile, located at 4 Sylvan Way, Parsippany, New Jersey, 07054.

**ATTACHEMENT B**

**Items to be Seized**

i. Information to be disclosed by T-Mobile

1. **Specialized Location Records:** All call, text and data connection location information, related to all specialized carrier records that may be referred to as NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular and TrueCall or TDOA (Time Distance of Arrival or Timing Advance Information)- T-Mobile & Metro by T-Mobile, Mediation Records, E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (Longitude & Latitude) and Cell-Site and sector of device in relationship to the network when connected to the network for the SUBJECT PHONE NUMBER for the time range of **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025.**

ii. Information to be seized by the government

1. Upon review of the specific information above in Section I, including Call/Text/Data Detail Records, Specialized Location Records, Electronically Stored Records, Subscribed/Account Owner Information, the Government shall seize evidence that constitutes fruits, evidence and instrumentalities of violations of Article 107 (False Official Statement), Article 118 (Murder), and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). Evidence to be seized includes:

    i. The locations of the handset utilized by the account holder of the SUBJECT PHONE NUMBER from **12PM (Eastern Standard Time) on 28 May, 2025** through **12AM (Eastern Standard Time) on 3 June 2025**

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **In the Matter of the Search of:**<br><br>**Information associated with T-Mobile cell phone number [redacted] (SUBJECT PHONE NUMBER)**<br>**That is stored at premises controlled by:**<br>**T-MOBILE**<br>**4 Sylvan Way, Parsippany, NJ 07054** | **CCN: 02JUN25-NFNF-00237-7MNA**<br><br>**FILED UNDER SEAL** |

**AFFIDAVIT IN SUPPORT OF**
**AN APPLICATION FOR A SEARCH WARRANT**

I, Jessica Gokey, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I completed 40 hours of advanced family and sexual violence training. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. As a federal agent, I am authorized to investigate violations of law of the United States and to execute warrants issued under the authority of the United States.

3. In addition to the above, I have conducted numerous different types of investigations wherein I have requested, retrieved, and analyzed cell phone records.

4. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

5. This affidavit is made in support of an application for a Search Warrant to seize and analyze data from T-MOBILE as is relates to cell phone number [redacted] (**SUBJECT PHONE NUMBER**), as this number has been identified as belonging to AR JOHN CALISSE, USN.

## JURISDICTION

6. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT PHONE NUMBER** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

7. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 85 (Desertion) and Article 86 (Unauthorized Absence) could be located within the Call/Text/Data Detail Records, Specialized Locations Records, Electronically Stored Records, and Subscriber/Account Owner Information.

## LEGAL AUTHORITY

8. As defined in 18 U.S.C. § 2711(3)(C), this is a court of competent jurisdiction under 18 U.S.C. 2703(a), (b)(1)(A), (c)(1)(A) and 10 U.S.C. 846(d)(3), as it is "a court-martial or other proceeding under chapter 47 of title 10 (Uniform Code of Military Justice) to which a military judge has been detailed." LEGAL AUTHORITY 5. The legal authority for this search warrant application regarding the **SUBJECT ACCOUNT** is derived from R.C.M. 703A and 18 U.S.C. §§ 2701-2713.

9. Since this affidavit is being submitted for the limited purpose of securing a Search Warrant, your Affiant has not included every fact known concerning this investigation. Your Affiant has set forth the facts believed necessary to establish probable cause to believe that evidence of violations of Article 107 (False Official Statement), Article 118 (Sexual Assault), and Article 131b (Obstruction of Justice) could be located within the data obtained from **SUBJECT ACCOUNT**.

10. Article 107 (False Official Statements): The accused signed a certain official document or made a certain official statement; Document or statement was false in certain particulars;

Accused knew it to be false at the time of signing it or making it; and False document or statement was made with the intent to deceive.

11. Article 118 (Murder): Accused murdered another person with premeditation.

12. Article 131b (Obstructing Justice): Accused did a certain act; Accused did so in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending and the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice.

## USE OF CELL PHONES WITH CRIMINAL ACTIVTY

13. I have a general understanding of how the cellular telephone network operates. I am aware that cell sites (towers) are strategically placed by cellular service providers, to provide seamless operation so people can travel virtually anywhere and make or receive an uninterrupted call, send or receive text messages, or initiate a data session via their cell phone.

14. Usually, cell sites will be mounted high on a large pole, building, or other structure which provides line of sight with the population below. Cell sites are typically divided into sectors, which are made up of antennas connected to cellular radio transceivers. Each sector is mounted on the cell site and faces a specific direction to provide maximum cellular coverage for the people in the area. The range of the cell site and sectors depends on environmental and geographic factors and whether it is located in a highly populated urban area or a desolate rural area. Cell Site Location Information, (CSLI), does not provide an exact location of a cell phone; the basic call detail record data only provides the physical location of the cell site (latitude & longitude) and a direction (azimuth) from the cell site, which can cover an area ranging from approximately 0-20 miles.

15. I am aware when a person initiates or received a voice call, text message, or a data session (usage event) from their cellular device, the device broadcasts signals to the cell site that routes its communications. These signals include a cellular device's unique identifiers as well as details about the usage event. I am also aware cellular service providers collect and store these usage event details (transaction records) associated with the cellular phone numbers during their normal course of business. The usage event records, commonly referred to as call detail records, stored by their respective cell phone company contain the following information: date, time, type of event, duration, phone number initiating the usage event (called, calling), even if caller identification is blocked by the calling party, text message transaction data, the international mobile equipment identifier (IMEI), the international mobile subscriber identifier (IMSI), IP packet data session logs, and cell site location and sector information at the beginning and ending of each usage event.

16. I believe such information is relevant and material to the ongoing criminal investigation as it may provide investigators with information as assist with determining other unidentified co-conspirators, and/or show the general geographic location of the target device before, during, or after the commission of the crime. This basic is basic information and does not provide an exact location of the persons cell phone nor does it identify the other parties. I am aware that obtaining and preserving historical cell phone call detail and specialized location records could also prove to be fruitful, as such records could assist investigators not only with identifying those who may have been in contact with the victim(s) or potential co-conspirators, but may also allow investigators many other opportunities including, but not limited to, confirmation or disproving of alibis, statements, and other observations.

17. I know that these records such as those associate with the SUBJECT PHONE NUMBER, are not kept or preserved indefinitely by the cellular service providers and are purged at different intervals. Obtaining and preserving these records at this point in the investigation will assure the investigators assigned to the case will have them available, and if the case were to go "cold", future investigators will have access to the records which would otherwise likely not be obtainable. Not only could the preserved records assist in proving one's guilt, they could also assist in proving one's innocence.

18. I am aware cellular service providers maintain specialized location records consisting of engineering data. These data sets are used by providers to troubleshoot coverage areas and report back on potential dead spots, all with the intent to oversee and optimize the cellular network. Specialized location records typically contain data for every usage event, to include technology details (e.g. voice, text, data), resource usage, and call failure information. They can also include data for incomplete calls (e.g. denied calls and set-up failures). These records not only include the basic call detail records, but also an estimation of the SUBJECT PHONE NUMBER's location (latitude & longitude) with a possible accuracy radius, and/or the distance from the cell site at the time of the usage event. Utilizing specialized location records can provide investigators with a much smaller footprint of the SUBJECT PHONE NUMBER's location and could place the SUBJECT PHONE NUMBER within close proximity of a crime scene before, during, or after a crime. Each carrier uses their own nomenclature to describe the technology used to obtain this data including PCMD, formerly, NELOS (Network Event Location System)- AT&T, RTT (Round Trip Time/Return Trip Time/Real Time Tool)- Verizon, PCMD (Per Call Measurement Data)- Sprint & U.S. Cellular, and TruCall or TDOA (Time Distance of Arrival)- T-Mobile & metro by T-Mobile. I believe this information is relevant and material to the investigation as it provides supplemental geo-location information which, while not precise enough to identify a specific house is accurate enough to provide block-level accuracy, in some cases. Investigators can

use this information to correlate existing fact patterns and timelines to confirm or refute prior statements and/or evidence regarding the location of the SUBJECT PHONE NUMBER.

19. I am seeking evidence of communication between identified subjects and previously unidentified individuals and entities. In my training an experience, associates communicate together via phone calls, text messages, and social network posts via data sessions and this communication most commonly occur on or through cellular devices. I am also seeking evidence of association. I know that establishing the association of co-conspirators is important in proving a concert of action between multiple persons. In my training and experience, one of the most effective methods of linking co-conspirators together is by reviewing the call detail records maintained by the cellular service providers. In my training and experience, associates communicate together via voice calls, text messages and third party applications by means of a data usage event, therefore I am seeking the call detail record evidence to demonstrate the associations of the individuals in this case. Because this evidence is intended to be used to show associations of the user/owner of the device and co-participants, I am seeking the above items regardless of the dates the information was created.

20. I am aware cellular service providers maintain a master cell site list of all cell sites within their network. These cel site lists will include the specific switch, cell site number, name, physical address, latitude and longitude of the cell cite, all sectors associate with each cell site, azimuth, and beam-width of each related sector. When reviewing call detail and specialized location records from the carriers, the records may only reference a specific switch, cell and sector, or LAC (Location Area Code) and CID (Cell identification, related to each usage event; they usually will not include the location (latitude & longitude) of the actual cell site and to identify the azimuth of the sector used associated with specific usage events.

21. Also, in the course of the investigation and review of call detail and specialized location records, it may become necessary to visualize all cell sites within a geographic region of interest, not just the cell sites used by the target phone. It is just as important to show cell sites not used by the SUBJECT PHONE NUMBER as it is to show the cell sites used. By obtaining the master cell lists from the cellular service providers, investigators are able to plot all of the cell sites in a given region, helping investigators with disproving of alibis, statement, and other observations evidence by the records.

## PROBABLE CAUSE

22. On May 30, 2025, NCIS was notified of a missing person's report for CSSN Angelina RESENDIZ, USN, DDG-95 and COPELAND.

23. On June 01, 2025, COPELAND was located within his barracks room onboard Naval Station Norfolk, however, RESENDIZ was still missing.

24. On the evening of 28 May 2025, CSSN Angelina RESENDIZ was known to be in room 335B in the X-2 Barracks located onboard Naval Station Norfolk. This room is occupied by CSSN Jermiah COPELAND and three other roommates.

25. According to COPELAND, RESENDIZ came to his barracks room to have dinner and have a couple drinks with him.

26. COPELAND stated the relationship with RESENDIZ was platonic and he is a friend from work and no sexual acts have ever happened between them. He said that she kept her clothes on the whole time she was at his barracks room,. But admitted that she did spend the night.

27. At approximately 0214, ET3 Daniel RICH received a call from RESENDIZ in distress. She asked to be picked up as soon as possible. She passed the phone to COPELAND who asked how far away he was. When he arrived, she did not answer his calls or texts. Her phone died or was turned off around 0400 that morning.

28. During an interview with AR John CALISSE, a suitemate, he advised that he left for work at approximately 0530 on 29 May 2025 and observed COPELAND and an unknown female at least partially naked sleeping on the floor of the common area.

29. During an interview with YN3 Sean MONOGHAN, who shares a bedroom with COPELAND, at approximately 0600 on 29 May 2025, MONOGHAN stated as he left for work he saw COPELAND and an unknown female on the floor of the common area in a state of undress and without a blanket.

30. During an interview with PSSN Irbin GORDILLOCRUZ, who is a roommate of CALISSE, at approximately 0645 on 29 May 2025, GORDILLOCRUZ stated he was leaving for work and saw COPELAND and an unknown female on the floor at least partially naked.

31. COPELAND stated he was late for work on the morning of 29 May 2025 and FCC Brad PARKER knocked on his door to tell COPELAND he was going to be labeled as Unauthorized Absence (UA). FCC PARKER spoke to COPELAND at approximately 0900 and observed RESENDIZ rolled in a blanket in his bed. FCC PARKER told COPELAND to take care of her and report to work and left the barracks room.

32. On 29 May 2025 at approximately 1241, COPELAND called FCC PARKER and told him he had dropped RESENDIZ off at her barracks room and he was waiting for a ride to work.

33. During an interview on 1 June 2025, COPELAND explained the two of them got dressed and a roommate took him and RESENDIZ to RESENDIZ's residence located at Miller Hall onboard Naval Station Norfolk at approximately 1000.

34. RESENDIZ never checked into Miller Hall on 29 May 2025, or thereafter.

35. During an interview on 3 June 2025, COPELAND explained that RESENDIZ left his barracks room by herself.

36. NCIS interviewed all remaining roommates of COPELAND who stated they did not give a ride to COPELAND and RESENDIZ on the morning of 29 May 2025.

37. COPELAND never arrived at work on 29 May 2025. COPELAND was marked UA for the days of 29 May 2025, 30 May 2025, 31 May 2025 and on 01 June 2025 before checking in on that day.

38. On 01 June 2025, according to CALISSE, COPELAND, went to dinner at Chipotle with CALISSE and GORDILLACRUZ around 1900. Then, after eating at around 2000, COPELAND asked CALISSE if he could use CALISSE's car, a white jeep, to "go get something to eat." GORDILLOCRUZ corroborated this. COPELAND was unaccounted for from 2000, 1 June 2025 to 0630 2 June 2025.

39. This white jeep was captured on a street camera at 0440 driving south down Hampton Boulevard in Norfolk, Virginia. CALISSE was not operating the vehicle at that time.

40. COPELAND returned the keys to CALISSE at approximately 0630 on 2 June 2025.

41. During a search of COPELAND's room on 03 June 2025, a trail of blood was found between the common area and COPELAND's room. Blood was also found on the bathroom sink and in COPELAND's closet. Blood was later identified in a stairwell leading out of X-2. Samples were later tested and confirmed to contain the DNA of RESENDIZ.

42. RESENDIZ's cellphone last pinged on 29 May 2025 and the location was the X-2 Barracks.

43. On 09 June 2025, while reviewing the iPhone belonging to COPELAND, NCIS was able to extract two image files, one of which appears to be a screenshot of a Google maps App with the street name Cary Ave visible. The device also appeared to be in Airplane mode at the time the screenshot was taken. The time on the screen shot is 05:15. After further examination, it appears the screenshot was taken on 02 June 2025 at 05:15.

44. NCIS was able to locate and extract health data to include the Apple Health Floors, Apple Health Steps, and Apple Health Distance during the examination. This data shows that on 02 June 2025 from 0345 to 0557, the iPhone was in the approximate area of 2842 Cary Avenue, Norfolk, VA 23504.

45. On 09 June 2025, NCIS went to the location of the ping/screenshot and began to search the area. A suitcase was located beneath a tree within the perimeter captured by COPELAND's screenshot. After partially opening the duffel bag, a pair of human legs was observed to be inside the suitcase.

46. NCIS found a photo on COPELAND's mother's Facebook page from 23 September 2024 in which COPELAND is using a bag that appears to be the duffel bag found at the Norfolk location.

47. On 10 June 2025, NCIS attended the autopsy of the female located in the duffel bag. Within the duffel bag, there was an E3 uniform patch located in the hair of the female.

48. On 10 June 2025, the Office of the Chief Medical Examiner identified remains located in the suitcase to be those of RESENDIZ.

49. Through law enforcement resources, NCIS was able to determine that the phone number [redacted] belongs to CALISSE and is registered with T-Mobile.

## INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. I am seeking evidence of ownership, use, and identification of subscriber, customer or owner of the electronic communication information contained in the records retained by the cellular service provider. I am aware, depending in whether the account is post-paid or pre-paid, a consumer must provide information to the cellular service provider. Post-paid accounts are credit based whereby a customer is provided service and then billed after the provision of services. These types of accounts require sufficient identifying information to enable the cellular service providers to make a determination regarding the credit worthiness and recourse in the event the consumer defaults on their contractual agreement. The information required by most cellular service providers include the customer's personal identifying information, verified using government issued identification or other means, residential address, alternate contact phone number(s), and electronic main (email) address (es). Additional information can include the type of service plan, additional features subscribed to, such as cloud storage and additional phones on the same account, device type and unique identifiers including IMEI and IMSI, method and source of payment information including financial institution and direct billing checking account numbers, credit or debit card numbers, and/or third-party payment processors, and customer service representative account comments and notes. I believe this information is relevant and material to the matter at hand as it serves multiple purposes including identifying the subscriber to the SUBJECT PHONE NUMBER, providing investigators with additional information and leads including subscriber address, additional phone numbers, and/or email addresses, device identifiers used to correlate any seized phones with the account, previously unidentified phones subscribed to on the same account and financial information. I know that ownership and control of a digital device can be placed at issue through a simple denial, "that is not my phone." In my training and experience, some of the best ways to establish ownership and control are by reviewing account information and subscriber records from cellular service providers.

51. The items to be searched for and seized are listed in detail on the attached "Attachment B" on the application for this search warrant. Based upon my training and experience, I know that all of the items listed on "Attachment A" are commonly found within the cellular phone activity of criminal actors.

52. I swear or affirm under penalty of perjury that the above stated information is true and correct to the best of my knowledge and belief.

## CONCLUSION

53. Based on the foregoing, I request that the Court issue the proposed search warrant. Pursuant to 18 U.S.C. Section 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

Respectfully submitted,

GOKEY.JESSICA.RAY[redacted] Digitally signed by GOKEY.JESSICA.RAY[redacted] Date: 2025.09.29 15:23:52 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Subscribed and sworn to before me on the 29th day of September, 2025.

[redacted]

Christopher Dempsey
LT, JAGC, USN
Trial Counsel

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before _____
*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

, JAGC, USN
*Rank and name of military judge*

Date and time issued: _____ _____ hours , Military Judge, USN
*Military judge's name and title*

Naval Station Norfolk
*Military installation or location:*

_____
*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

In the Matter of the Search of
*(Briefly describe the property to be searched):*

T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted]

Case Identifier: 02JUN25-NFNF-00237-7MNA

## Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property located at *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See attachment A

I find that the affidavit(s) and/or sworn testimony establish probable cause to search and seize the property described above, and that such search will reveal *(describe the property to be seized):*

See Attachment B "Particular Things to Be Seized."

**YOU ARE COMMANDED** to execute this warrant on or before 13 October 2025

*(not to exceed 14 days)*

The officer executing this warrant must prepare an inventory as required by law and promptly return this warrant and inventory to

CDR Mishonda Mosley, JAGC, USN

*Rank and name of military judge*

Date and time issued: 20250930 0930 hours

CDR Mishonda Mosley, Military Judge, USN

*Military judge's name and title*

Naval Station Norfolk

*Military installation or location:*

MOSLEY.MISHONDA.MONIQUE [redacted] Digitally signed by MOSLEY.MISHONDA.MONIQUE [redacted] Date: 2025.09.30 09:30:34 -04'00'

*Signature of military judge*

Questions and requests for relief should be directed to:

| Christopher | Dempsey |
|---|---|
| *First name* | *Last name* |
| 757-341-4545 | christopher.dempsey2@navy.mil |
| *Phone number* | *E-mail address* |

## Return

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|
| Date and time warrant executed: | Copy of warrant and inventory left with: |
| Inventory made in the presence of: | |

## Certification

Inventory of the property taken:

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

| *Date:* | *Executing officer's signature* |
|---|---|

| *First name* | *Last name* | *Title* |
|---|---|---|

**NAVY MARINE CORPS TRIAL JUDICIARY, CENTRAL JUDICIAL CIRCUIT**

| In the Matter of the Search of<br>*(Briefly describe the property to be searched):*<br>T-MOBILE RECORDS FOR CELL PHONE NUMBER [redacted] | Case Identifier: 02JUN25-NFNF-00237-7MNA |
|---|---|

# Application for Search and Seizure Warrant Pursuant to 18 U.S.C. § 2703

I, a federal law enforcement officer or authorized counsel for the Government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following property *(identify the electronic communications or remote computing service or describe the property to be searched and give its location):*

See Attachment A

There is now concealed within the jurisdiction of a court of competent jurisdiction pursuant to 18 U.S.C. §2711(3)(C) and 10 U.S.C. 846(d)(3), *(identify the property or data to be seized):*

See Attachment B "Particular Things to Be Seized."

The basis for the search is evidence of a crime.

| Articles 107, 118, 131b | False Official Statement, Murder, Obstruction of Justice |
|---|---|
| The search is related to a violation of:<br>*(Insert code or UCMJ section)* | Offense description:<br>*(Title of the offense)* |

The application is based on these facts *(list the pertinent facts here or refer to an attachment):*

See attached Affidavit (Attachment C)

☒ Continued on the attached sheet

☐ Non-disclosure Order Requested

Special Agent

*Applicant's printed name and title*

GOKEY.JESSICA.RAY [redacted] Digitally signed by GOKEY.JESSICA.RAY [redacted] Date: 2025.09.29 15:22:46 -04'00'

*Applicant's signature*

Sworn to before me, a person authorized to administer oaths under 10 U.S.C. § 936

| 20250929 | LT Christopher Dempsey, JAGC, USN |
|---|---|
| *Date* | *Printed name and title of military judge or other official administering oath* |
| Naval Station Norfolk | DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Digitally signed by DEMPSEY.CHRISTOPHER.BIRKLAN [redacted] Date: 2025.09.29 15:35:28 -04'00' |
| *Military installation or location* | *Signature of official administering oath* |

**From:** Dempsey, Christopher B LT USN (USA)
**To:** Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA); Jackson, Cynthia B PO1 USN NAVMARJUDIC DC (USA)
**Cc:** TRIJUDAC_Central; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA)
**Subject:** RE: Ex-Parte Warrants: US v. Copeland
**Date:** Tuesday, September 30, 2025 12:13:00 PM

---

In receipt, thank you ma'am!

V/r,

LT Dempsey

---

**From:** Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>
**Sent:** Tuesday, September 30, 2025 9:38 AM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Jackson, Cynthia B PO1 USN NAVMARJUDIC DC (USA) <cynthia.b.jackson5.mil@us.navy.mil>
**Cc:** TRIJUDAC_Central <trijudac_central@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: Ex-Parte Warrants: US v. Copeland

Both were approved and uploaded into NCORs.

Very Respectfully,

Mishonda Mosley
CDR, JAGC, USN
Trial Judge, Central Judicial Circuit
Navy-Marine Corps Trial Judiciary
Mishonda.m.mosley.mil@us.navy.mil

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Tuesday, September 30, 2025 9:14 AM
**To:** Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>; Jackson, Cynthia B PO1 USN NAVMARJUDIC DC (USA) <cynthia.b.jackson5.mil@us.navy.mil>
**Cc:** TRIJUDAC_Central <trijudac_central@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: Ex-Parte Warrants: US v. Copeland

Good Morning Your Honor –

Attached. I will re-upload to NCORS now.

V/r,

LT Dempsey

---

**From:** Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) <mishonda.m.mosley.mil@us.navy.mil>
**Sent:** Tuesday, September 30, 2025 8:24 AM
**To:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Jackson, Cynthia B PO1 USN NAVMARJUDIC DC (USA) <cynthia.b.jackson5.mil@us.navy.mil>
**Cc:** TRIJUDAC_Central <trijudac_central@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** RE: Ex-Parte Warrants: US v. Copeland

LT Dempsey,

The two 3056 documents in NCORS will not open for me. Send both 3056s via email and upload again…to see if that works. Thanks.

Very Respectfully,

Mishonda Mosley
CDR, JAGC, USN
Trial Judge, Central Judicial Circuit
Navy-Marine Corps Trial Judiciary
Mishonda.m.mosley.mil@us.navy.mil

---

**From:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Monday, September 29, 2025 3:42 PM
**To:** Jackson, Cynthia B PO1 USN NAVMARJUDIC DC (USA) <cynthia.b.jackson5.mil@us.navy.mil>
**Cc:** TRIJUDAC_Central <trijudac_central@us.navy.mil>; Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Subject:** Ex-Parte Warrants: US v. Copeland

Good Afternoon Clerk of Court,

I have just submitted two warrant requests in US v. CSSN Copeland. One is a correction based on a ruling from this court denying a prior warrant application on 17 SEP. The other is a re-do of a warrant submitted on 9 SEP and approved on 11 SEP. The substantive content is the same, but the phone number on the 3056 was not consistent with the number in parts A and B, so T-Mobile kicked it back. This resubmission corrects

that error. Of note, I used the "as issued" versions of Attachments A and B from the prior approved version. Thanks.

Very Respectfully,

Christopher B. Dempsey
LT, JAGC, USN
Assistant Trial Department Head
757-341-4545
Region Legal Service Office Mid-Atlantic
9620 Maryland Avenue #201
Norfolk, Virginia 23511

This e-mail may contain ATTORNEY-CLIENT PRIVILEGED COMMUNICATION OR ATTORNEY
WORK PRODUCT. It is intended only to be read by the individual(s) or entity(s) to whom it is addressed or their designee.

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **United States**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM: Ms. Esmerelda Castle**<br><br>**8 OCT 25** |

## APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM

1. The Government respectfully submits this *ex parte* request for an order pursuant to Article 6b(c), Uniform Code of Military Justice (U.C.M.J.), and Rule for Court-Martial (R.C.M.) 309(b)(5) designating Ms. Esmerelda Castle to assume the rights of a deceased victim in the above-captioned case.

## LEGAL BACKGROUND

2. "In the case of a victim of an offense under this chapter who is under 18 years of age (but who is not a member of the armed forces), incompetent, incapacitated, or deceased, the legal guardians of the victim or the representatives of the victim's estate, family members, or any other person designated as suitable by the military judge, may assume the rights of the victim under this section." Article 6b(c), U.C.M.J.

3. "In this section, the term 'victim of an offense under this chapter' means an individual who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense under this chapter." Article 6b(b), U.C.M.J.

4. "The military judge may designate a suitable person to assume the rights of a victim who is under 18 years of age (but who not a member of the armed forces), or who is incompetent, incapacitated, or deceased. Upon appointment by the military judge, the legal guardian of the victim, the representative of the victim's estate, a family member, or any other person designated as suitable by the military judge, may assume the rights of the victim." R.C.M. 309(b)(5).

## FACTS

5. On 29 May 2025, CS3 A.R., USN, went missing and was never heard from again. On 9 June 2025, her body was located in a wooded area after evidence was found linking CSSN Jermiah Copeland, USN, the Accused, to her murder and disappearance.

6. A thorough investigation revealed several other victims of violence and sexual misconduct perpetrated by the Accused. On 22 August 2025, Charges were preferred. These Charges include

four Specifications of Article 120, one specification of Article 128, one specification of Article 117a, two Specifications of Article 120c, three specifications of Article 131b, two Specifications of Article 128b, two specifications of Article 107, and one Specification of Article 118, UCMJ.

7. On 3 September 2025, Commander, Navy Region Mid-Atlantic, appointed CDR John Butler, JAGC, USN, as a Preliminary Hearing Officer to conduct a preliminary hearing into the charges against CSSN Copeland.

8. The Article 32 preliminary hearing was held on 18 September 2025.

9. On 1 October 2025, charges were referred to a general court-martial. Five Specifications of alleged misconduct relating to the death of CS3 A.R. were referred. This includes a Specification of Article 118 for the premeditated murder of CS3 A.R., two Specifications of Article 131b for disposing of her body and hiding his phone from investigators, and two Specifications of Article 107 for making false statements about his knowledge of CS3 A.R.'s whereabouts.

9. Ms. Esmerelda Castle is CSSN Resendiz's mother.

**REQUEST FOR ORDER**

10. The Government respectfully requests that a military judge issue an order designating Ms. Esmerelda Castle to assume the rights of a deceased victim in this case, specifically, CS3 A. R. CS3 A.R. is a "victim of an offense under this chapter" pursuant to Article 6b, U.C.M.J., because she suffered direct physical harm as a result of the commission of an offense under the U.C.M.J. as described above. Ms. Esmerelda Castle is CS3 A.R.'s mother (*i.e.*, family member), and her designation to assume CS3 A.R.'s rights in this case is proper because she is deceased.

Respectfully submitted,

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **United States**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM: Ms. Esmerelda Castle**<br><br>**8 OCT 25** |

**ORDER**

The Government has submitted an application pursuant to Article 6b(c), Uniform Code of Military Justice, and Rule for Court-Martial 309(b)(5), requesting that a military judge issue an order designating Ms. Esmerelda Castle to assume the rights of a deceased victim in this case, specifically, CS3 A.R.

The Court finds that CS3 A.R. is a victim under Article 6b, Uniform Code of Military Justice, who suffered direct physical harm as a result of the commission of an offense under the Uniform Code of Military and is deceased.

The Court also finds that CS3 A.R. was unmarried and had no children at the time of his death, and that Ms. Esmerelda Castle is the mother of CS3 A.R., and thereby are suitable individuals to assume the CS3 A.R.'s rights in this case.

IT IS THEREFORE ORDERED, pursuant to Article 6b(c), Uniform Code of Military Justice, and Rule for Court-Martial 309(b)(5), that Ms. Esmerelda Castle is hereby designated to assume the rights of CS3 A.R. in this case as articulated in Article 6b(a) and any other Navy rule, regulation, or instruction.

_____
United States Military Judge

_____
Date

10 Jun 25

To: Military Judge
From: LT Matthew Doherty, JAGC, USN, Special Trial Counsel

Subj: APPLICATION FOR INVESTIGATIVE SUBPOENA ICO US V. COPELAND (2)

Ref: (a) Uniform Code of Military Justice, Article 30a
(b) Rule for Courts-Martial 309(b)
(c) Rule for Courts-Martial 703(g)(3)(C)

Encl: (1) Draft DD Form 453 ICO US v. Copeland (2)

1. The Government respectfully requests an investigative subpoena to obtain subscriber information for the Instagram account (controlled and operated by Meta Platforms, Inc.) belonging to CSSN Jermiah Copeland, USN. This subpoena is in support of NCIS' investigation into CSSN Copeland labeled CCN: 06NOV24-NFXQ-00029-8SNA.

2. CSSN Copeland (hereafter "subject") is suspected of sexually assaulting CSSN [redacted] USN (hereafter "victim"), in violation of UCMJ Article 120, at bar in Oslo, Norway during a port call on 4 Nov 24. The victim stated that she went out with co-workers and consumed alcohol to the point of "blacking out." She reported that she has limited memories from the night and does not remember how she returned to the ship. The following day, the victim reported that she heard rumors of the subject showing other Sailors a video of him having sex with her in the bathroom of a bar in Oslo. The victim reported that she called the subject to confront him about it and stated that the subject denied the rumors. The victim then received messages from the subject wherein he threatened to kill himself because of the victim's allegations.

3. NCIS' investigation into this case revealed multiple Sailors who corroborated seeing the video in question. The video is described as starting with the subject's face and then panning to the victim's backside, with her face not visible in the shot. The video is described as showing the subject penetrating the victim from behind and witnesses reported not being able to tell if the victim was conscious during the sexual acts. NCIS was unable to obtain a copy of the video in question. NCIS interviewed the subject on 18 Nov 24, during which time he stated the sexual encounter was consensual, confirmed that he made a video recording, and admitted that he was unsure if the victim knew he was recording. NCIS interviewed the subject again on 20 Dec 24, during which time the subject stated that he made the recording using Instagram's "reels" feature because the application was already open on his phone when he entered the bathroom.

4. Biographical checks on the subject revealed the following information: DOB: [redacted]
Phone number: [redacted]; Email address: [redacted]

5. The Government requires CSSN Copeland's Instagram subscriber information to facilitate follow-on investigative actions in an attempt to obtain the video in question.

6. Thank you for your time and consideration. If there are any questions or concerns, I can be reached via email at matthew.c.doherty2.mil@us.navy.mil or via phone at 757-341-4511.

[redacted]

M. C. DOHERTY
LT, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 06NOV24-NFXQ-00029-8SNA *(Optional)*

**SUBPOENA TO TESTIFY AND/OR TO PRODUCE OR PERMIT INSPECTION OF ITEMS**

To: Meta Platforms, Inc.
*Name of person to whom this subpoena is directed*

**YOU ARE HEREBY COMMANDED, PURSUANT TO 10 U.S.C. §§ 846-47, TO DO THE FOLLOWING:**

☐ **1. To appear personally on the following date, time and location:**

to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 17 June 2025
Time: 0900
Location: Email to NCIS Special Agent Tiffany Martinez
tiffany.martinez@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Subscriber and account information for the Instagram account associated with Jermiah Copeland (DOB: [redacted]; Phone: [redacted]; Email: [redacted]

☐ **3. To permit inspection and/or copying of the following items by the date and time listed:**

**Failure to appear and testify or to produce items as directed above is punishable by a fine of not more than $1,000 or confinement for a period of not more than 30 days, or both, by the military judge (10 U.S.C. § 848). Failure to appear or produce items as directed above may also result in you being taken into custody and brought before the proceedings under a Warrant of Attachment (DD Form 454) Manual for Courts-Martial R.C.M. 703(g)(3)(H)(iv). Any person who refuses to appear, testify, or produce items as directed above is guilty of an offense against the United States and shall be tried on indictment or information in a United States district court (10 U.S.C. § 847).**

Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 10 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.10 16:19:06 -04'00'
*Signature of Issuing Authority*

**You may, before the time specified for compliance, request relief on the grounds that compliance is unreasonable or oppressive (R.C.M. 703(g)(3)(G)). Requests should be directed to:** LT Matthew Doherty, JAGC, USN; 757-341-4511; matthew.c.doherty2.mil@us.navy.mil
*Name, Phone Number and E-mail Address*

This subpoena was requested by an official of the United States Government represented by LT Matthew Doherty, JAGC, USN
*Name of Government Counsel*

757-341-4511; matthew.c.doherty2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

## CERTIFICATE OF SERVICE

Served on _____ (*Name of Person Served*) _____ (*Signature*) _____ (*Date*)

**IF SERVICE IS REFUSED**

By my signature below, I attest that I personally delivered a copy of this subpoena, on the date and at the time specified, to the person described on the "To" line above

_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
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MCIO Case No. 06NOV24-NFXQ-00029-8SNA *(Optional)*

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Date: 17 June 2025
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Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 10 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW [redacted]
Date: 2025.06.10 16:19:06 -04'00'
*Signature of Issuing Authority*

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*Name of Government Counsel*

757-341-4511; matthew.c.doherty2.mil@us.navy.mil
*Phone Number and E-mail Address of Government Counsel*

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_____ (*Name of Server*) _____ (*Signature*) _____ (*Date and Time of Service*)

_____
*Phone Number and E-mail Address of Server*

16 Jun 25

To: Military Judge
From: LT Matthew Doherty, JAGC, USN, Special Trial Counsel

Subj: SECOND APPLICATION FOR INVESTIGATIVE SUBPOENA ICO US V. COPELAND (2)

Ref: (a) Uniform Code of Military Justice, Article 30a
(b) Rule for Courts-Martial 309(b)
(c) Rule for Courts-Martial 703(g)(3)(C)

Encl: (1) Draft DD Form 453 ICO US v. Copeland (2)

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2. CSSN Copeland (hereafter "subject") is suspected of sexually assaulting CSSN [redacted] USN (hereafter "victim"), in violation of UCMJ Article 120, at bar in Oslo, Norway during a port call on 4 Nov 24. The victim stated that she went out with co-workers and consumed alcohol to the point of "blacking out." She reported that she has limited memories from the night and does not remember how she returned to the ship. The following day, the victim reported that she heard rumors of the subject showing other Sailors a video of him having sex with her in the bathroom of a bar in Oslo. The victim reported that she called the subject to confront him about it and stated that the subject denied the rumors. The victim then received messages from the subject wherein he threatened to kill himself because of the victim's allegations.

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4. Biographical checks on the subject revealed the following information: **DOB**: [redacted]; **Phone numbers**: [redacted]; **Email address**: [redacted]; **Instagram Accounts**: [redacted]; [redacted]

5. The Government is submitting an additional request for an investigative subpoena in response to Meta advising that there was no data associated with the 804-216-4307 phone number relied upon in the original request. NCIS was able to ascertain more specific account identifiers during an open-source check on the subject conducted on 3 June 2025. These additional identifiers are now included above in paragraph 4.

6. The Government requires CSSN Copeland's Instagram subscriber information to facilitate follow-on investigative actions in an attempt to obtain the video in question.

7. Thank you for your time and consideration. If there are any questions or concerns, I can be reached via email at matthew.c.doherty2.mil@us.navy.mil or via phone at 757-341-4511.

[redacted]

M. C. DOHERTY
LT, JAGC, USN
Special Trial Counsel

# UNITED STATES OF AMERICA

SUBPOENA
Military Justice Proceeding

United States of America
v.
CSSN Jermiah Copeland, USN
*Subject of Investigation / Accused*

MCIO Case No. 06NOV24-NFXQ-00029-8SNA *(Optional)*

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to testify before:

☐ an individual designated to take your deposition

☐ a Court-Martial of the United States

☐ a court of inquiry

Date: 23 June 2025
Time: 0900
Location: Email to NCIS Special Agent Tiffany Martinez
tiffany.martinez@NCIS.NAVY.MIL

☒ **2. To produce the following items on the date and location listed:** Subscriber and account information for the Instagram account associated with Jermiah Copeland ([redacted]; Phone Numbers: [redacted]; Email: [redacted]

Instagram Accounts: [redacted]).

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Issued by CDR Jason A. Pfeil, JAGC, USN (*Name*) on 16 June 2025 (*Date*) as Military Judge (*Issuing Authority*)

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.16 15:19:28 -04'00'
*Signature of Issuing Authority*

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SUBPOENA
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Issued by , JAGC, USN (*Name*) on _____ (*Date*) as Military Judge (*Issuing Authority*)

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*Signature of Issuing Authority*

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*Phone Number and E-mail Address of Server*

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION FOR APPROPRIATE RELIEF**<br><br>**(REVIEW OF PRETRIAL CONFINEMENT AND ORDER GOVERNMENT TO REFRAIN FROM INTERFERING IN CSSN COPELAND'S ATTORNEY CLIENT RELATIONSHIP AND PREPARATION WHILE HE IS IN PRE-TRIAL CONFINEMENT)**<br><br>**26 Aug 2025** |

## MOTION

Pursuant to Article 30a and Rule for Courts-Martial (R.C.M.) 309(b)(6), the defense moves this Court to order the government to permit the defense to meet with CSSN Copeland, in private, in order to prepare for trial – including the Article 32 preliminary hearing – or order the release of CSSN Jermiah Copeland from pretrial confinement.

## SUMMARY

On 9 June 2025, CSSN Copeland was ordered into pretrial confinement. On 16 June 2025, a 7-day reviewing officer held a hearing and approved continued confinement. That same day, the defense began requesting to confer privately with CSSN Copeland. The trial counsel, the brig, and CSSN Copeland's commanding officer denied those requests. Pursuant to Article 30a and R.C.M. 309, this Court can review the pretrial confinement of an accused prior to referral. The defense requests that this Court review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room to have confidential meetings in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or at another location in Hampton Roads, Virginia. Alternatively, this Court should order the release of CSSN Copeland from pretrial confinement.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 9 June 2025, CSSN Copeland was ordered into confinement. (Enclosure (1): Confinement Order of 9 Jun 25).

2. CSSN Copeland is confined at the Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a maximum status prisoner. This means, he is in his cell alone for at least 22 hours per day. At least one military judge has ruled that this type of confinement is illegal pretrial punishment. (Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25).

3. On 16 June 2025, an Initial Review Officer (IRO) hearing was held at the NCBC, where the defense team met with CSSN Copeland for the first time. That same day, a 7-day reviewing officer approved continued confinement. (Enclosure (3): IRO Memo of 17 Jun 25).

4. Based on CSSN Copeland's status, his defense team cannot have a contact visit with him at the brig. The brig will only allow the defense team to meet with him behind glass. This room makes it difficult, if not impossible, for the attorneys to hear our client and makes it difficult for CSSN Copeland to hear his attorneys. Additionally, communications from outside this room can be heard while inside, which means communications within the room can also be heard. Further, there is no means to review discovery with CSSN Copeland in this room as there are only tiny slots to pass a few sheets of folder paper and no way for CSSN Copeland to review a video or electronic evidence. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 16; Enclosure (5): Mrs. Hoffmeister Affidavit).

5. On 16 June 2025, the defense demanded a speedy trial and requested that CSSN Copeland be brought to building A-50 to meet with his defense counsel. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 10; Enclosure (6): Demand for Speedy Trial of 16 Jun 25).

6. On 24 June 2025, after the defense followed up on our initial request, the trial counsel responded to inquire as to why the defense wanted to meet with our client in-person. The defense responded and explained. The same day, the Staff Judge Advocate for the USS JAMES E. WILLIAM's ISIC stated that the command was standing by to assist. However, on 30 June 2025, the trial counsel stated that "the government would not be able to support…." The defense asked the trial counsel for justification as to why the government would not support our request. However, the trial counsel never responded. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 4-6).

7. Despite the trial counsel not responding to the defense's request for justification, on 1 July 2025, the trial counsel submitted a request for excludable delay from 10 June 2025 to 25 July 2025. (Enclosure (7): Excludable Delay Request of 1 Jul 25). That same day, the defense objected to that request. (Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25).

8. On 9 July 2025, the convening authority granted the government request for excludable delay until 25 July 2025. (Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25).

9. On 25 July 2025, CSSN Copeland again demanded a speedy trial. (Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25). The Office of Special Trial Counsel neither acknowledged nor responded to this request.

10. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for Professional Responsibility because the defense requires and is entitled to fairness and equal access to discovery. Further, the defense explained that discovery would reduce the risk of prejudicial speedy trial issues if charges were ever preferred in this case. The trial counsel neither acknowledged nor responded to this request. (Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25).

11. Instead, on 8 August 2025, the trial counsel once again requested excludable delay. (Enclosure (12): Second Excludable Delay Request of 8 Aug 25).

12. On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 13).

13. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request and later refused to provide any reasoning. (*Id.* at 21).

14. On 11 August 2025, the defense objected to the second request for excludable delay. (Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25). As of this filing, the convening authority has not responded to the trial counsel's request.

15. On 13 August 2025, CSSN Copeland filed a complaint pursuant to Article 138, UCMJ. (Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25).

16. As of this filing, no response has been issued to CSSN Copeland.

17. On 21 August 2025, NCIS was permitted to meet with CSSN Copeland at the brig and have a contact visit. The special agents were allowed to be in a room with CSSN Copeland. Touch him and take a buccal swap, get his fingerprints, and take his photograph. (Proffered testimony from SA Fritzer Philemon).

18. On 22 August 2025, the government preferred charges in this case. On that same day, the defense reached out about scheduling the Article 32 hearing and meeting with our client in preparation for the hearing. (Enclosure (14): Emails with the trial counsel of 22 Aug 25).

19. As of this filing, the defense has not been able to coordinate a means to have a private in-person meeting with CSSN Copeland.

## LAW

20. "In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense."[1] Necessarily included in the Sixth Amendment right to counsel is the right of an accused to *confer privately* with his attorney.[2]

21. The accused has the right to be represented by counsel during an investigation under Article 32, UCMJ, and before a general or special court-martial.[3] In the military justice system, the right to counsel includes the right to counsel detailed under Article 27, UCMJ. The right to the services of detailed counsel "is substantial, and extends to both the pretrial and the trial proceedings."[4]

22. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel…. [A defendant] is unfamiliar with the rules of evidence…. He lacks both the skill and knowledge adequately to prepare his defense, even though he [may] have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him."[5] Courts have concluded that an order preventing a defendant from consulting his attorney even during an overnight recess infringes upon this substantial right.[6]

23. "A concomitant right is the right to confidential communications between the attorney and client."[7] M.R.E. 502(a) requires confidential communications "for the purpose of facilitating the rendition of professional legal services to the client."

24. Article 30a of the UCMJ states that "the President shall prescribe regulations for matters relating to proceedings conducted before referral of charges and specifications to court-martial for trial, including the following: … Pre-trial confinement of an accused…."

25. Article 30a was revised to include review of the pretrial confinement of the accused under a provision called "Expansion of pre-referral matters reviewable by military judges and military magistrates in the interest of efficiency in military justice."[8]

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[1] U.S. CONST. amend. VI.
[2] *United States v. Brooks*, 66 M.J. 221, 223 (C.A.A.F. 2008) (citing *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996); *Geders v. United States*, 425 U.S. 80, 88-91 (1976)) (emphasis added).
[3] Article 38(b)(1), UCMJ. *See* U.S. CONST. amend. VI; *United States v. Davis*, 60 M.J. 469, 473 (2005).
[4] *United States v. Tellier*, 13 C.M.A. 323, 327 (1962); s*ee United States v. Eason*, 21 C.M.A. 335, 337-39 (1972).
[5] *Geders v. United States*, 425 U.S. 80, 88-89 (1976) (quoting *Powell* v. *Alabama,* 287 U.S. 45, 68-69 (1932); *see also Argersinger* v. *Hamlin,* 407 U.S. 25, 31- 36 (1972); *Gideon* v. *Wainwright,* 372 U.S. 335, 343-345 (1963).
[6] *Id.* (referencing *United States* v. *Venuto,* 182 F. 2d 519 (CA3 1950); *People* v. *Noble,* 42 Ill. 2d 425 (1969); *Commonwealth* v. *Werner,* 206 Pa. Super. 498 (1965)).
[7] *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996) (citing Mil. R. Evid. 502).
[8] National Defense Authorization Act For Fiscal Year 2020, Subtitle D – Military Justice (available at https://www.govinfo.gov/content/pkg/PLAW-116publ92/html/PLAW-116publ92.htm).

26. "A military judge detailed under regulations of the Secretary concerned may conduct proceedings under Article 30a, before referral of charges and specifications to court-martial for trial, and may issue such rulings and orders as necessary to further the purpose of the proceedings. A military judge may issue such orders and rulings only when the matters would be subject to consideration by a military judge in a general or special court-martial."[9]

27. After action by the 7-day reviewing officer under R.C.M. 305(j)(2)(C), a military judge may, upon application of an accused for appropriate relief, *review the propriety of pretrial confinement*.[10]

28. "Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of offenses."[11] It is "not punishment and shall not be used as such."[12] Moreover, "[a] person should not be confined as a mere matter of convenience or expedience."[13] In fact, "[p]retrial confinement inevitably makes defense of a case more difficult," so "unless there is a need for it, pretrial confinement should be avoided."[14]

29. An accused is presumed innocent until proved guilty, and, therefore, punishment for an alleged offense is prohibited before trial.[15]

30. The Department of the Navy Corrections Manual (SECNAV M-1640.1 of May 2019) permits military judges to make exceptions to brig policies. This includes allowing a confinee in any status (including "MAX" and "MDI") to meet without escorts or restraints.[16]

## ARGUMENT

31. **This Court has the authority to detail a military judge to this proceeding to review the pretrial confinement of the accused.** R.C.M. 309 states that a military judge may conduct proceedings pursuant to Article 30a, before referral of charges. R.C.M. 309(a)(6) states that after action by a 7-day reviewing officer, a military judge may review the propriety of pretrial confinement. Propriety means "the quality or state of being proper or suitable."[17] Here, there was action by the 7-day reviewing officer. Therefore, this court may review the quality of CSSN Copeland's confinement and issue remedies "as necessary to further the purpose of the proceedings."[18]

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[9] R.C.M. 309(a)(1).
[10] R.C.M. 309(a)(6).
[11] R.C.M. 304(a)(4).
[12] R.C.M. 304(f).
[13] R.C.M. 305(i)(B), Discussion.
[14] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[15] E*.g.,* 10 U.S.C. § 813.
[16] Department of the Navy Corrections Manual at 4-6, 4-7.
[17] MERRIAM-WEBSTER'S DICTIONARY (available at https://www.merriam-webster.com/dictionary/propriety).
[18] R.C.M. 309(a)(1).

32. Further, it is clear that the expansion of Article 30(a) to ruling on matters relating to the pretrial confinement of the accused was intended to increase "efficiency in military justice." That is evident from the title of the section of the NDAA that included the expansion. Ordering the government to stop interfering with CSSN Copeland's rights to counsel at the prereferral stage will increase efficiency and prevent speedy trial issues and other litigation in the future. This Court should hear this application pursuant to Article 30a, as it is a proper review of the propriety of CSSN Copeland's pretrial confinement.

33. **A review of CSSN Copeland's pretrial confinement demonstrates that his pretrial status is interfering with his rights to counsel.** CSSN Copeland has the right to counsel, included in that right is the right to meet and confer privately with counsel. CSSN Copeland has been unable to confer privately with his attorneys despite numerous requests.

34. The defense and CSSN Copeland have repeatedly requested to be able to meet in-person privately and have a confidential meeting. The brig will only permit the defense a "no-contact" visit. This occurs in a room where defense counsel would have to shout and CSSN Copeland would have to shout back through a Plexiglass window. This is unacceptable considering conversations from outside the door can be heard within the room. That is neither private nor in-person. Even according to the Navy's correctional manual "MAX" and "MDI" prisoners must be escorted at all times; however, a military judge may order exceptions.[19] Additionally, CSSN Copeland's command could escort him to another secure location outside of the brig to allow him to meet with counsel. However, the government continues to deny the defense's reasonable requests to facilitate a private, confidential meeting with our client. Further, despite these restrictions put in place to keep CSSN Copeland from meeting with his counsel, NCIS has been permitted to be in the same room with him and have contact visits. Finally, no brig policy or instruction can interfere with CSSN Copeland's rights to counsel – or his right to confer privately with his attorneys.

35. While the phone does allow communication with the client that the defense presumes are confidential, it is not sufficient to prepare for trial or pretrial hearings, now or on a consistent basis. For instance, the defense cannot review discovery with the client over the phone. Further, if CSSN Copeland desires to testify in his own defense, whether at the preliminary hearing, an Article 39(a), or at trial, his defense counsel could not properly prepare him for that decision or the hearing over the phone.

36. This Court must review CSSN Copeland's confinement and find that it interferes with his right to counsel – namely his right to confer privately with his attorneys – and order that the defense be permitted to meet with CSSN Copeland privately in the same room for a confidential meeting in preparation for trial at least once every two weeks. These meetings can be at the brig, in building A-50, or another location in Hampton Roads, Virginia.

[19] Department of the Navy Corrections Manual, SECNAV M-1640.1 of 15 May 19 at 4-6, 4-7.

## RELIEF REQUESTED

Pursuant to Article 30a and R.C.M. 309(b)(6), the defense moves this Court to order the government to permit the defense to privately meet with CSSN Copeland in-person in order to prepare for trial, including the Article 32 preliminary hearing, or order the release of CSSN Jermiah Copeland from pretrial confinement. If the government cannot facilitate CSSN Copeland's right to confer with counsel while he is in pretrial confinement, this Court should order CSSN Copeland's release.

## EVIDENCE & HEARING

37. The defense requests the production of SA Fritzer Philemon for in person or telephonic testimony at the Article 30a hearing.

38. The defense offers the following enclosures as evidence in support of this Motion:

a. Enclosure (1): Confinement Order of 9 Jun 25
b. Enclosure (2): Ruling from U.S. v. DC3 Reimonenq of 14 Mar 25
c. Enclosure (3): IRO Memo of 17 Jun 25
d. Enclosure (4): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls
e. Enclosure (5): Mrs. Hoffmeister Affidavit
f. Enclosure (6): Demand for speedy trial of 16 Jun 25
g. Enclosure (7): Excludable Delay Request of 1 Jul 25
h. Enclosure (8): Defense Objection to Excludable Delay of 1 Jul 25
i. Enclosure (9): Grant of Excludable Delay ltr of 9 Jul 25
j. Enclosure (10): Second Demand for Speedy Trial of 25 Jul 25
k. Enclosure (11): Defense's Initial Discovery Request of 30 Jul 25
l. Enclosure (12): Second Excludable Delay request of 8 Aug 25
m. Enclosure (13): Defense Objection to Second Excludable Delay of 11 Aug 25
n. Enclosure (14): Emails with the trial counsel of 22 Aug 25

39. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter. The defense is available for an Article 39(a) motions hearing on the following dates: 8-19 September 2025.

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 August 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]
A. M. SERFESS
LCDR, JAGC, USN
Detailed Defense Counsel

Prescribed by: DoDI 1325.07

# CONFINEMENT ORDER

## PRIVACY ADVISORY

Disclosure of this information is voluntary and will be used to record information about military member ordered into confinement pretrial, post-trial or as a result of nonjudicial punishment. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PERSON TO BE CONFINED**

| a. NAME (Last, First, Middle Initial) | b. SOCIAL SECURITY NUMBER | 2. DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH TAYLOR | [redacted] | 20250609 |

| c. BRANCH | d. GRADE | e. UNIT/AGENCY (Parent unit) |
|---|---|---|
| USN | E-3 | USS JAMES E WILLIAMS |

**3. TYPE OF CONFINEMENT**

| a. PRETRIAL | b. RESULT OF NJP | c. RESULT OF COURT-MARTIAL: |
|---|---|---|
| ☐ NO ☒ YES | ☒ NO ☐ YES | ☒ NO ☐ YES |

d. TYPE OF COURT-MARTIAL: ☐ SCM ☐ SPCM ☐ GCM ☐ VACATED SUSPENSION

**4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED** *(List all charge(s) if prisoner is pretrial. List guilty finding(s) only if prisoner is post-trial.)*

UCMJ ARTICLE 118- MURDER

| 5. SENTENCE ADJUDGED (Annotate sentence from the result of trial) | b. ADJUDGED DATE (YYYYMMDD): |
|---|---|
| | |

**6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED** *(YYYYMMDD)*: _____

**7. PERSON DIRECTING CONFINEMENT**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | b. SIGNATURE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|---|
| WINTERS, TIMOTHY M., CDR COMMANDING OFFICER | WINTERS.TIMOTHY.MAR K. [redacted] Digitally signed by WINTERS.TIMOTHY.MARK [redacted] Date: 2025.06.09 23:37:00 -04'00' | 20250609 | 2337 |

**8. LEGAL REVIEW AND APPROVAL REQUIRED** *(Review required by different name at 7.a and b.)*

a. INCIDENT # NFNF-00237-7MNA ORI _____

b. DNA PROCESSING COLLECTED: ☐ IS ☐ YES ☐ NO ☐ IS NOT REQUIRED PURSUANT TO DODI 5505.14. KIT# _____ Date DNA collected *(YYYYMMDD)* _____

c. SEX OFFENDER REGISTRATION ☐ IS ☐ IS NOT REQUIRED UNDER 42 U.S.C. 14071.

| d. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | e. SIGNATURE | f. DATE (YYYYMMDD) |
|---|---|---|
| | | |

**9. MEDICAL CERTIFICATE**

a. The above named prisoner was examined by me at 0154 (Time) on 20250610 (YYYYMMDD) and found to be ☒ Fit ☐ Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement ☐ will ☒ will not produce serious injury to the prisoner's health.

b. The following irregularities were noted during the examination: *(List only non-medical information. Refer to SF 600 for all medical information, including HIV, TB and pregnancy tests and results.)*

**10. EXAMINER**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|
| KALODNER, LAUREN, B LCDR, MC [redacted] | 20250610 | 0200 |

**11. RECEIPT FOR PRISONER** *(Completed by the correctional facility staff upon arrival of the prisoner)*

a. THE PRISONER NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT *(Facility Name and Location)*
NCBC DETACHMENT CHESAPEAKE
on 2025 0610 (YYYYMMDD) AND TIME: 0247 (Time)

| b. PERSON RECEIPTING FOR PRISONER (Typed name (Last, First, Middle Initial), Grade and Title) | d. DATE (YYYYMMDD) | e. TIME |
|---|---|---|
| BASS, BRYANNA, C BM2 RTR SUP [redacted] | 20250610 | 0247 |

DD FORM 2707, NOV 2022
PREVIOUS EDITION IS OBSOLETE.



Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil

**GENERAL COURT-MARTIAL**
**UNITED STATES COAST GUARD**

| | |
|---|---|
| UNITED STATES<br>v.<br>DC3 RUDOLPH P. REIMONENQ IV,<br>U.S. Coast Guard | RULING on Defense Motion for Appropriate Relief (Confinement Credit)<br><br>14 March 2025 |

**1. Relief Sought**

The Defense filed a motion for administrative credit for various alleged violations of Article 13, UCMJ. AE 46. The Government filed a response opposing the Defense motion. AE 48. An Article 39(a) session was held to hear arguments on this motion on 28 January 2025.

**2. Issues Presented**

a. Did the Government violate Article 13, UCMJ, when it placed and kept the accused as a maximum-security prisoner, and, if so, what administrative credit is the accused entitled to, if any?

b. Did the Government violate Article 13, UCMJ, when it kept the accused shackled during his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

c. Did the Government violate Article 13, UCMJ, when it failed to provide the accused a Coast Guard uniform for his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

**3. Findings of Fact**

In reaching its findings of fact and conclusions of law, the Court considered all legal and competent evidence presented and the reasonable inferences drawn therefrom and resolved all issues of credibility. The Court finds the following facts by a preponderance of the evidence.

a. Procedural History

(1) DC3 Rudolph Reimonenq, USCG, is accused of attempted premeditated

murder, two specifications of carrying a concealed weapon, and one specification of dereliction of duty. The charges and specifications arise from an incident when the Accused brought a rifle, revolver and ammunition with him when he reported to duty aboard the United States Coast Guard Cutter (USCGC) LEGARE in the early morning hours of 26 March 2024. The accused later admitted to CGIS that he intended to kill the Commanding Officer of the *Legare*.

(2) The accused was ordered into Pre-Trial Confinement (PTC) at NCBC DET Chesapeake on 28 March 2024. He has remained in PTC since that time.

b. NCBC DET Chesapeake

(1) The Naval Consolidated brig in Chesapeake, Virginia, is a brig detachment under the supervision of NCBC (NCBC), South Carolina. NCBC DET Chesapeake does not have an independent Commanding Officer (CO). Instead, it has an Officer-in-Charge (OIC) that is subordinate to the Commanding Officer of NCBC.

(2) CDR IM is the OIC for NCBC DET Chesapeake. He reports to CDR JB as the CO for NCBC.

(3) CDR IM testified that on 28 January 2025 there were 14 prisoners housed at NCBC DET Chesapeake, which is a typical number for that facility.

(4) CDR IM's career has been as a Navy helicopter pilot. His current assignment is the first in the Military corrections field. In addition to a generic leadership course offered to all entering a command position, CDR IM also attended a Brig Officer Management course, which was either 4 or 5 days.

(5) Similarly, CDR JB's background has not been in military corrections, instead he entered his current position after a career as a Surface Warfare Officer.

(6) Both NCBC and NCBC DET Chesapeake have civilian corrections professionals to advise the command on corrections matters and corrections policy. Ms. RR is the Technical Director for NCBC, and Mr. PM is the Program and Service Department Head at NCBC DET Chesapeake. He also serves as the Facilities Manager and the Safety Manager.

c. Prisoner custody classification

(1) Medium-In (MDI)

(a) MDI is the lowest level of classification for a pre-trial confinee.

(b) Generally, an MDI prisoner is in their cell overnight from 2130 until 0530. Once they wake up, an MDI prisoner exits their cell and remains outside

of it until they go back in at 2130.

(c) An MDI prisoner is not required to wear restraints while moving within the brig, and there are generally no restrictions on their interactions with other prisoners.

(d) An MDI prisoner will work in assigned work details from after breakfast until approximately 1530.

(e) After 1530, MDI prisoners get to participate in rec call, where they can work out or play sports with other prisoners.

(f) After dinner (generally around 1700), prisoners can enjoy personal time until they must return to their cells at 2130. During personal time MDI prisoners can be outside of their cells in their housing unit, watch TV, make phone calls, or talk with other prisoners.

(g) MDI prisoners are permitted to have contact visits with family and counsel.

(2) Maximum (MAX)

(a) MAX prisoners are confined to their cells for up to 22 hours a day. They are permitted one hour of recreation, and one hour of personal time. Both recreation time and personal time are performed alone without any other interaction with other prisoners.[1]

(b) MAX prisoners are not permitted to make contact with anyone other than the brig staff. Brig staff must physically observe a MAX prisoner every 15 minutes and record their observations on a DD 509 form.

(c) MAX prisoners eat all of their meals in their cell.

(d) MAX prisoners are fully restrained (hand irons, leg irons, and transport belt) and escorted by two brig staff members when outside of their housing unit – even within the brig's fenceline. They are not required to wear restraints during their recreational or personal time; however, they must be restrained and escorted to the recreation yard.

(e) Only a military judge or the brig OIC can order a MAX prisoner's restraints removed.[2]

(f) MAX prisoners may not have any contact visits with either family or counsel, which means a MAX prisoner must be separated from their

[1] CDR IM testified that MAX prisoners were permitted additional personal time if there were sufficient staff resources to support it.
[2] MAX prisoners may move unrestrained in emergency situations.

visitor by some form of partition.

(3) Classification & Adjustment (C&A) Board

(a) Each brig is required to have a C&A Board which must meet daily (excluding weekends and holidays). The board evaluates the classification status for each prisoner, generally once every 30 days or at the prisoner's request, using objective criteria:

| 5. CLASSIFICATION CRITERIA *(Enter point values)* |
|---|
| a. OFFENSE SEVERITY = 1 - 8 |
| b. NUMBER OF DISCIPLINARY BOARDS *(Last 90 days)*<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS *(Last 90 days)*<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS *(Last 90 days)*<br>NONE = 0 ONE OR MORE = -1 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 *(only if no program completed)*<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE *(See DoDI 1325.07, Severity Code Tables)* |
| j. TOTAL POINTS |

(b) After adding up the points assigned to the objective criteria, the C&A board can recommend reduction in classification (for 0-6 points), remain the same (7-10 points), or increase the classification (11 or more points).

(c) There are also subjective criteria which the board can use to override the recommendation generated by the objective criteria. To override a reduction in classification, the board may consider the following:

i. Assaultive behavior;

ii. Disruptive behavior;

iii. Serious drug abuse;

iv. Serious civil or military criminal record (convicted or alleged);

v. Low tolerance of frustration;

vi. Intensive acting out or dislike of the military;

vii. History of previous escape(s);

viii. Pending civil charges or detainers filed;

ix. Serving a sentence that the individual considers unjust or severe;

x. Poor home conditions or family relationships;

xi. Emotional or mental instability;

xii. Indication of unwillingness to accept responsibility for personal actions, past and present;

xiii. Demonstrated pattern of poor judgment;

xiv. Length, or potential length, of sentence;

xv. Gang affiliation or ties with disruptive organizations;

xvi. Awaiting transfer;

xvii. A sentence length exceeding the designated length of confinement authorized at the MCF; and

xviii. Refusal to accept or participate in recommended treatment or education programs.[3]

(d) To override an increase in classification, the board may consider the following:

i. Clear military record, aside from present offense;

ii. Close family ties - good home conditions;

iii. The offense(s) charged is not serious;

iv. Emotional and mental stability;

v. Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

vi. Behavior during confinement, and

vii. Successful completion of, or active participation in, offense-related treatment programs or groups.

(e) Finally, the facility commander may override the C&A board's recommendation using the same criteria.

d. Navy & NCBC policies

(1) Navy Corrections policy

(a) Section 4202 of SECNAVINST M1640.1 addresses classification criteria. It notes that "Ultra-conservative custody classification results in a waste of prisoner and staff manpower. … Classification systems must follow established, but flexible, procedures." It also states that "Prisoners will be placed in a lower custody classification as soon as practical and as warranted."

[3] Pre-Trial Confinees are generally ineligible to participate in treatment programs.

(2) NCBC policy

(a) NCBC has a policy that any pre-trial confinee who is charged with a "serious crime" will be classified as a MAX prisoner.

(b) This policy is not written. CDR IM testified that CDR JB relayed to them that "most people who are accused of murder, they're normal, they have a bad day and then something bad happens," and that they were going to keep those accused of murder classified as MAX prisoners to keep everybody safe, both staff and prisoners.

(c) There was no evidence of data supporting CDR JB's assertion that, as a general matter, prisoners accused of murder were more likely to do "something bad" and that they posed a safety risk for brig staff and inmates.[4]

(d) Further, as the policy was not written, there was not a definition of "serious crime," however, CDR IM understood that murder and attempted murder qualified as "serious."

(e) At the time the accused was ordered into PTC, CDR IM was not aware of this policy. In June 2024 there was a use-of-force incident with a different pre-trial confinee accused of a serious crime that brought to light NCBC DET Chesapeake's non-compliance with NCBC's policy.

e. The accused's confinement at NCBC DET Chesapeake

(1) When the accused was ordered into PTC, the confinement order specified he was suspected of violating Articles 80 (attempted murder), 92 (failing to obey an order or regulation), 114 (endangerment offenses) and 115 (communicating a threat), UCMJ.

(2) Because NCBC DET Chesapeake was not classifying pre-trial confinees accused of serious crimes as MAX prisoners, the accused was initially classified as an MDI inmate.

(3) From 28 Mar 2024 until 19 July 2024 the accused performed as an MDI prisoner without any disciplinary incidents.

(4) On 19 July 2024 the accused was served with the preferred charge sheet. At that point, the NCBC DET Chesapeake staff and OIC realized he had been

[4] The only evidence in the record of a pre-trial confinee acting in a manner that threatened other staff or prisoners occurred in June, 2024, when HM3 Pate (another pre-trial confinee accused of a serious offense) had an adverse interaction with a staff member. However, the evidence is not clear about whether the staff member bore some responsibility for instigating the incident, and, in any event, the staff member involved did not regard the prisoner as a physical threat.

misclassified and reclassified the accused to a MAX prisoner.[5]

(5) At the following C&A board on 20 Aug 2024, the board recommended again reclassifying the accused to an MDI prisoner. The OIC overrode the board's recommendation and ordered the accused remain as a MAX prisoner.

(6) At every subsequent C&A board (occurring approximately every 30 days), the board recommended downgrading the accused's classification to MDI. Every time the OIC overrode the board's recommendation and ordered the accused remain a MAX prisoner.[6] At times, the OIC noted the seriousness of the crime as the justification, others he merely noted that the accused should "remain MAX." The OIC was unaware of the specifics of the accused's offense, only that he was accused of attempted pre-meditated murder.

(7) In November 2024, the licensed clinical social worker assigned to NCBC DET Chesapeake informed the OIC of the following concern:

> Based on a brief assessment that was conducted recently with SNP Reimonenq, SNP is demonstrating/expressing an increased level of emotional [decompensation] due to being isolated and confined in a cell for an [extended] period of time. In my clinical judgement, SNP Reimonenq would benefit from increased interaction with others to reduce [further] decompensation.

(8) In each of the DD Form 2711-1 documenting the accused's C&A board results, the board noted the accused was dealing with mental health challenges.

(9) Mr. PM disagrees with the NCBC's policy about keeping prisoners accused of serious crimes as MAX prisoners. He termed the policy "cookie cutter" and expressed concerns about being unable to justify the decisions based upon the prisoner's observed behavior.

f. <u>The Article 32 hearing</u>

(1) On 9 October 2024, CDR KW presided over an Article 32, UCMJ, hearing into the charges against the accused.

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[5] At the C&A board that led to the accused's reclassification to a MAX prisoner, the board had to recommend overriding the objective criteria because, based upon his lack of disciplinary issues since being confined, the objective criteria directed that his classification remain the same (i.e. MDI). The OIC concurred with the board's recommendation.

[6] Prior to the Article 39(a) session where this motion was litigated, the OIC again overrode the C&A board's recommendation on 13 Jan 2025. The C&A board's evaluation on 13 January 2025 noted the objective criteria—for the first time—should require the accused to remain in his current classification. However, the board overrode the objective criteria to recommend reclassification to MDI due to "period of observation and evaluation." The OIC overrode the board's recommendation.

(2) The hearing was conducted in the Coast Guard courtroom in Main Street Tower in Norfolk, VA. The hearing was open to the public and members of the public attended the hearing, including members of the accused's family.

(3) By agreement of the parties, CDR KW participated remotely, as did civilian defense counsel. Detailed defense counsel was present with the accused.

(4) The accused was attired in a brown prisoner's uniform and remained shackled throughout the proceeding.

(5) Defense counsel requested that the shackles be removed. Government counsel joined in this request. However, the brig personnel refused to do so because it was not a "court proceeding" and the Preliminary Hearing Officer was not a judge.

(6) At the outset of the hearing, CDR KW noted that the accused was not attired in the proper uniform but noted that he would take into consideration the fact that the accused was a third-class petty officer in the Coast Guard and also took note of his awards.

(7) Shortly before he was ordered into PTC, the accused was re-assigned to LANTAREA. In July 2024, the LANT staff received notice that the *Legare* command had sent the accused's personal effects to his mother in Louisiana, however, they were unaware that his personal effects included his uniforms.

(8) The accused did not ask the LANT staff about his uniforms for upcoming proceedings during their weekly brig visits. Neither the LANT legal staff nor Government counsel asked the accused new command (i.e. LANT-1) about his uniforms.[7]

(9) The accused was in the proper uniform for all subsequent court-martial proceedings.

*Further facts necessary for an appropriate ruling are contained within the Analysis section.*

## 4. Principles of Law

a. Burden

As the moving party, the Defense bears the burden of persuasion by a preponderance of the evidence. R.C.M. 905(c).

[7] While there isn't direct evidence that the LANT legal staff or government counsel engaged with LANT-1 about the accused's uniforms, given the commendable efforts expended by the LANT-1 staff to ensure the accused was properly attired for his court-martial, the Court infers that no such inquiries were made prior to the Article 32 hearing.

b. Article 13

Article 13, UCMJ provides that:

> No person, while being held for trial, may be subjected to punishment or penalty other than arrest or confinement upon the charges pending against him, nor shall the arrest or confinement imposed upon him be any more rigorous than the circumstances required to insure his presence, but he may be subjected to minor punishment during that period for infractions of discipline.

"Article 13, UCMJ prohibits two things: (1) the imposition of punishment prior to trial, and (2) conditions of arrest or pretrial confinement that are more rigorous than necessary to ensure the accused's presence for trial." *United States v. King*, 61 M.J. 225, 227 (C.A.A.F. 2005).

A service member may not be detained under conditions that amount to punishment prior to trial. *United States v. James*, 28 M.J. 214, 215 (C.M.A. 1989). One significant factor in determining whether the conditions or terms of confinement violate Article 13 is the intent of the detention officials. *Id.* at 216. Thus, "[a] court must decide whether the disability is imposed for...punishment or whether it is but an incident of some other legitimate governmental purpose." *Id.* (quoting *Bell v. Wolfish*, 441 U.S. 520, 538 (1979). In *United States v. Howell*, 75 M.J. 386 (C.A.A.F. 2016), the court held that for an Article 13 violation to occur the record "must disclose an intent to punish on the part of the Government."

If there was not an intent to punish, the court must then decide whether the government action furthered a legitimate, non-punitive government interest. *Id*. at 393. Irrespective of the intent to punish, Article 13 may still be violated if the activity serves no legitimate, non-punitive purpose. *Id*. This analysis is exclusive to the intent of the government's action and is not informed by the impact of the action, even if punitive in nature. *Id*. at 393-94.

Confinement in violation of service regulations does not create a *per se* entitlement to relief but can shed light on whether impermissible intent to punish should be attributed to confinement officials. A command's disregard for service regulations may lead a military court to infer an improper purpose, such as to punish, even where an accused's status as a flight risk or a threat of continuing misconduct justifies the decision to confine him. *United States v. West*, No. 201200189, 2013 WL 1209934, at *4 (N-M. Ct. Crim. App. Mar. 21, 2013).

**5. Analysis**

a. The accused's continued classification as a MAX prisoner did not further a legitimate government interest

As an initial matter, there was no evidence presented that the NCBC classification policy was intended to punish the accused, and the Defense disclaimed any such claim. Therefore, the Court may only find a violation of Article 13 if the continued classification of the accused as a MAX prisoner did not serve a legitimate government interest.

The Court finds that the *initial* classification of a prisoner accused of a serious crime to a MAX prisoner to serve a legitimate government interest. The concerns articulated by the NCBC DET Chesapeake OIC (albeit vaguely) could be present when a member is placed in pre-trial confinement for serious crimes, and those factors are also captured in the SECNAVINST (seriousness of the alleged crimes and potential sentence). This interest is heightened at the imposition of confinement because the brig staff lack information about how the confinee will react to being incarcerated.

In this case, though, prior to reclassifying the accused as a MAX prisoner, they had nearly four months of data on how the accused responded to incarceration, during which the accused had no disciplinary infractions. Nonetheless, the Court is loath to second-guess brig staff in ensuring they were following their parent command's policies for classifying prisoners, especially where the initial classification furthers a legitimate government interest.

However, the Court finds the *continued* classification of the accused in face of repeated recommendations from corrections professionals to downgrade his status to MDI does not serve a legitimate governmental interest. The C&A board's repeated recommendations to return the accused to MDI status undercuts the government's theory that prisoners accused of serious crimes "might" pose to staff and other prisoners. It does so because the objective criteria not only consider the seriousness of the crime (the only source for the government's concern)[8] as well as the observations of this *particular* accused.

The legitimate government concern is further undercut by the informality and lack of support of the NCBC policy. While a formally issued (and presumably legally reviewed) policy may not overcome the persistent recommendations of the C&A board (based upon repeated interactions with the accused), the fact that the policy was communicated to the NCBC DET Chesapeake OIC orally with scanty support weakens the government's purported interest.

Finally, while the SECNAVINST does permit overriding of the objective classification recommendation based upon the seriousness of the crime and the potential

[8] The Court does not minimize the seriousness of the crimes with which the accused has been charged. However, the charge of attempted premeditated murder can encompass a wide range of conduct, from arriving at a location with the means and motive to kill an individual to grievously injuring the victim (while not causing the victim's death). The fact the OIC was unaware of the facts of the accused's alleged conduct and thus could not take that into account in his classification decision, further detracts from the government's asserted interest.

length of the sentence, the SECNAVINST also directs that classification should follow "established, but flexible, procedures." Further, the SECNAVINST commands that "Prisoners *will* be placed in a lower custody classification as soon as practical and as warranted." (emphasis added). NCBC's policy is anything but flexible, as the OIC testified that there was no circumstance where the accused would be eligible for a lower classification.

Having found a violation of Article 13, the Court must determine the appropriate credit to be awarded. As an initial matter, the accused was confined for 22 hours each day, as compared with 8 for a typical MDI prisoner, resulting in the accused spending 175% more time locked in his cell (22 hours is 175% of 8 hours). However, a credit of only 1.75 days for each day in MAX after 20 August 2024 doesn't adequately encompass the additional hardships imposed upon the accused, because the accused was also denied the opportunity to interact with other prisoners in social settings. This restriction has caused psychological harm. Further, it is harm that was made known to the brig command. Additionally, his status has prevented him from contact visitation with his family and his attorneys. Thus, the Court finds that an appropriate amount of credit is 3 days for each day after 20 August 2024, resulting in 438 days of confinement credit.[9]

b. Shackling of the accused during the Article 32 hearing furthered a legitimate government objective

The SECNAVINST restricts who may order restraints removed from a MAX prisoner, limiting it to Brig command staff and a military judge. In doing so, it furthers a legitimate government objective to maintain security over a prisoner who, by some criteria, is deemed to be a danger to himself or others. Additionally, it avoids having the brig chasers make case-by-case determinations and prevents any arguments from strong willed advocates from swaying either junior personnel or the brig staff.

The defense arguments to the contrary are unpersuasive. First, even though an Article 32 hearing is a legal proceeding, the PHO is not a military judge and thus does not meet the objective criteria outline in the SECNAVINST. Second, the rules cited in the defense motion apply before *courts-martial*, and not any legal proceeding. The accused is not entitled to credit for being shackled during the Article 32 hearing.

c. Forcing the accused to appear in a prisoner's uniform at his Article 32 hearing did not further a legitimate government objective

As an initial matter, the Court does not find an intent to punish the accused by forcing him to wear a prisoner's uniform to his Article 32 hearing. As is clear from the affidavit submitted by Mr. TL of LANT-1, once alerted to the accused's lack of uniforms took

[9] This is calculated from 21 August 2024 up to and including 13 January 2025, the last day for which the Court has evidence of the OIC overriding the C&A board's recommendation.

appropriate measures to ensure the accused was appropriately attired, evincing a lack of intent to punish.

Even assuming, as the Court does, that the government's inability to ensure the accused had access to his uniforms was an oversight, it nonetheless decided to proceed with the Article 32 hearing with the accused in a prisoner's uniform. While it is true that the accused (and Defense counsel) agreed to go forward with the accused attired in a prisoner's uniform, the accused should not have been put into that position. When it imposes pre-trial confinement, the government has a responsibility to ensure the accused is attired in the proper uniform.[10] Further, they had 195 days from when they imposed pre-trial confinement and 83 days from when they preferred charges to ensure the accused had a proper Coast Guard uniform.

The government's decision to proceed is mitigated somewhat by the accused not inquiring about his uniforms during the weekly command brig visits because a military member bears responsibility to appear in the prescribed uniform of the day.

Nonetheless, the lion's share of the responsibility falls upon the government, a responsibility they failed to uphold (albeit without any malice towards the accused). In so doing, they did not further any legitimate government objective and thus violated Article 13. The accused shall be awarded an additional 4 days of confinement credit.

**6. <u>Conclusions of Law</u>**

a. The Government violated Article 13 by continuing to classify the accused as a MAX prisoner after 20 August 2024 and until and including 13 January 2025. The accused shall be awarded 438 days of confinement credit.

b. The Government did not violate Article 13 when the accused remained shackled for his Article 32 hearing.

c. The Government violated Article 13 when it failed to provide the accused with a proper Coast Guard uniform. The accused shall be awarded 4 days of confinement credit.

[10] The Court takes judicial notice of Article 1.F.5.e of the Coast Guard Discipline and Conduct Manual, COMDTINST M1600.2(series), which states that "Prisoners shall be delivered in the appropriate Service Dress uniform," and "Accordingly, it is important that the prisoner be delivered with a sufficiently full seabag to sustain his/her needs during the anticipated period of confinement."

7. **Ruling and Order**

The Defense motion is **GRANTED IN PART** and **DENIED IN PART,** consistent with the above conclusions of law.

**So ordered this 14th day of March, 2025**.

[redacted]

Digitally signed by BARNUM.JEFFERY.C.[redacted]
Date: 2025.03.14 17:19:53 -04'00'

Jeffery C. Barnum
Commander, U.S. Coast Guard
Military Judge

**INITIAL REVIEW OFFICER'S**
**7-DAY REVIEW OF PRETRIAL CONFINEMENT**

| | | |
|---|---|---|
| U N I T E D S T A T E S | ) | R.C.M. 305(j)(2)(D) Memorandum |
| v. | ) | **Initial Review Officer Findings, Conclusions, and Action** |
| JEREMIAH T. COPELAND<br>CSSN / E-3 USN | ) | Date: 17 June 2025 |

1. **Background**. I, CDR Jason A. Pfeil, JAGC, USN was detailed as the Initial Review Officer (IRO) for the review of pretrial confinement in the case of CSSN Jeremiah T. Copeland, USN (Confinee). The 7-day review hearing was at Naval Consolidated Brig Chesapeake, Virginia (NCBC) on 16 June 2025. This memorandum is prepared pursuant to Rule for Courts-Martial (R.C.M.) 305(j)(2)(D), Manual for Courts-Martial.

2. **Findings of Fact**. After considering the evidence and statements provided at the 7-day review hearing, the preponderance of the evidence supports the following factual findings:

A. The Confinee is from Durham, North Carolina.
B. The Confinee is 20 years of age.
C. The IRO received no evidence of substantial ties to the Hampton Roads area of Virginia other than that his command is based out of Naval Station Norfolk, Virginia.
D. *Facts Pertinent to Alleged Violation of Article 118 (murder)*
    a. 28 May 2025
        i. CSSN A.R. was with the Confinee in his barracks room, building X-2, room 335B and she spent the night.
        ii. CSSN A.R. last used her bank accounts.
        iii. CSSN A.R. was in authorized liberty status 28-29 May 2025.
    b. 29 May 2025
        i. At 0645, PSSN Irbin Gordillocruz, one of the Confinee's roommates, saw CSSN A.R. in the Confinee's barracks room, naked and laying on the floor with the Confinee, also naked, was laying on the floor with his head resting on CSSN A.R.'s stomach area.
        ii. PSSN Gordillocruz observed CSSN A.R. breathing.
        iii. At 0645, CSSN A.R. was alive.
        iv. Some time afterward, FCC Brad Parker from USS JAMES E. WILLIAMS (DDG 95) went to the Confinee's barracks room to make contact with him because he did not report for work.
        v. When FCC Parker knocked on the Confinee's door, the Confinee opened the door wearing shorts and no shirt. FCC Parker recognized CSSN A.R. in the Confinee's barracks room.

vi. CSSN A.R. waved at FCC Parker and then rolled over into a blanket.
vii. FCC Parker ordered CSSN Copeland to report to work and then left the Confinee's barracks room.
viii. CSSN A.R. was alive when FCC Parker left the Confinee's barracks room on 29 May 2025.
ix. No JAMES E. WILLIAMS personnel, other than the Confinee, had further positive contact with CSSN A.R. after FCC Parker saw her.
x. The Confinee did not report to work as ordered and was placed in an unauthorized absence (UA) status.
xi. CSSN A.R.'s cell phone was last used in the evening.
xii. CSSN A.R. was still in an authorized liberty status.

c. 30 May 2025
   i. CSSN A.R. did not report for duty and was placed in a UA status.
   ii. The Confinee remained in a UA status.
d. 31 May 2025
   i. Both the Confinee and CSSN A.R. remained in a UA status.
e. 1 June 2025
   i. The Confinee and CSSN A.R. remained in a UA status.
   ii. At approximately 1900, the Confinee and his roommates PSSN Gordillacruz and AR John Calisse went to dinner at Chipotle.
   iii. At approximately 2000, after eating dinner, the Confinee asked AR Calisse if he could use his vehicle to "go get something to eat" and AR Calisse agreed.
   iv. The Confinee mustered on board the ship to terminate his UA status.
   v. The Confinee's whereabouts after mustering are unknown.
f. The Confinee was in a UA status for approximately four days: from 29 May until the evening of 1 June 2025.
g. FCC Parker is the last known person, other than the Confinee to see CSSN A.R. alive.
h. As part of its investigation, NCIS interviewed the Confinee who told NCIS the following:
   i. CSSN A.R. came to his room on 28 May 2025 for dinner and drinks.
   ii. His relationship with CSSN A.R. was platonic friendship.
   iii. No sexual acts ever happened between them.
   iv. She spent the night in his barracks room the night of 28 May but she had her clothes on the entire time she was in his barracks room.
   v. He was late for work on the morning of 29 May 2025 and FCC Parker knocked on the door to tell him he was going to be marked UA.
   vi. At approximately 1000 on 29 May 2025, he and CSSN A.R. got dressed and one of his roommates took them to her residence at Miller Hall on board Naval Station Norfolk.
i. NCIS investigation revealed the following:
   i. CSSN A.R. never checked into Miller Hall on 29 May 2025 or thereafter.

ii. All of the Confinee's roommates told NCIS they did not give a ride to the Confinee or CSSN A.R. on the morning of 29 May 2025.
iii. CSSN A.R.'s cell phone last pinged on 29 May 2025 at the Confinee's barracks building.

j. NCIS searched the Confinee's barracks room and found the following:
   i. There was a potential blood trail leading from inside his closet onto the carpet of the room; and a stain was found inside his bathroom.
   ii. A swab taken from inside the Confinee' barracks room closet and his bathroom both tested positive for human blood.

k. NCIS searched the Confinee's cell phone and found the following:
   i. At approximately 0514 on 2 June 2025, the Confinee was in the vicinity of 2842 Cary Ave., Norfolk, VA 23504, as determined by GPS analysis of a cached location on his phone.
   ii. The Confinee was actively moving around the vicinity of 2842 Cary Ave., Norfolk, VA at the time he was in that area, as determined by analysis of his phone's recording of health and activity data.
   iii. The Confinee saved a screenshot of a map application depicting a wooded area near a reservoir or pond in the vicinity of 2842 Cary Ave., Norfolk, VA on 2 June 2025 at 0515 as reflected in the screenshot and digital forensic analysis.
   iv. The Confinee saved a location in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA as shown by a dropped pin on the screenshot saved on 2 June 2025 at 0515.

l. Between when the Confinee terminated his UA status and approximately 0514 on 2 June 2025, his whereabouts are unknown.

m. On 9 June 2025, NCIS searched the area reflected in the screenshot obtained from the Confinee's cell phone.

n. A black duffel bag was located beneath a tree within the perimeter captured by the Confinee's screenshot.[1]

o. After partially opening the black duffel bag, NCIS observed a pair of human legs inside.

p. NCIS found a photo from 23 September 2024 depicting the Confinee in service dress blues next to a black duffel bag that is visually similar to the one located in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA.

q. On 10 June 2025, an autopsy was performed on the body found in the black duffel bag with the following initial results:
   i. The body was determined to be a female.
   ii. Her body was in an extreme state of decomposition.
   iii. An E-3 uniform patch was located in her hair.
   iv. She was identified as CSSN A.R. by the distinctive tattoo on her back.

[1] The IRO notes that the NCIS affidavit refers to this duffel bag both as a suitcase and a duffel bag. However, based on the evidence the IRO concluded that both terms refer to the same object that the IRO refers to as a duffel bag in this memorandum.

E. *Facts Pertinent to Alleged Violation of Article 120(d) (abusive sexual contact)*

a. In the early morning hours of 23 July 2024 ABHAN C.R. was on the mess decks of USS HARRY S. TRUMAN (CVN 75) with her boyfriend CSSN Fernando Cuestabravo. CSSN Cuestabravo left to go to sleep.
b. Shortly after CSSN Cuestabravo left, ABHAN C.R. began receiving SnapChat snaps from the Confinee; he wanted to talk to her about CSSN Cuestabravo.
c. ABHAN C.R. agreed and the Confinee requested they go somewhere private to talk. They went to the fantail of the ship.
d. The Confinee told ABHAN C.R. that CSSN Cuestabravo was talking to other women and not treating her the way she should be treated; the Confinee suggested they should be in a relationship to get back at CSSN Cuestabravo.
e. After talking with the Confinee about her relationship with CSSN Cuestabravo, the Confinee began to play a "game" where he pretended to arrest her.
f. The Confinee forced ABHAN C.R.'s hands behind her back and grabbed her vulva over the clothing.
g. ABHAN C.R. turned around and punched the Confinee in the stomach.
h. The Confinee said he heard she liked to be choked and he grabbed her neck with one hand, applying pressure. ABHAN C.R. had difficulty breathing. ABHAN C.R. tried to push the Confinee's hand away but he kept putting it back.
i. While the Confinee was applying pressure to ABHAN C.R.'s neck, he kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing.
j. The Confinee then stopped and left.
k. ABHAN C.R. texted CSSN Cuestabravo afterward.
l. The next day they discussed what happened and ABHAN C.R. made a report of sexual assault.
m. On 16 August 2024, NCIS interviewed the Confinee and he said the following:
    i. He and ABHAN C.R. saw each other on the mess decks and went to the fantail to talk.
    ii. The Confinee was sitting in a chair and ABHAN C.R. on the deck.
    iii. ABHAN C.R. told him CSSN Cuestabravo does not treat her well and was cheating on her; she asked the Confinee for advice.
    iv. They flirted but he denied being romantically or sexually interested in ABHAN C.R.
    v. The two hugged and he got close to her face but denied trying to kiss her.
    vi. He denied touching ABHAN C.R. anywhere else.
    vii. NCIS asked if he had strangled ABHAN C.R. He responded, "oh okay yeah I have but it wasn't in like a weird way." He said he put one hand around her neck without applying any pressure.
    viii. He also denied touching any of ABHAN C.R.'s intimate areas and denied telling her she should have sex with him to get back at CSSN Cuestabravo.
n. Additional NCIS investigation revealed:
    i. The Confinee told CSSN Jaelen Owens that ABHAN C.R. was "feeling on" and "leading on" the Confinee.

ii. CSSN Cuestabravo observed bruises on the sides of ABHAN C.R.'s neck but neither of them took photos of the bruises.

F. *Facts Pertinent to Alleged Violation of Article 120(b) (sexual assault)*
   a. On 4 November 2024, during a port call in Oslo, Norway, CSSN S.S. reported the Confinee sexually assaulted her in the head of a bar at approximately 2200 hours.
   b. CSSN S.S. was intoxicated and did not remember having sexual intercourse with the Confinee, however other Sailors told her on 5 November that the Confinee showed them a video on his phone of the two of them having sexual intercourse.
   c. CSSN S.S. confronted the Confinee about him making a video of sexual intercourse with her and he denied it.
   d. Two Sailors interviewed by NCIS stated the Confinee had shown them a video of him and CSSN S.S. having sexual intercourse.
   e. Another Sailor interviewed by NCIS reported the Confinee told him he had sex with CSSN S.S. and seemed excited about it.
   f. NCIS searched the Confinee' person, his berthing, rack, and personal spaces to find his phone but his phone was never found.
   g. On 18 November 2024, NCIS interviewed the Confinee:
      i. He confirmed that he and CSSN S.S. had sexual intercourse in the bathroom in a bar in Oslo, Norway and that he had video recorded it.
      ii. He stated the sexual intercourse was consensual.
      iii. He said he lost his phone before returning to the ship on 5 November.

G. *Facts Pertinent to Alleged Violation of Article 128 (assault consummated by a battery / aggravated assault) or Article 128b (domestic violence)*[2]
   a. In April 2025, the Confinee was in his barracks room with his then-girlfriend, CS2 S.R.
   b. While in the Confinee's barracks room, CS2 S.R.[3] received a phone call from another woman claiming to be his girlfriend. She confronted the Confinee.
   c. The Confinee denied the relationship with the other woman and they argued.
   d. The Confinee then strangled CS2 S.R.
   e. Afterward, he laughed and said he was just playing with CS2 S.R.
   f. CS2 S.R. left the Confinee's barracks room and went home. She continued to communicate with the other woman.
   g. CS2 S.R. returned to the Confinee's barracks room and confronted him again.
   h. They argued and the Confinee grabbed CS2 S.R.'s phone from her hand.
   i. CS2 S.R. punched the Confinee in the chest, slammed his PlayStation 5 to the ground, and left.

[2] These offenses were not included in the command's 72-hour review letter as offenses; however, the facts support that they were committed and helped inform the IRO's analysis.
[3] The IRO notes that there are what appear to be significant typographical errors in the email that documents the alleged assault. Specifically, after initially identifying the Confinee's then-girlfriend as CS2 S.R., the narrative refers to a CS2 Williams multiple times. Additionally, the narrative refers to the Confinee alternatively as CSSN Copeland and CSSN Williams. The IRO used context to relate the facts found from the narrative supplied in the 72-hour letter's enclosures.

j. One of the Confinee's roommates told law enforcement CS2 S.R. waved a knife around while arguing with the Confinee but no knife was found.

H. On 6 June 2025, the Confinee received nonjudicial punishment for his period of UA from 29 May to 1 June.

3. **Applicable Law**

Per R.C.M. 305(j)(2)(A)(iii), the Government must prove by a preponderance of the evidence the requirements for continued confinement under R.C.M. 305(i)(2)(B).

4. **Victim Information**

Ms. Esmerelda Castle, CIV, ABHAN C.R., USN, CSSN S.S., USN, and CS2 S.R., USN were identified as victims in this matter.

The victims were not represented by counsel. The victims were given the opportunity to confer with the representative of the command. The victims were given a reasonable opportunity to be heard; only Ms. Castle exercised her right to be heard.

The IRO will also note that CSSN A.R., USN is considered a victim for the purposes of the Article 118 allegation, however she is deceased.

5. **Conclusions**. Based on the evidence presented at the IRO hearing, the IRO finds the Government has proven the following by a preponderance of the evidence:

A. The following offenses triable by court-martial were committed:[4]
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

B. The Confinee committed the following offenses triable by court-martial:
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

C. Continued pretrial confinement is necessary because it is foreseeable that:
   a. the Confinee will not appear at trial, pretrial hearing, or preliminary hearing due to:
      i. the seriousness of the charge of murder and its punishments, specifically a maximum punishment of death or confinement for life without the possibility of parole;
      ii. the fact that the Confinee was in a UA status for four days during and after the murder of CSSN A.R.;
      iii. though the Confinee voluntarily terminated his UA status, after doing so he hid CSSN A.R.'s body in a duffel bag that he dumped in a wooded

[4] The IRO notes that the Government did not prove by a preponderance of the evidence that the Confinee committed the offense of sexual assault in violation of Article 120(b).

area, indicating that his decision to terminate his UA status was part of a plan to avoid accountability for his actions leading to CSSN A.R.'s death and would likely impel him to leave the area if he were not confined;

iv. that the Confinee attempted to cover up his involvement in the death of CSSN A.R. by both lying to NCIS investigators and hiding her body in a duffel bag in a wooded area; and

v. the Confinee lacks substantial ties to the Hampton Roads area of Virginia beyond the presence of his command in Norfolk indicating the Confinee has no incentive to remain in the Hampton Roads area were he to be free.

b. the Confinee will engage in serious criminal misconduct due to:

i. the nature and circumstances of the offenses suspected, specifically:

1. that the Confinee committed at least two violent offenses[5] while under investigation by NCIS for two other violent offenses;
2. the Confinee sought to obstruct the investigation into CSSN A.R.'s disappearance by hiding her body in a duffel bag and dumping it in a wooded area, all while keeping his phone in airplane mode to prevent it from confirming his presence where he had dumped CSSN A.R.'s body;

ii. the weight of the evidence against the Confinee, specifically:

1. evidence of his consciousness of guilt from his attempt to mislead NCIS in both the investigation of the abusive sexual contact allegation against him and the disappearance of CSSN A.R.;
2. the strong evidence provided by his phone's GPS, health data, and the screenshot he took that he dumped CSSN A.R.'s body;
3. the presence of human blood in his barracks room; and
4. that he was the last person known to have seen CSSN A.R. alive;

iii. the pattern of escalating violent conduct of the Confinee;[6] and

iv. the fact that the Confinee committed multiple violent offenses against different women all while under investigation for other violent offenses.

D. Less severe forms of restraint are inadequate given:

a. the severity of the allegations against the Confinee as outlined above;

b. the weight of the evidence against him as outlined above;

c. the pattern of escalating violent conduct despite being under multiple criminal investigations from NCIS shows that the moral threat of being held accountable for misconduct is insufficient to deter him from engaging in criminal acts;

d. that the Confinee was willing to be UA before he knew he was suspected of murder of CSSN A.R., despite receiving a direct order to report to the ship shortly

[5] Article 118 (murder) and Article 128 (assault consummated by a battery) or 128b (domestic violence). The IRO recognizes that the Article 128 or 128b offense was not specifically stated in the 72-hour memorandum as the offenses for which CO, JAMES E. WILLIAMS found continued confinement appropriate; however, it is a significant fact that he committed this violent offense while under investigation for two other violent sexual offenses and shortly before the Article 118 (murder) offense.

[6] From abusive sexual contact to assault consummated by a battery / aggravated assault / domestic violence to murder

after his UA period began and he continued being UA for another three days; this shows the IRO that he is willing to disobey orders and that moral restraint is insufficient to ensure the Confinee will be present; and

e. the IRO is not persuaded that less severe forms of restraint are adequate by his presence at NJP on 6 June 2025 because of the substantial difference in the severity of the offenses for which he was placed into pretrial confinement and the significant difference between the punishment available for these offenses at court-martial compared to the maximum punishments available at NJP.

The IRO considered the evidence presented by the Confinee via his counsel but notes that it deals only with the conditions of confinement at NCBC and does not address whether confinement itself is appropriate. While there may be avenues for redress of unduly severe conditions of confinement under other R.C.M.s,[7] they do not provide a basis for finding that continued pretrial confinement is not necessary.[8]

6. **Action of 7-Day Reviewing Officer**

**Continued pretrial confinement for the Confinee is APPROVED.** The Confinee will remain in pretrial confinement.

The Government shall provide a copy of this memorandum to the Confinee, the Defense Counsel, and the confinement facility.

[redacted]

Digitally signed by PFEIL.JASON.ANDREW.[redacted]
Date: 2025.06.17 16:33:13 -04'00'

J. A. PFEIL
CDR, JAGC, USN
Initial Review Officer

[7] *See* R.C.M. 305(l).

[8] R.C.M. 305(h)(2)(B) (continued confinement is only permitted where "(i) An offense triable by a court-martial has been committed; (ii) The confinee committed it; (iii) Confinement is necessary because it is foreseeable that: (a) The confinee will not appear at trial, pretrial hearing, or preliminary hearing, or (b) The confinee will engage in serious criminal misconduct; and (iv) Less severe forms of restraint are inadequate.").

13 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commander, Naval Surface Force Atlantic
Via: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS UNDER ARTICLE 138, UCMJ

Ref: (a) Article 138, UCMJ
(b) JAGINST 5800.7G, Chapter III.

Encl: (1) Emails with trial counsel and defense counsel
(2) Emails with defense counsel and the staff judge advocate advising the USS JAMES E. WILLIAMS
(3) CSSN Copeland's Request for Redress of 29 Jul 25
(4) Email from staff judge advocate advising the USS JAMES E. WILLIAMS notifying the defense that the request for redress was denied of 7 Aug 25
(5) Email with Brig Staff
(6) Email from staff judge advocate advising the USS JAMES E. WILLIAMS stating that formal response was not required of 11 Aug 25

1. This complaint of wrong under reference (a) is submitted on behalf of CSSN Jermiah Copeland by his defense counsel, LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN. It is submitted in compliance with reference (b).

2. Complainant information:

a. Current command: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

b. Command at time of alleged wrong: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

c. EAOS: 12 July 2027

d. Current mailing and email address: CSSN Copeland is being held in pretrial confinement in Naval Consolidated Brig Chesapeake. He can be reached through his defense counsel.

3. Respondent information: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

4. Complaint:

a. Alleged wrong: CSSN Copeland has been held in pretrial confinement for 63 days without preferred charges. CSSN Copeland has been in a "maximum status" while at the brig. He remains in his cell 22 hours per day. He is not permitted to have "contact" visits with his defense

counsel. CSSN Copeland has requested to have a private, in-person, meeting with his defense counsel. However, this request was denied.

b. Details:

(1) For 63 days, CSSN Copeland has been held in confinement without preferral of charges.

(2) Per enclosure (1), on 16 June, CSSN Copeland requested through counsel to meet with his attorney's in-person in a private setting. The trial counsel stated that the government could not support this request. The trial counsel ignored the defense's request for more information.

(3) On 3 July 2025, the staff judge advocate advising the USS JAMES E. WILLIAMS reached out to defense counsel. In response, the defense counsel provided her additional information. Namely, that at least one trial court has found that the current policies and procedures in place at Naval Consolidated Brig Chesapeake for pretrial confinees in a "maximum" confinement status is illegal pretrial punishment.

(4) On 23 July 2025, the defense followed up with our original request. This follow up was ignored.

(5) On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting.

(6) On 7 August 2025, CSSN Copeland's request was denied. USS JAMES E. WILLIAMS provided no reasoning for the denial.[1]

c. Relief requested: CSSN Copeland respectfully requests to be able to meet with his attorneys in a private room to have a private conversation without the risk of being heard by people who are not members of his defense team. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig.[2] This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to

[1] Per enclosure (6), the staff judge advocate reads Section 0305.a of the JAGMAN to state that a response to a request for redress is not required. Section 0305.a of the JAGMAN states that

> The commanding officer must act upon a request for redress within 30 calendar days of receipt, and notify the complainant in writing of the action taken, if applicable. If the commanding officer does not respond to the request within 30 calendar days or denies the requested redress, then the complainant may submit an Article 138 complaint to the GCMCA via the commanding officer, as the respondent.

[2] See enclosure (5).

hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of the Sixth Amendment.

Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if they cannot meet and openly discuss the case. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

5. I certify the above information is true and correct to the best of my knowledge, and this complaint is submitted per the guidelines and procedural requirements in Chapter III, Manual of the Judge Advocate General.

6. Please contact me with any questions or concerns you may have at 850-452-5572 or via email Amanda.m.serfess.mil@us.navy.mil.

[redacted]

A. M. SERFESS

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 1:45:00 PM

---

CDR Mayo,

Who has decided that CSSN Copeland cannot come to A-50? OSTC? The RLSO? Why can't the government support CSSN Copeland coming to A-50? We have confined clients from other command come to A-50.

Can you please provide me with the name and contact information of the lead agent in this case?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Monday, June 30, 2025 2:10 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister,

Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: SN Copeland"s Initial Review Hearing
**Date:** Wednesday, July 23, 2025 1:16:00 PM

Elisabeth,

I just wanted to circle back to our request to meet with our client in the same room privately. I emailed the brig today and it will not allow us to visit our client in a contact room – we would only be able to meet with him through glass in non-private area. Is it possible for the command to bring him to A-50 or another location to allow us to meet with him? (Similar to how we will meet with him when he come to the court room for hearings).

Please and thank you

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Thursday, July 3, 2025 2:46 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** FW: SN Copeland's Initial Review Hearing

Elisabeth,

Please see attached. We presented these to the IRO at Copeland's hearing.

There are plenty of spaces at the brig where we could meet with the client and the staff could still see us. CDR Mayo asked them if we could use the IRO room (no windows, but a place we meet with other clients) but the brig said no. We would also agree to have more than one of the defense team in the room during any meeting if it is our safety they are concerned about. We are not concerned about our safety and haven't seen any indication that CSSN Copeland would do anything to harm his defense

team.

Let me know if you have questions or need anything else from me.

Have a Happy Independence Day!!!

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 6:37 AM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** SN Copeland's Initial Review Hearing

Your Honor,

The defense requests that you consider the attached two exhibits for today's seven day review hearing as they go to the severity of CSSN Copeland's confinement, and therefore, to whether less severe forms of restraint are adequate.

I will bring printed copies to the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Green, Deonta J PO1 USN (USA)
**Subject:** RE: CSSN Copeland
**Date:** Wednesday, July 23, 2025 1:04:43 PM

Good afternoon Ma'am,

His status was changed, however his classification remains the same and that is what requires visitation using the non-contact area.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Wednesday, July 23, 2025 12:16 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA) <franklin.j.fejeran.mil@army.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

Now that CSSN Copeland's status has been upgraded, can he do contact visits with his attorneys?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil



| | |
|---|---|
| **From:** | Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) |
| **To:** | Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Cc:** | co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | RE: Request for Redress CSSN Copeland |
| **Date:** | Wednesday, August 13, 2025 12:56:20 PM |

LCDR Morgan,

As it is not required, JWS CO does not wish to provide the additional response requested.

Very Respectfully,

Elisabeth Maddrell Hall
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
*NOTE NEW NIPR EMAIL *: elisabeth.m.hall6.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.m.hall6.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Wednesday, August 13, 2025 1:51 PM
To: Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.m.hall6.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Okay. If the CO is not refusing, will he provide us the formal response like we requested, despite whether it's required or not. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Tuesday, August 12, 2025 2:39 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Apologies, no. I meant a formal letter, in addition to the denial notification below, with justification signed by the CO is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n011_jag@us.navy.mil

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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>

Sent: Monday, August 11, 2025 3:47 PM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

For clarification, are you saying that the CO is refusing to provide us a formal response?

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Monday, August 11, 2025 3:21 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Per JAGMAN 0305(a), a formal response is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 10:43 AM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Good morning. Received. We request a formal response, signed by the CO. Additionally, in his response, we request the CO provide justification as to why he will not accommodate our request. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 8:20 AM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**OF**<br>**CINDY HOFFMEISTER**<br><br>**26 August 25** |

1. I, Mrs. Cindy Hoffmeister, serve as a Defense Paralegal for Defense Service Office Southeast and have been assigned to this case since June 2025. I have been a defense paralegal since 26 February 2023. I have accompanied defense attorneys during visits to clients located at Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake on many occasions. This includes contact and no-contact visits. There is a room at the Chesapeake Brig that is used to facilitate no-contact visits with clients. The client is placed in the room on the other side of a plexiglass wall. The defense team enters the room on the other side of the Plexiglass. The defense can see the client. However, it is difficult for the client to hear his defense attorneys. The attorney will have to talk very loud limiting privacy as there are brig employees outside of the room. Further, it is very hard for the defense team to hear the client. There are small slots next to the plexiglass. However, in order to pass a document to the client, you have to fold it in half for it to fit through the slot. There are no outlets in this room. There is no way to have the client view a video on a computer. There is no way to have the client use a computer. There is no phone in the room to have the client contact other members of the defense, experts, or anyone else.

2. On 16 June 2025, I was present during the no-contact visit at the NCBC Detachment Chesapeake, along with LCDR Amanda Serfess, LCDR Clifton Morgan and CSSN Copeland. The following is a summary of the issues regarding communication that I observed during the meeting:

a. CSSN Copeland and his defense team can only visit through a no-contact room which is a small room that can barely hold four chairs, with Plexiglass between the attorneys and the client. While speaking with the client in this room, me and the other paralegal could not hear what the client was saying. The attorneys had to put their ears to the plexiglass and/or try to read his lips. The attorneys had to repeat themselves a few times as the client could not hear them. You have to speak in a slightly louder voice to be heard on the other side of that plexiglass, risking brig employees and any others not apart of the defense team to hear the conversation.

b. This room makes it nearly impossible for the attorneys to hear the client, and in turn, hard for the client to hear his attorneys.

c. Communications from inside the no-contact room can be heard from outside the room, in the main contact visit sitting area.

Signed today, 26 August 2025.

[redacted]
CINDY HOFFMEISTER, CIV

**Enclosure (5)**

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

**Enclosure (6)**
**Page 1 of 1**

1 Jul 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: Commander, Navy Region Mid-Atlantic
Via: Staff Judge Advocate, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 10 June 2025 through 25 July 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

3. Taken alone, any of one of these offenses is extremely complex and several lengthy investigative steps remain. Specific to the allegation of murder, these steps include receipt and analysis of digital evidence, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, and interviews of several witnesses. NCIS and counsel for the Government are working on this case daily to further the investigation and move with reasonable diligence toward trial. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Therefore, the Government respectfully requests the time beginning on 10 June 2025 through 25 July 2025 be excluded.

4. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at lauren.a.mayo2.mil@us.navy.mil or via phone at (757) 341-4598.

[redacted]
L. A. MAYO[redacted]

Copy to:
Detailed Defense Counsel

**Enclosure (7)**

1 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25

Encl: (1) Emails with the special trial counsel
(2) Additional emails with the special trial counsel

1. Per references (a) through (d), CSSN Copeland, through counsel, once again demands a speedy trial or immediate release from pre-trial confinement. Further, CSSN Copeland objects to any excludable delay.

2. CSSN Copeland has been held in pre-trial confinement for 23 days without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e).

4. The defense objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). There must be a required higher degree of specificity before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and the defense's access to our client has been restricted.[2]

[1] A status that at least one military judge has held is illegal pretrial punishment.

5. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel provided no evidence or documents supporting the reason for the delay. The generalized notion of the need to conduct further investigation does not amount to the specificity required under the Rules. Why does the government need until 25 July 2025? What do they expect will be completed by that date? Based on the enclosures to Commanding Officer's 48/72 hour letter for CSSN Copeland's initial review officer hearing, the Art. 120 investigation started in July 2024 – a year ago. However, according to the trial counsel's request for excludable delay there "several lengthy investigative steps" remaining. You should demand more specificity. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 23 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with any documents, or communications with NCIS, the name and contact information of all investigators, and a written response to the government's excludable delay request.

Subj: OBJECTION TO EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

9. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil



Copy to:

CDR Mayo
CSSN Copeland
NCIS

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland
**Date:** Monday, June 30, 2025 2:10:03 PM

---

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia

757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM

**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Crossley, Shelley L CIV (USA)
**Subject:** RE: ICO Copeland: Defense Request for In Person Meeting in A-50
**Date:** Tuesday, June 24, 2025 9:20:58 PM

---

CDR Mayo,

Copy all and standing by.

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil

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Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 4:13 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA)

<cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>
**Subject:** ICO Copeland: Defense Request for In Person Meeting in A-50

LT Maddrell -

Forwarding defense request below.

I'll also call the brig tomorrow and see if I can help with a contact visit. The room LCDR Serfess is referring to with the glass does require folks to get closer to the glass to talk. I've dealt with it, too. It's doable, but I understand the preference to meet in a different room. I don't have any SA on what RLSO Security will require here though. So - I'll get more information on that as well. MTF.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:45 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

We need to have a confidential meeting. The brig will not allow us to have a "contact" visit. We can only meet with him in the room with the glass – where we have to yell for him to hear us (not confidential) and frankly we cannot hear him and do want him to have to yell. Building A-50 is where the rest of the defense team is so that seems like the best place. Further, it seems like the least risk of a potential member seeing him in shackles.

Please let me know if you need anything else.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:41 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Also - I don't want to presume the reason for your request - but can you pls foward me why you need to meet him in A-50? I will forward that request to the command with your requested date and cc you all.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:31 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
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**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
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amanda.m.serfess.mil@us.navy.mil

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**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

DEPARTMENT OF THE NAVY
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK, VA 23511-2737

5810
Ser N00J/412
9 July 25

From: Commander, Navy Region Mid-Atlantic
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: RESPONSE TO GOVERNMENT'S REQUEST FOR EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Your ltr dated 01 Jul 25
(b) LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel ltr of 1 Jul 25

1. Pursuant to Rules of Courts-Martial 707, the Government's request for excludable delay, reference (a), from 10 June 2025 to 25 July 2025 is hereby approved. In response to that request, I received reference (b), Defense Counsel's objection to the Government's request.

2. In weighing the Government's request against Defense's objection, I have determined that the Government's request is reasonable in both length and rational based on the Government's stated basis.

3. My point of contact for this matter is Staff Judge Advocate, CDR Beasley-Ledet, JAGC, USN (757) 322-2936, or via email at ronisha.t.beasleyledet.mil@us.navy.mil.



C. A. LAHTI

Copy to:
Detailed Defense Counsel
File

**Enclosure (9)**

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

**Enclosure (10)**

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]

C. E. MORGAN III

08 Aug 25

From: LT Patricia Cannaday, JAGC, USN, Trial Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: GOVERNMENT REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) R.C.M. 707 (2024 ed.)

1. Pursuant to reference (a), the Government respectfully requests excludable delay for the period beginning on 25 July 2025 through 15 August 2025.

2. On 10 June 2025, CSSN Copeland was placed in pre-trial confinement. Per reference (a), this event requires CSSN Copeland be brought to trial within 120 days of the imposition of restraint. On 1 July 2025, the Government requested excludable delay from 10 June 2025 through 25 July 2025. This request was granted 9 July 2025.

3. CSSN Copeland is under investigation for violating Uniform Code of Military Justice Article 107 (False official statement), Article 117a (Wrongful broadcast or distribution of intimate visual images), Article 118 (Murder), Article 120 (Rape and sexual assault), Article 128 (Assault), and Article 128b (Domestic Violence). These alleged violations primarily span four separate, complex alleged incidents and investigation remains ongoing into each.

4. Although NCIS and the Government have exercised all expedience in this case, several lengthy investigative steps remain. First, as to the allegation of murder, outstanding steps include receipt of the final reports of investigation, forensic analysis of multiple pieces of physical evidence, a report of the autopsy of the victim's body, a finalized toxicology report, and interviews of several witnesses. The Government is also waiting on returns from various providers relating to UCMJ Article 30a matters, and it is unclear when those results will be in the Government's possession. Second, regarding the sexual assault allegations, NCIS recently acquired information concerning pre-service incidents and a fifth post-service allegation, which may provide evidence regarding the current charges, or could constitute further charges. NCIS requires time to pursue these leads by interviewing witnesses, gathering court documents, and reviewing digital evidence.

5. Pursuant to reference (a), the Government may receive excludable delay to thoroughly investigate a case and prepare for trial. Accordingly, the Government respectfully requests the time beginning on 25 July 2025 through 15 August 2025 be excluded.

6. Thank you for your time and consideration in this matter. If you have any questions about this request, please contact me via e-mail at patricia.t.cannaday.mil@us.navy.mil or via phone at (757) 341-4509.

[redacted]

P. T. CANNADAY

Copy to: Detailed defense counsel

**Enclosure (12)**

11 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Commander, Navy Region Mid-Atlantic

Subj: OBJECTION TO SECOND EXCLUDABLE DELAY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) Request for excludable delay of 1 Jul 25
(f) Defense objection to excludable delay of 1 Jul 25 w/ encls
(g) Your ltr 5810 Ser N00J/421 of 9 Jul 25
(h) Second Request for excludable delay of 8 Aug 25

Encl: (1) Request for Redress to meet with counsel of 29 Jul 25
(2) Email from USS JAMES E WILLIAMS of 7 Aug 25
(3) Demand for speedy trial of 16 Jun 25
(4) Demand for speedy trial of 25 Jul 25
(5) Request for Discovery of 30 Jul 25

1. Per references (a) through (d), CSSN Copeland, through counsel, objects to any excludable delay and demands a speedy trial or immediate release from pre-trial confinement.

2. CSSN Copeland has been held in pre-trial confinement for 62 days – over two months – without being charged with a crime. Further, CSSN Copeland has not been provided any discovery, despite the defense submitting a formal request to the trial counsel for discovery. Therefore, he is being denied the ability to defend against whatever charges the government might prefer. CSSN Copeland is in a maximum status at the brig and remains in his cell for at least 22 hours per day.[1] His defense is not permitted to have in-person private conversations with him, and the trial counsel has expressed a lack of willingness to assist in solving this issue, as seen in enclosure (1) of reference (f).

3. On 1 July 2024, the trial counsel submitted a letter to you requesting excludable delay from 10 June 2025 to 25 July 2025, as set forth in reference (e). That same day, the defense objected to that request as many of the alleged offenses occurred over year ago and the government failed to state with any specificity why excludable delay was necessary in a case where the accused remains in the most restrictive confinement without proper access to counsel. On 9 July 2025, you granted the government request for excludable delay until 25 July 2025. On 25 July 2025, CSSN Copeland again demanded a speedy trial. The Office of Special Trial Counsel neither acknowledged or responded to this request. On 30 July 2025, the defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for professional responsibility because the

[1] A status that at least one military judge has held is illegal pretrial punishment.

defense requires and is entitled to fairness and equal access to discovery. Further, discovery would reduce the risk of prejudicial speedy trial issues if charges are ever preferred in this case. The trial counsel neither acknowledged or responded to this request. Instead, on 8 August 2025, the trial counsel once again requested excludable delay.

4. On 29 July 2025, the defense once again requested to meet with CSSN Copeland for an in-person private meeting. On 7 August 2025, the USS JAMES E. WILLIAMS denied CSSN Copeland's request providing no reasoning.

5. The defense again objects to this lengthy excludable delay request. The trial counsel must act with the diligence required when someone is incarcerated – they must take the "immediate steps" required by reference (c). A higher degree of specificity is required before granting a request for what amounts to continued pre-trial confinement, and you should request that higher specificity from the trial counsel. Especially in this case where the confinement is so severe and CSSN Copeland's access to defense counsel has been restricted.

6. Per reference (d), prior to referral, all requests for pre-trial delay, together with supporting reasons, will be submitted to the convening authority for resolution. The discussion section provides further instructions.

> The decision to grant or deny a reasonable delay is a matter within the sole discretion of the convening authority or a military judge. This decision should be based on the facts and circumstances then and there existing. Reasons to grant a delay might include, for example, the need for: time to enable counsel to prepare for trial in complex cases; time to allow examination into the mental capacity of the accused; time to process a member of the reserve component to active duty for disciplinary action; time to complete other proceedings related to the case; time requested by the defense; time to secure the availability of the accused, substantial witnesses, or other evidence; time to obtain appropriate security clearances for access to classified information or time to declassify evidence; or additional time for other good cause….

Here, the trial counsel once again provided no evidence or documents supporting the vague reason for the delay. The generalized notion of the need to "conduct further investigation" does not amount to the specificity required under the Rules. Why does the government require excludable delay until 15 August 2025? What specific actions do they expect to be completed by that date? What has trial counsel and NCIS done between 25 July 2025 and 8 August 2025 to take immediate steps to bring this case to trial? Why are there witnesses who have not been interviewed? The military has no jurisdiction over pre-service misconduct. CSSN Copeland should not linger in maximum confinement while law enforcement investigates civilian charges. You must demand more specificity; you must demand charges. Additionally, R.C.M. 707 does not address excludable delay when the accused is in pre-trial confinement.

6. Per reference (c), when accused is ordered into arrest or confinement before trial, *immediate steps shall* be taken to inform the person of the specific offense of which the person is accused and to try the person or to dismiss the charges and release the person. Immediate steps require

more than diligence, it requires immediacy. CSSN Copeland has been in confinement for the last 62 days.

7. CSSN Copeland requests that the government take immediate steps to take him to trial or release him from pre-trial confinement.

8. The defense requests the government to provide the defense with the requested discovery and a written response to the government's excludable delay request.

9. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil

A. M. SERFESS

Copy to:

CDR Mayo
CSSN Copeland

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.



## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: 703-213-9620
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

30 Jul 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: INITIAL DISCOVERY REQUEST ICO CSSN JERMIAH COPELAND, USN

Ref: (a) JAGINST 5803.1E, Rule 3.4
(b) JAGINST 5803.1E, Rule 3.8
(c) R.C.M. 305(i)(2)(B) Discussion
(d) R.C.M. 309
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov 8, 2017)
(j) *United States v. Barry*, 76 M.J. 407 (C.A.A.F. 2017)

1. The Defense has already submitted two speedy trial requests in relation to the Government's investigation and case into CSSN Jermiah Copeland, USN. CSSN Copeland has been in confinement for over 50 days without charges. First, CSSN Copeland has the right to dispute his pretrial confinement, to do so requires discovery. Second, the professional rules of responsibility require fairness. If the trial counsel has access to discovery, out of fairness, it should be shared with the defense. Finally, providing discovery to the defense will assist in avoiding speedy trial prejudice and permit the defense to be prepared if the government pursues charges in this case. In accordance with references (a) and (b), which govern fairness to opposing parties and Government counsel responsibilities, and references (c) and (d), which govern pretrial confinement and pre-preferral sessions of court, the Defense requests the Government produce for use, inspection, and/or copying the following in the subject case:

a. Evidence

(1) Any evidence that is material to either the issue of guilt or the sentence, regardless of admissibility, that is known to the government or agents thereof, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any sworn or signed statements relating to the charged offenses, and any notes derived from those oral statements relating to the charged offenses.

(3) Any books, papers, documents, photographs, tangible objects, media, electronic records, or copies or portions thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by the trial counsel as evidence in the prosecution case-in-chief at trial.

(4) Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government or agents thereof, including closely aligned civilian authorities or entities, and which are relevant to defense preparation or are intended for use by trial counsel as evidence in the prosecution case-in-chief at trial.

(5) Evidence known to the government that reasonably tends to negate the guilt or reduce the degree of guilt of the Accused on a charged offense, or is otherwise favorable to the Accused under reference (e).

(6) Evidence that adversely affects the credibility of any prosecution witness or evidence.

(7) All evidence or information of any identification of the Accused.

(8) A written list of, and access to, all evidence seized from the person or property of the Accused, or believed to be owned by the Accused, as well as any search warrant, consent form, command authorization or other basis upon which any search was conducted or any evidence was seized.

(9) Notice of the government's intent to offer any out-of-court statement under the residual hearsay exception.

(10) Copies of any diagrams that any witness has used for identification purposes and any notes or writing that any witness has reviewed and indicated was correct or adopted as an accurate statement.

(11) Copies of any subpoena or subpoena duces tecum issued in this case.

b. Investigative Documents, Records, and Procedures.

(1) A complete, legible, color copy, including all attachments, of any investigative report created by any investigative agency or command related to this case, specifically including but not limited to:

(a) All Naval Criminal Investigative Service (NCIS) Interim Reports of Investigation;

(b) All memoranda or reports drafted by personnel assigned to USS JAMES E. WILLIAMS (DDG 95) relating to this case; and

(c) All local law enforcement reports addressing the allegations, interactions, complaints, and arrests.

(d) All reports and notifications drafted by the Navy Absentee Collection and Information Center (NACIC) regarding CSSN Copeland and CSSN A.R.

(2) Any agency or law enforcement documents and data, made in connection with this case, including all attachments. This request includes all forms and documents, including witness reliability forms, data sheets, and other relevant documents. This request includes, but is not limited to, the following relevant documentation:

(a) Interview logs;

(b) Interview records;

(c) Source dossier and forms related to any Confidential Informants;

(d) Informants' notes;

(e) Any document detailing the disbursement of any funds in support of the investigation in this case;

(f) Investigative records checks, including NCIC checks, run on any person during the investigation of this case;

(g) Any documents related to searches and seizures;

(h) Internal communications, emails, or other documents used to brief, respond to, and/or request investigative activities related to this case. This request specifically includes any communication between law enforcement and a member of the Accused's command, the convening authority, the staff judge advocate, or any officer directing the investigation;

(i) All records reflecting the chain of custody of any evidence seized and/or tested; and

(j) All personal or business notes, memoranda, and other writings prepared by investigators in the case that are not furnished pursuant to any other provisions of this request.

(3) The names of all government investigators who have participated, or are presently participating, in the investigation of this case, as well as their accreditation, any previous law-enforcement or investigative jobs held, and a statement as to their length of service in such jobs.

(4) Any evidence of the revocation or suspension of the credentials of any investigators involved in this case, or evidence that any investigator was a subject or suspect in an internal affairs investigation.

(5) Notice of any expected forensic or scientific testing that may destroy evidence.

(6) All laboratory reports, expert conclusions or statements, chain of custody documents, forensic notes, and other evidence or documents relied on by government experts in the performance of their services. This includes any laboratory tests, field tests, and reports thereof, including but not limited to DNA, fingerprints, blood samples, handwriting exemplars, and chemical analyses of substances seized, regardless of the results of the tests.

(7) Copies of any inspections by accrediting bodies of any laboratory conducting forensic or scientific testing of evidence in this case.

c. Witnesses.

(1) The full names, locations, and telephone numbers of all individuals interviewed in this case or otherwise used in developing the case against the Accused.

(2) Any evidence from unit personnel files demonstrating any disciplinary actions against a potential government witness.

(3) Any evidence or information of any promises of immunity or leniency made to any potential government witness by trial counsel or military authorities or agents thereof, including closely aligned civilian authorities or entities. This includes the contents of any formal or informal pretrial agreement reached with any co-conspirator or potential witness.

(4) The contents of any prior inconsistent statement or any statement that tends to show bias or motive to fabricate made by any potential witness in this case known by the government or agents thereof, including closely aligned civilian authorities or entities.

(5) Any evidence that a potential witness consumed alcohol or drugs prior to witnessing the events that give rise to his or her testimony.

(6) Any evidence tending to show that any potential witness's ability to perceive, remember, communicate, or tell the truth is impaired.

(7) Any evidence that any potential witness has been diagnosed as an alcoholic, alcohol abuser, or controlled substance abuser.

(8) Any evidence that any potential witness sought or received mental health treatment, including specifically the mental health treatment records of the complaining witness.

(9) Notice of the government's intention to employ an expert witness or consultant and the name, contact information, and resume for the intended expert witness or consultant. This request includes the government's written request to the Convening Authority as well as the Convening Authority's written response.

(10) All personnel records for law enforcement and potential military witnesses for evidence of adverse performance, bias, or any evidence that would constitute grounds for impeachment.

d. Information and records regarding the Accused.

(1) The contents of all statements, oral or written, made by the Accused that are relevant to the case. This includes statements that are within the control of the government and military law enforcement agents, including closely aligned civilian authorities or entities, witnesses, or consultants.

(2) Any records of the Accused's prior civilian or court-martial convictions which the government may offer on the merits for any purpose, including impeachment.

(3) Copies of all documents, including emails, pertaining to any pretrial confinement or restrictions on the liberty of the Accused, including any change in the liberty status of the Accused since the alleged misconduct that forms the basis for the charges in this case.

(4) The Blue Ribbon copy of the Accused's service record book.

(5) Pursuant to Mil. R. Evid. 404, 413, or 414, all evidence or information pertaining to any other crimes, wrongs, or acts committed by the Accused that the government may seek to introduce at trial for any purpose, and notice of the government's intent to introduce such evidence.

e. Sentencing.

(1) Evidence known to the government which reasonably tends to mitigate the Accused's responsibility or might lead a fact-finder to adjudge a less severe sentence.

(2) Written material that will be presented by the government at presentencing proceedings, if any.

(3) The names, addresses, and a synopsis of expected testimony for the witnesses the government intends to call at presentencing proceedings, if any.

f. Unlawful Command Influence

(1) In light of reference (i), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which may have influenced the disposition decisions or actions of:

(a) Any officers acting under R.C.M. 305 in this case.

(2) In light of reference (j), evidence of any direct communication, whether written or oral, by any senior military leaders—including civilians—which might influence the post-trial disposition decisions or actions of:

(a) The Staff Judge Advocate under R.C.M. 1106; or

(b) The Convening Authority under Article 60, UCMJ, and R.C.M. 1107.

2. Specific Items Requested. In addition to the above items, these specific items are promptly requested.

a. The defense requests discovery of the following items that are relevant to defense preparation:

(1) Physical access for Defense to visit CSSN Copeland's barracks room in an unaltered state, which is located at X-2 barracks, room 335B.

(2) Any and all surveillance camera footage from X-2 barracks and Miller Hall from 28 May 2025 to 10 June 2025. If there is no surveillance camera footage at either of those two barracks, defense requests surveillance camera footage during the requested timeframe from surrounding buildings that are angled toward those barracks.

(3) The full autopsy report from the autopsy performed on CSSN A.R. on or about 11 June 2025.

(4) The names, contact information, and current commands of CSSN Copeland's and CSSN A.R.'s roommates from their barracks.

(5) All muster reports and liberty logs for the CS Department onboard USS JAMES E. WILLIAMS (DDG 95) from 26 May 2025 to 10 June 2025.

(6) All records of leave chits for CSSN Copeland and CSSN A.R. while stationed onboard USS JAMES E. WILLIAMS (DDG 95).

(7) Phone records and call logs for CSSN A.R. from 25 May 2025 to 10 June 2025.

(8) Bank records for CSSN A.R. from 25 May 2025 to 10 June 2025.

(9) Full phone extraction from CSSN A.R. and CSSN Copeland's cellular phones.

(10) Copy of the following documents listed in LT Maddrell's email to CAPT Santicola of 3 June 2025:

a. Initial CMEO report of 17 September 2024;

b. CDRE's disposition and LOI issued of 31 January 2025;

c. "CSSN Appeal" of 12 March 2025;

d. CNSL CMEO Denial letter of 30 May 2025; and

e. UA SITREP for CSSN Copeland and CSSN A.R. of 1 June 2025.

(11) Any and all enclosures, to include media, missing from the investigations previously provided to defense relating to the accused. This request includes enclosures and media from prior charges, acts or wrongs the government anticipates providing notice as M.R.E. 404(b) evidence.

3. The Defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the Defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case, if any.

4. The Defense requests a response in writing within seven (7) days of service of this request. Please contact us with any questions or concerns you may have. You may reach me at (757) 341-4486 or via email at clifton.e.morgan4.mil@us.navy.mil.

[redacted]

C. E. MORGAN III

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA) |
| **Cc:** | Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Subject:** | RE: Charge Sheet ICO CSSN Copeland |
| **Date:** | Saturday, August 23, 2025 1:15:00 PM |

CDR Mayo,

Additionally, we will need the command's assistance getting CSSN Copeland in the proper uniform for the Article 32.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:14 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** RE: Charge Sheet ICO CSSN Copeland

CDR Mayo,

We have our Art. 6 inspection from 8-19 – but no one is coming to Pensacola so I could really be anywhere for that. Right now, I will be in Jacksonville from 24 Sept – 3 October. So really I could make anything before that work. The week of the 15th being my preference. (But, let me talk to Clifton).

We would like to meet with our client before the Art. 32. We'd request to schedule the hearing in the afternoon so that we can meet with him in the morning. (NCIS can meet with him in person, but we cannot….).

Please let us know what you need from us.

V/r
Amanda Serfess
LCDR, JAGC, USN

Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Friday, August 22, 2025 3:09 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** Re: Charge Sheet ICO CSSN Copeland

LCDR Serfess,

Attached is the preferred charge sheet.

We are looking at mid-September. What does your schedule look like around that time?

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:41 PM

**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** Charge Sheet ICO CSSN Copeland

CDR Mayo/LT Dempsey,

I understand there are preferred charges in the CSSN Copeland case. Can you please send LCDR Morgan and I a copy of the charge sheet?

When are you thinking of doing the Article 32 hearing?

V/r

Amanda Serfess

LCDR, JAGC, USN

Officer in Charge

Defense Service Office Southeast

Detachment Pensacola, Florida

850-452-5572

amanda.m.serfess.mil@us.navy.mil

| | |
|---|---|
| **From:** | Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) |
| **To:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **Cc:** | Welch, Sharell A CIV USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Cole, Amanda D CPO USN (USA); Busch, Kristina L SFC USARMY 42 MP BDE (USA) |
| **Subject:** | RE: CSSN Copeland |
| **Date:** | Thursday, August 28, 2025 10:49:15 AM |
| **Attachments:** | SOP 806 PRISONER CORRESPONDENCE COMMUNICATIONS AND PUBLICATIONS.pdf |

LCDR Serfess,

Please see the attached SOP regarding privileged correspondence. For safety and security, we may inspect incoming and outgoing privileged correspondence solely to ensure there is no contraband. We do not read the documents, and this inspection is done in the presence of the prisoner. He has been briefed on these procedures and understands his responsibilities WRT privileged correspondence.

Due to his custody classification, meeting in this facility would be conducted in the no contact booth. You can pass documents through the slots on either side of the plexiglass window. Video can be displayed through the same window. There would be nobody else in the room and we have sound machines that can be placed outside the room to create a layer of sound to mask conversations from the guards outside the room. Alternatively, his command could send escorts to take him to a legal office to meet which would allow for you to speak with him privately in the same room.

V/R,

CDR Brian Flanagan
NCBC Det Chesapeake OIC
Office: 757-421-8847
Cell: [redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Thursday, August 28, 2025 9:24 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Welch, Sharell A CIV USN (USA) <sharell.a.welch.civ@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA) <bryan.c.barletto.mil@us.navy.mil>
**Subject:** FW: CSSN Copeland

CDR Flanagan,

Please see below email. I'm trying to get some answers about bringing privileged documents to one of my clients confined at the Chesapeake Brig. Do you have an SOP for the prisoner management division. Will they review privileged documents?

Further, is it possible for CSSN Copeland's defense team to have an in-person, confidential, meeting with him at the brig, one where we can show our client evidence, including video evidence and speak with him privately in the same room.

I copied my XO for his SA.

Please and thank you in advance

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Wednesday, August 27, 2025 2:43 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

If I want to deliver documents to CSSN Copeland, those documents will go to the Prisoner Management Department? What will the Prisoner Management Department do with those documents? Is there an instruction or a point of contact in that department who I can speak with? How can I deliver privileged documents to a client at the brig and be assured that no one will look at those document?

Please and thank you in advance.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Sent:** Wednesday, August 27, 2025 2:39 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

Good afternoon Ma'am,

It can be delivered at the quarterdeck or emailed to myself and IC1 Green and we will get it to the Prisoner Management Department.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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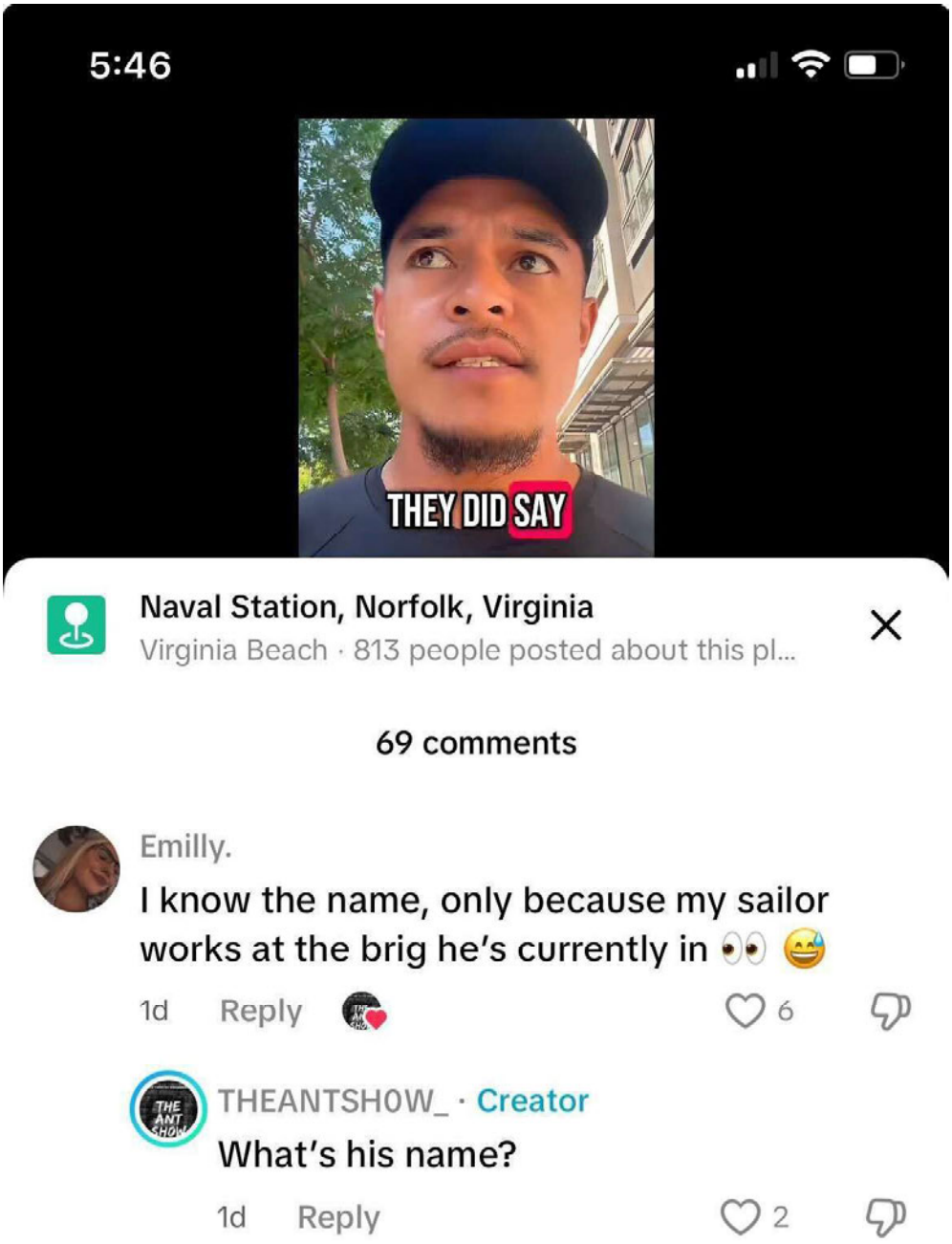
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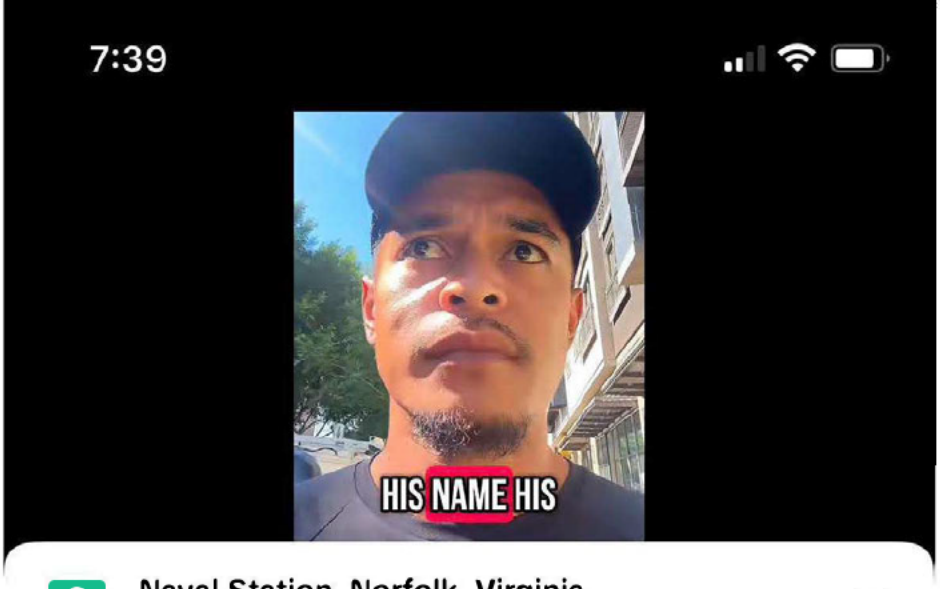
**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Monday, August 25, 2025 11:54 AM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

How can we coordinate with the Prisoner Management Department to get paperwork delivered to CSSN Copeland?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil


5:46
THEY DID SAY
Naval Station, Norfolk, Virginia
Virginia Beach · 813 people posted about this pl...
69 comments
Emilly.
I know the name, only because my sailor works at the brig he's currently in 👀 😅
1d Reply
6
THEANTSHOW_ · Creator
What's his name?
1d Reply
2




Naval Station, Norfolk, Virginia
Virginia Beach · 813 people posted about this pl...

107 comments

Emilly.
I know the name, only because my sailor works at the brig he's currently in 👀 😅
2d Reply 10

THEANTSHOW_ · Creator
What's his name?
2d Reply 2

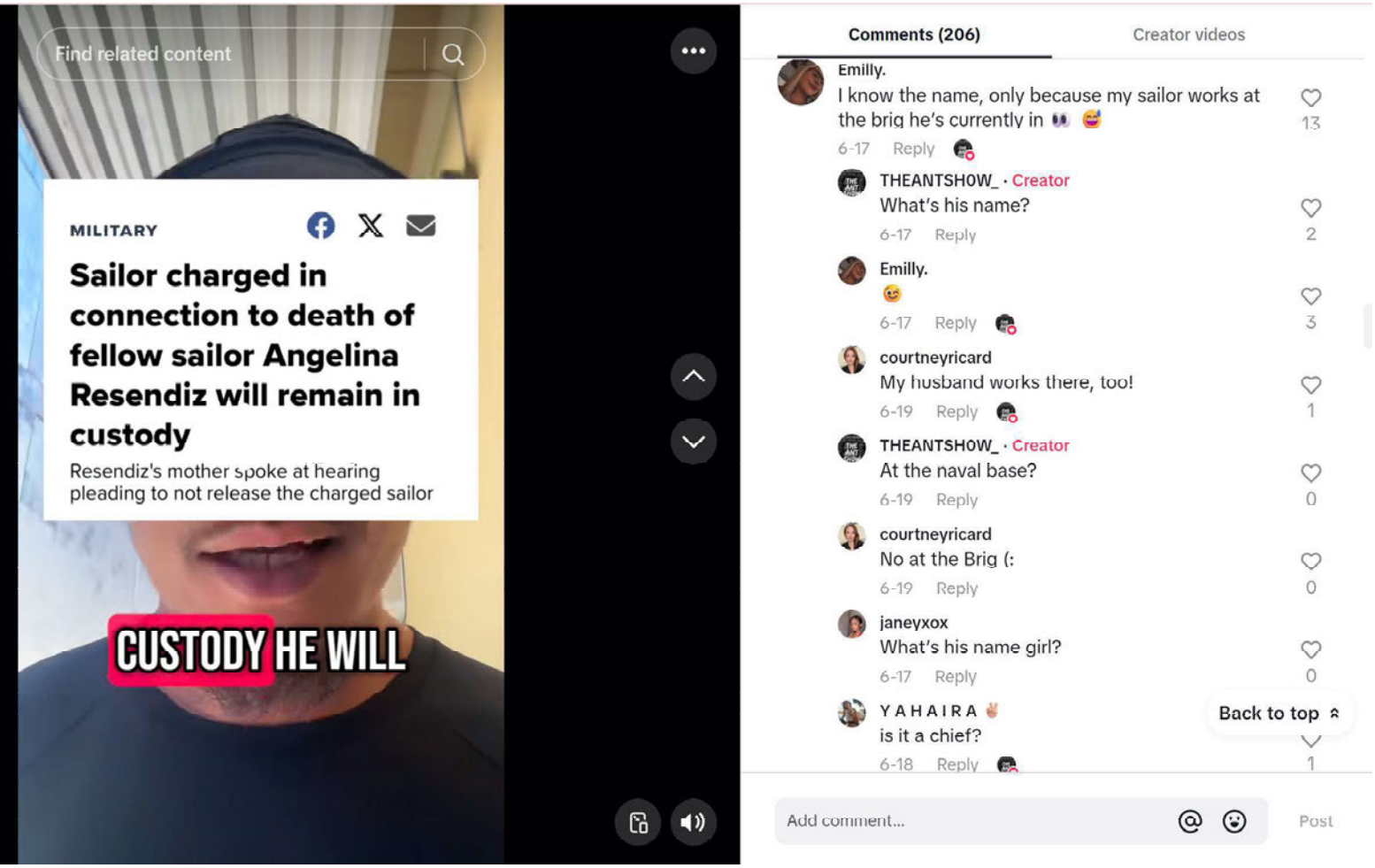
jolenrid3s
i heard that it was jeremiah copeland, unsure on the credibility
1d Reply 3

Emilly. ▸ jolenrid3s
😉
1d Reply 3

janeyxox

😁 🥰 😂 😳 😏 😅 🥺

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**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **GOVERNMENT RESPONSE TO DEFENSE MOTION FOR APPROPRIATE RELIEF: REVIEW OF PRETRIAL CONFINEMENT**<br><br>**8 SEPTEMBER 2025** |

## MOTION

1. This Court lacks jurisdiction to consider the Defense's motion. Specifically, because the Defense is not challenging the propriety of confinement as defined by R.C.M. 305 and 309 and is instead challenging the conditions of confinement, there is no jurisdiction under Article 30a, UCMJ to conduct a proceeding for this motion.

2. Alternatively, if this Court has jurisdiction, the Defense's motion is without merit and should be denied. The Accused's maximum confinement (MAX) status does not unlawfully interfere with private pretrial preparation with his Defense counsel. In this case, the Government's regulations are "reasonably related to legitimate penological interests."[1]

## JURISDICTION

3. Article 30a, UCMJ provides limited bases for proceedings to occur prior to referral.[2] Included among these bases are "[p]re-referral matters relating to . . . [p]re-trial confinement of the Accused."[3] But Article 30a also directs that "[t]he President shall prescribe regulations" for these types of proceedings. Those regulations can be found in Rule for Court-Martial (R.C.M.) 309. What is not included in Article 30A or R.C.M. 309 are pre-referral motions like the current motion before the Court challenging the conditions of confinement.

4. Specific to pretrial confinement, R.C.M. 309 provides that pre-referral proceedings for pretrial confinement are limited only to a "review of the propriety of pretrial confinement" as previously decided by a reviewing officer under R.C.M. 305(j)(2)(C).[4]

5. Rule for Court-Martial 305(j)(2)(C) explains what that reviewing officer's previous decision entails. Within 7 days of imposition of confinement, a reviewing officer must review the initial

1. *Turner v. Safley*, 482 U.S. 78, 89 (1987).
2. Art. 30a, UCMJ.
3. Art. 30a(a)(1)(E), UCMJ.
4. R.C.M. 309(b)(6).

probable cause determination as well as the necessity of continued pretrial confinement. This includes a review of the findings that "(1) an offense triable by court-martial has been committed; (2) the person confined committed it; and (3) confinement is required by the circumstances," including if the confinee will not appear at trial, pretrial hearings, or preliminary hearings, if the confinee will engage in serious criminal misconduct, and if less severe forms of restraint are inadequate.[5] The discussion section of R.C.M. 305(i)(2) provides a number of factors to assess when making this determination. Of note, the right to counsel is not included for consideration.

6. The motion submitted by the Defense does not challenge the propriety of pretrial confinement. The Defense does not allege a lack of probable cause or the necessity of pretrial confinement. Because access to counsel is not a consideration when weighing the propriety of pretrial confinement, there is no jurisdiction to hear this motion under Article 30a.

7. But should this Court disagree and find that it does have jurisdiction, the facts, law and argument put forth below establish that the Defense's motion lacks merit and should be denied.

**FACTS**

8. The Accused was ordered into confinement on 9 June 2025.[6]

9. The Accused is classified as a MAX prisoner and has been since the start of his confinement.[7] MAX is defined as "[p]risoners requiring special custody supervision because of the high probability of escape or are potentially violent or dangerous, and whose escape would cause concern of a threat to life, property, or national security."[8]

10. Initially, the Accused spent 22 hours a day in his cell. As of 11 August 2025, his status was stepped down and he now spends 21 hours a day in his cell but is still in a MAX status.[9]

11. Every 30 days, his classification is reviewed.[10] The board considers a range of factors from SECNAV M-1540.1, such as his behavior at the brig, the prisoners' civilian and military record, the seriousness of the offenses alleged, and the potential length of confinement awarded if found guilty in calculating a certain amount of points.[11] If a certain threshold is met, the classification is reduced.[12] The Accused has the option to appeal the board's determinations to keep him in a MAX status, but has not done so.[13]

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5. R.C.M. 305(d) and (j)(2)(C)
6. Def. Encl. A.
7. Encl. 1.
8. Encl. 2 at 4-5 and 4-6.
9. Encl. 1.
10. Encls. 1; 3 at 5.
11. Encl. 1; *see also* Encl. 2 at 4-10 to 4-13; Encl. 3 at 8-9.
12. Encl. 1.
13. Encl. 1; Encl. 3 at 10.

12. The Accused's step-down on 11 August provides him an additional hour a day outside of his cell to clean.[14] This was done to allow him additional opportunity to prove that his behavior is improving and that re-classification may be appropriate.[15]

13. While in MAX, the Accused is allowed private phone calls and visitation with his defense counsel in a no-contact booth.[16] Private phone calls can be accommodated at any time as long as the request is made during business hours (0730-1530).[17] The no-contact booth is only occupied by the attorneys and the Accused, has plexiglass in the middle with slots to pass documents between client and attorney, allows for videos to be seen by the client, and can have white noise machines placed outside of the booth to avoid conversations being overheard by anyone outside of the attorney-client conversation.[18] No requests have been made by the Defense for the use of a white noise machine.[19]

14. Charges were preferred against the Accused on 22 August 2025.[20] These charges include allegations of premediated murder and violent sexual misconduct.[21] These allegations span five victims in a less than one-year period.[22]

15. Both during and after the commission of the alleged offenses, but before the imposition of pretrial confinement, the Accused searched for options to escape.[23] Specifically, he searched for directions to "Bermuda" on 29 May 2025, the date of the alleged murder, and conducted searches for "norfolk airport" and "virginia airport" in the following days.[24]

**BURDEN**

16. In this motion for appropriate relief, the Defense bears the burden of proof by a preponderance of the evidence and the burden of persuasion as the moving party.[25]

**LAW**

17. MAX status can be appropriate for pretrial prisoners, even if the sole reason for placement in that status is because of the seriousness of his or her offenses.[26] But an accused in pretrial

14. Encl. 1.
15. Encl. 1.
16. Encl. 1.
17. Encl. 1.
18. Encl. 2.
19. Encl. 1.
20. Charge Sheet.
21. Charge Sheet.
22. Charge Sheet.
23. Encl. 4.
24. Encl. 4.
25. R.C.M. 905(c)(1) & (2).
26. *United States v. Felicies*, NMCCA 9900206, 2005 CCA LEXIS 124, *21 (N-M. Ct. Crim. App. Apr. 27, 2005).

confinement is entitled to the appointment of military counsel regardless of status.[27] This right, particularly as it applies to this case, is guaranteed by the Sixth Amendment to the Constitution.[28]

18. However, that right to counsel is not absolute for prisoners in pretrial confinement. "Prison regulations that impede an inmate's constitutional rights will . . . be upheld if the regulation 'is reasonably related to legitimate penological interests.'"[29] The Supreme Court held in *United States v. Turner* that there are four factors to consider when assessing the reasonableness of a prison regulation:

> (1) Whether there is a valid, rational connection between the prison regulation and the legitimate governmental interest put forward to justify it,
>
> (2) whether there are alternative means of exercising the right that remain open to prison inmates,
>
> (3) the impact the asserted constitutional right will have on guards and other inmates, and on the allocation of prison resources, and
>
> (4) the existence of obvious, easy alternatives may be evidence that the regulation is not reasonable, but is an exaggerated response to prison concerns.[30]

19. All four factors are not always "equally useful nor need be applied with equal value, depending on the circumstances of the case and the regulation that is challenged."[31] This test has been applied in military courts in a variety of challenges.[32]

20. In evaluating the first *Turner* factor, a court should only strike down a regulation when a logical connection between the regulation and asserted goal does not exist or is "so remote as to render the policy arbitrary or irrational."[33] "[An Accused's] complaint may not be plausible unless

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27. R.C.M. 305(e), (g).
28. *Rothgery v. Gillespie Cty., Tex.,* 554 U.S. 191, 194 (2008).
29. *United States v. Moi*, 2021 U.S. Dist. LEXIS 171470, *24 (D. Alaska 2021) (quoting *Turner*, 482 U.S.at 89).
30. *Turner*, 482 U.S. at 89-90 (cleaned up).
31. *United States v. Green*, ACM 36664, 2007 CCA LEXIS 475, at *8-9 (A.F. Ct. Crim. App. Oct. 12, 2007) (citing *Beard v. Banks*, 548 U.S. 521 (2006)).
32. *See e.g.*, *United States v. Guinn*, Army 20170500, 2021 CCA LEXIS 423 (A.C.C.A. Aug. 20, 2021) (considering the Frist Amendment right to familial association); *United States v. Frantz*, ACM 39657, 2020 CCA ELXIS 404 (A.F. Ct. Crim. App. Nov. 10, 2020) (considering policy restricting contact with son); *United States v. Arnold*, Army 20180418, 2019 CCA LEXIS 516 (A. Ct. Crim. App. Dec. 17, 2019) (considering a policy against minor visitors); *United States v. Green*, ACM 36664, 2007 CCA LEXIS 475 (A.F. Ct. Crim. App. Oct. 12, 2007) (considering a policy against sex offenders meeting with minors), *Felicies*, 2005 CCA LEXIS 124 (considering a policy against material and conversation that was in a foreign language).
33. *Turner*, 482 U.S. at 89-90.

it contains specific factual allegations demonstrating why the government's justifications do not have a rational connection to the challenged restrictions."[34]

21. In considering the second *Turner* factor, the existence of alternative means to exercise a constitutional right means a regulation is less likely to violate the Constitution.[35] Some deference is owed corrections officials in assessing the validity of a regulation.[36] "Alternatives are interpreted broadly; if a prisoner can still exercise the asserted right in a similar, though not identical way, the prisoner's constitutional rights are preserved."[37]

22. In assessing the third *Turner* factor, "the right of the prisoner is weighed against the rights of other prisoners and prison employees, and where 'the right in question can be exercised only at the cost of significantly less liberty and safety for everyone else, guards and other prisoners alike, we should defer to the informed discretion of corrections officials."[38] "Deference to prison administrators is due '[w]hen allocation of resources and the ability of administrators to protect staff and detainees at the facility are at issue.'"[39] Prisons do not need to use the least-restrictive available options.[40] "The *Turner* analysis . . . does not invalidate a policy just because it restricts one of many forms of legal assistance.:[41]

23. And last, in reviewing the fourth factor, "if an inmate claimant can point to an alternative that fully accommodates the prisoner's rights at de minims cost to valid penological interests," the regulation may be unreasonable. "[T]he burden is on the inmate 'to point to an alternative that accommodates their rights at de minimis cost to security."[42]

24. In *United States v. Moi*, the United States District Court for Alaska found a difference in the adequacy of representation that occurred between a private contact visit and a visit conducted behind a plexiglass wall and that difference was an unreasonable interference on the right to counsel for inmates at a specific facility.[43] In *Moi*, the plexiglass barrier prevented the ability to physically exchange material and the room contained other people, including prison visitors.[44] This ruling did not specifically contemplate potentially dangerous prisoners and was instead a review of the prison's COVID protocols.[45]

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[34] *Crawford v. Garland*, 2025 U.S. Dist. LEXIS 36440, *17 (D. Colo. Feb. 5, 2025) (citing *Gee v. Pacheco*, 627 F.3d 1178, 1185 (10th Cir. 2010).
35. *Turner*, 482 U.S. at 90.
36. *Moi*, 2021 U.S. Dist. LEXIS 171470, *24 (citing *Turner* at 89-90).
37. *Id*. at *25 (citing *Mauro v. Arpaio*, 188 F.3d 1054, 1061 (9th Cir. 1999)).
38. *Moi*, 2021 U.S. Dist. LEXIS 171470 at *26 (citing *Mauro*, 188 F.3d at 1062).
39. *Id*. at *26 (quoting *Bull v. City & Cty. Of San Francisco*, 595 F.3d 964, 976 (9th Cir.)).
40. *Thornburgh v. Abbott*, 490 U.S. 401, 411 (1989); *Hammer v. Ashcroft*, 570 F.3d 798, 801 (7th Cir. 2009).
41. *Sebolt v. Samuels*, 749 Fed. Appx. 458, 461 (7th Cir. 2018) (citing *Shaw v. Murphy*, 532 U.S. 223, 230 (2001)).
42. *Id*. (quoting *Casey v. Lewis*, 4 F.3d 1516, 1523 (9th Cir, 1993).
43. *Id*. at *24-27
44. *Id*.
45. *Id*.

## ARGUMENT

25. The Brig's classification of the Accused as a MAX prisoner is not contested by the Defense and is appropriate. The options available to the Defense for in-person meetings with the Accused while he remains in that status are "reasonably related to legitimate penological interests"[46] as all four *Turner* factors favor the Government.[47]

26. First, there is a valid, rational connection for not allowing unrestrained contact visits between the Accused and his counsel. The Accused is charged with extreme instances of violent behavior, including murder and violent sexual offenses. And after he had committed his most egregious offenses, he sought to escape. MAX classification, including a limitation on contact visitation, ensures the safety of the staff and other persons and also works to prevent any escape opportunities.

27. Second, there are alternative means of exercising the Accused's right to confer with his counsel in private. In addition to phone calls, the Brig is willing to facilitate meetings behind plexiglass that still allow for the transfer of documentation and full privacy, unlike in *Moi*. The Brig is also willing to provide white noise outside of the room to ensure no communications are overheard. While not identical to a contact meeting, any interference with the attorney-client relationship is minimal and should not overcome the discretion given to prison officials.

28. Third, "[d]eference to prison administrators is due '[w]hen allocation of resources and the ability of administrators to protect staff and detainees at the facility are at issue.'[48] Unlike in *Moi*, the Accused is an alleged highly violent offender and would require additional security measures for a contact visit. Deference should be given to prison administration officials here.

29. And last, contact visits are not an easy alternative for the same safety concerns noted above. This is not an exaggerated response.

30. In summary, any differences between a non-contact visit under these circumstances and a contact visit are minimal. That minimal difference is vastly outweighed when considering the *Tucker* factors. The restrictions in place are "reasonably related to legitimate penological interests" and should be upheld.[49]

31. It should also be considered that the Brig is reviewing the Accused's classification status every 30 days and has already provided him an opportunity to develop a rapport by allowing an hour a day to clean unsupervised. As such, the Brig staff are acting in accordance with their instructions in doing so. The Accused has also never appealed his MAX classification determinations.

## REQUESTED RELIEF

46. *Turner*, 482 U.S. at 89.
47. *Id*.
48. *Moi*, 2021 U.S. Dist. LEXIS 171470 at *26.
49. *Turner*, 482 U.S. at 89.

32. The Government respectfully requests that the Court deny the Defense's motion for appropriate relief.

## ENCLOSURES

33. The Government provides the following enclosures in support of this motion:

1. R.C.M. 701 Summary of Interview with CDR Brian Flanagan, USN, dated 2 September 2025.
2. SECNAV M 1640.1, Chapter 4.
3. NAVCONBRIG CHASN SOP 401 dated 14 Jan 2025.
4. Internet Search History of the Accused.

## ORAL ARGUMENT

34. The Government requests oral argument if the Court finds jurisdiction to hear this motion.

[redacted]

Christopher B. Dempsey
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JEREMIAH COPELAND**<br>**CSSN/ E-3**<br>**USN** | **R.C.M. 701(a) DISCLOSURE** |

On 2 September 2025, CDR Lauren Mayo and LT Christopher Dempsey, JAGC, USN, interviewed CDR Brian Flanagan, USN, in the presence of Ms. Sharell Welch, RSC(AW) Amanda Cole, USN and LN1 Kathleen Vanetti, USN at RLSO MIDLANT. The following is a summary of the interaction and is not intended to be verbatim:

CDR Flanagan explained that CSSN COPELAND is currently in a maximum security confinement status (MAX), with some special conditions. As such, COPELAND is permitted to be out of his cell for three hours a day; one hour to clean the p-way and showers, one hour for personal time, and one hour for recreation. The hour to clean is a recent addition and is considered a "step down" from his full MAX status and is permitted without supervision. This began on 11 August 2025. Prior to 11 August, he spent 22 hours a day in his cell.

While in MAX, he is allowed phone calls and visitation by his defense counsel in a no-contact booth in addition to the three hours he is normally allowed out of his cell. The no-contact room is private, has plexi-glass with slots to allow the parties to pass documents between client and attorney, allows for videos to be seen by the client, and can have white noise machines placed outside of the room to further ensure conversations cannot be overheard by anyone outside of the attorney-client privilege relationship. Any phone call requests made by the defense attorney during business hours (between 0730 and 1530) will be accommodated, even if the requested call time is outside of business hours.

In accordance with the Chesapeake Brig Standard Operating Procedures (SOP) and the SECNAVMAN-1640.1, contact visits between COPELAND and defense counsel would not be permitted while he is in a MAX status. Every 30 days, COPELAND may participate in a C&A Board that evaluates his security risk as a prisoner, and makes recommendations to the OIC, CDR Flanagan, as to any changes to COPELAND's security status. COPELAND has participated in the last two C&A Boards, and was informed that he has the right to appeal the determination of the C&A Board. COPELAND has not appealed any of the determinations of the C&A Board (which have kept him in a MAX status).

CDR Flanagan reported that there have not been any behavioral issues with COPELAND and

that he has attended at least one class while at the Brig. In addition to his behavior at the brig, the C&A Board must consider factors such as the prisoners' civilian and military record, the seriousness of the offenses alleged, and the potential length of confinement awarded if found guilty in calculating a certain amount of points. Once a certain point threshold is met, the classification status can change. CDR Flanagan can override the decision of the C&A Board under limited circumstances. CDR Flanagan did not foreclose the opportunity that COPELAND may be able to leave MAX at some point based on consideration of these factors even with the charges he is facing. However, he acknowledge reclassification is unlikely. He explained that the opportunity for an hour to clean the p-way and his shower was a recent step down to allow COPELAND an opportunity to prove his good behavior. A recommendation from the trial counsel would not influence the brig's decision on classification.

CDR Flanagan expressed a separate concern that the general population of the Chesapeake Brig has been exposed to the local news and he has some concern for COPELAND's safety if COPELAND were to be moved to general population based on the news coverage his case has attracted.

To date, Defense Counsel has not requested to use a white noise machine during visits with COPELAND at the brig. The email sent by Defense Counsel that asked about having COPELAND attend a meeting at the Defense Service Office was responded to with a logistical explanation of such a movement, as well as what accommodations were available within the Brig for a meeting that ensured attorney-client privilege. If the command decided that such a meeting was appropriate, the Brig would not be able to prevent the command from taking COPELAND to meet with his counsel at a separate location.

/s/
K. E. Vanetti
LN1, USN, Trial Paralegal

# Chapter 4: Control, Security, and Emergencies

## Section 1. Prisoner Accountability System

### 4101. Master Control Center Function

1. The control center is the focal point for all military correctional facility (MCF) security and control operations. The control center must be utilized for 24-hour continuously staffed monitoring and coordinating of the MCF's security, life, safety, and communications systems. It is here that all prisoner movements are directed, controlled, and accounted for; that all active keys are controlled and accounted for; where the entry and exit of all prisoners, staff, and visitors are controlled; and where emergency equipment may be stored. Main communications terminals, both regular and emergency, are located in the control center. Outside telephone switchboards will not be operated from the control center during normal daytime working hours. Master count records and the brig log are maintained in the control center and the reports of daily counts are prepared and verified there.

2. The control center must be manned and its security integrity maintained at all times. Access to the control center will be limited to only authorized personnel designated in writing by the brig officer. Prisoners must not be allowed access to the control center under any circumstances.

### 4102. Control Center Accountability Systems

1. Certain basic information must be maintained and controlled to ensure adequate accountability of prisoners at all times. Accountability systems will be controlled and maintained in the control center. The extent of these systems will be tailored to meet local needs. Many required accountability forms and reports, required per reference (z) and this manual, can be generated and accessed by utilizing the Correctional Management Information System (CORMIS) or its electronic equivalent.

2. Accountability System Elements

a. DD 2707 Confinement Order. A copy of the confinement order will be delivered to the control center by the Receiving and Release (R&R) supervisor immediately upon receipt of a new

prisoner. The control center supervisor will make necessary adjustments to count records and the brig log.

b. Prisoner Identification Badge. Four prisoner identification badges will be created by R&R upon arrival of a new prisoner. A badge is given to the prisoner. A badge is forwarded to the supervisor responsible for records management for inclusion in the prisoner's individual confinement record. A badge is forwarded to the control center for inclusion in the control center's master file. A badge is forwarded to the prisoner's quarters supervisor. The control center will maintain their copies of prisoner identification badges in alphabetical order and in a readily visible file in the control center. New badges will be added only when new prisoners are received and those on file will be removed from the master file only upon receipt of an updated prisoner badge or an executed DD 2718 Prisoner Release Order. Removed badges will be forwarded to the supervisor responsible for records management.

c. Quarters Assignment Record. This record will follow the living quarters configuration of the MCF and show where each prisoner is specifically assigned (rack or cell). This billeting information will also be maintained in CORMIS or its electronic equivalent.

d. Work Assignment Record. This record is established to accommodate local work assignments for quick verification of work detail and location of the prisoner. Work assignment information will also be maintained in CORMIS or its electronic equivalent.

e. Out-Count Record. Format may be a wall chart or a log that, at a minimum, has the prisoner's name, status, custody, destination, and departure time.

f. Daily Change Sheet (DCS). Initiated by the classification and adjustment (C&A) board, a listing of all authorized changes of status, custody, program, billeting, and work assignments must be prepared each workday. The DCS must be authenticated by the brig officer's signature and distributed to applicable posts. All housing moves, except emergencies, must be accomplished in conjunction with the DCS.

g. Daily Appointment Sheet. A daily appointment sheet will be prepared listing all authorized prisoner appointments for the following workday (e.g.; medical appointments, legal appointments, etc.) and distributed to all applicable posts. The daily appointment sheet will list prisoner name, date and time of the appointment, appointment location, and any other relevant information (e.g.; escorts' names for outside agency escorts, uniform, fasting required for medical). This may be generated by CORMIS or its electronic equivalent from data previously entered.

h. DD 2718 Prisoner Release Order. A copy of an executed release order will be delivered to the control center for verification, log entries, and updating the count log.

i. Brig Log. The brig log is the permanent record of daily and historical events and other significant events of the operation of the MCF. It will be maintained in the control center and reviewed and countersigned by the command duty officer (CDO) or duty brig supervisor (DBS) at the conclusion of each shift. An accurate running count must be included in this log. Refer to section 8104 of this manual for other pertinent information to be logged in the brig log. Where authorized by Bureau of Naval Personnel Corrections and Programs Office (BUPERS-00D) and Deputy Commandant of the Marine Corps (Plans, Policies, and Operations (DC PPO)), an electronic brig log may be maintained.

## 4103. Counts

1. A minimum of three formal scheduled prisoner counts must be made daily (reveille, end of workday, and taps). More frequent and informal counts may be required depending on prisoner population and physical characteristics of the MCF; however, the frequency of counts will not unduly interfere with normal workday activity. In addition to scheduled counts, work supervisors and quarters supervisors shall be required to make irregular but frequent checks of all prisoners under their supervision, the frequency of checks shall not exceed one hour. There must be periodic bed checks of all prisoners during the night; however, prisoners must not be awakened for this purpose and silent counts will be used. Routine formal counts will be scheduled at times that will not interfere with work, training, sleep, or recreation schedules. Results and times of all counts

(i.e.; scheduled, unscheduled, or others directed by local policy) must be entered into the brig log.

2. Brig officers will develop, publish, and train staff to conduct count.

3. Under no circumstances will prisoners assist staff with count.

4. Unscheduled counts may be conducted whenever deemed necessary.

5. The control center will verify prisoner accountability, by telephone, the presence of all overnight temporary absences during regularly scheduled counts.

4104. Prisoner Movement

1. Activities and movements of prisoners must be controlled, orderly, punctual, and well supervised.

2. Prisoner passes or electronic prisoner tracking systems (e.g., biometrics) will be used in MCFs to control unescorted prisoner movements (exceptions may be made for installation custody prisoners). Either system will be used for instances which require prisoners to leave their regular details. Strict control of either system must be maintained. All staff and prisoners must be instructed in the operation of the MCF prisoner movement system and procedures.

3. In lieu of an Armed Forces identification card, installation custody prisoners will carry a DD 512 Installation Custody Agreement describing their status and limits of movement when outside of the security perimeter of the MCF.

4105. Sally Port Operations

1. A sally port is basic to the secure operation of any MCF. Used properly, it affords security and control over entry to and exit from the MCF.

2. The following procedures must be followed in sally port operations:

a. Provisions will be made to prevent two doors or gates from being inadvertently opened at the same time;

b. If sally port doors or gates are electrically operated, the controls will be located inside the control center or within a secure post that has an unobstructed view of the sally port; and

c. If the sally port is used primarily for vehicles, it must be constructed so the largest vehicle entering can be contained inside with both gates closed. Ensure that any prisoners accompanying a vehicle have been properly logged out of the MCF by the control center supervisor. All vehicles entering and exiting a sally port must be searched for contraband and prisoner escape attempts.

## Section 2. Prisoner Custody Classification

### 4201. Purpose and Definitions

1. Purpose. Custody classifications establish the degree of supervision and restraint needed for control of individual prisoners. Custody classification allows for and supports graduated release through a systematic decrease in supervision and a corresponding increase in prisoner responsibility as part of the classification program. Custody classifications provide guidance for supervision of prisoners and permit establishment of security measures consistent with requirements of the individual. Where there is fair and impartial treatment, prisoners generally present no serious disciplinary problems. There are some prisoners, however, who can be uncooperative or aggressive. Efforts must be made to identify all special cases and control measures instituted to ensure the safe and orderly administration of the MCF. An objective-based custody classification process that addresses the characteristics of the prisoners must be used per reference (z) and this manual. CORMIS, which incorporates the objective-based classification process, or CORMIS' electronic equivalent, will be employed.

2. Classification Definitions. Every prisoner must be assigned one of the following custody classifications:

a. Maximum Custody (MAX). Prisoners requiring special custodial supervision because of the high probability of escape

or are potentially violent or dangerous, and whose escape would cause concern of a threat to life, property, or national security. Ordinarily, only a small percentage of prisoners will be classified as MAX.

(1) Supervision. When inside their cell, observation checks by MCF staff will be at irregular intervals not to exceed 15 minutes. DD 509 Inspection Record of Prisoner in Segregation must be posted outside the cell door and appropriate entries made at least every 15 minutes. Two or more staff members must be present when MAX prisoners are out of their cell or the cell door is opened, and supervision must be immediate (e.g., near at hand or close proximity) and continuous (e.g., without loss or interval of time) unless physical plant design negates this requirement. Camera cells may be utilized for constant observation but do not replace the requirement for staff to physically view the prisoner in the prisoner's cell.

(2) Work. MAX prisoners will not be assigned to work details outside of their cell.

(3) Quarters. MAX prisoners must be assigned to the restricted housing unit (RHU).

(4) Restraints and Escorts

(a) MAX prisoners must wear hand-irons when outside of their cells in the RHU, unless the facility's design supports security and control, negating this requirement.

(b) Max prisoners must wear full restraints (hand irons, transport belt, and leg irons) and be escorted by a minimum of two escorts at all times when outside the RHU area. Exceptions may only be made for exigent circumstances (fire or safety) or on a case-by-case basis (court appearance or military judge ordered). The brig officer or designee will be notified of any request to remove restraints.

b. Medium Custody In (MDI). Prisoners who present security risks not warranting MAX.

(1) Supervision. Direct supervision within the security perimeter, and immediate and continuous when outside the security perimeter.

(2) Work. MDI prisoners must not be assigned to work details outside the security perimeter.

(3) Quarters. MDI prisoners will normally be assigned to general population housing where direct supervision is required.

(4) Restraints and Escorts

(a) MDI prisoners will not normally wear restraints inside the security perimeter. Any MDI prisoner required to wear restraints inside the security perimeter will be assigned to the RHU.

(b) MDI prisoners must wear hand irons and a transport belt at a minimum when outside the security perimeter unless the brig officer or designee directs otherwise. Escorts will carry leg irons.

(c) MDI prisoners must be escorted by at least two escorts at all times outside the security perimeter. When transporting multiple MDI prisoners, the brig officer or designee may direct only one escort be required for each additional MDI prisoner. Exceptions may only be made for exigent circumstances (fire or safety) or on a case-by-case basis (court appearance or military judge ordered). The brig officer or designee (senior security personnel) will be notified of any request to remove restraints.

c. Medium Custody Out (MDO). Prisoners who present security risks not warranting MDI.

(1) Supervision. Direct supervision within the security perimeter, and immediate and continuous when outside the security perimeter.

(2) Work. MDO prisoners may be assigned to work details inside or outside the security perimeter.

(3) Quarters. MDO prisoners will normally be assigned to general population housing where direct supervision is required.

(4) Restraints and Escorts

(a) MDO prisoners are not required to wear restraints while inside or outside the security perimeter. Escorts will carry hand irons when escorting MDO prisoners outside of the security perimeter.

(b) MDO prisoners require at least one escort when outside the security perimeter. Working party and other escort ratios will be determined by the brig officer or designee when escorted by MCF staff. Escort ratios for command escorts must be no less than one escort per five MDO prisoners.

d. Minimum Custody (MIN). Prisoners who present security risks not warranting higher classifications.

(1) Supervision. Will be occasional (periodic, situational dependent, and accountable as necessary by supervisory staff) within the security perimeter or outside the security perimeter.

(2) Work. MIN prisoners are normally assigned work outside the security perimeter.

(3) Quarters. MIN prisoners will normally be assigned to general population housing.

(4) Restraints and Escorts

(a) MIN prisoners are not required to wear restraints while inside or outside the security perimeter. Escorts will carry hand irons when escorting MIN prisoners outside of the security perimeter.

(b) MIN prisoners will require at least one escort when outside the security perimeter. Working party and other escort ratios will be determined by the brig officer or designee when escorted by MCF staff. Escort ratios for command escorts must be no less than 1 escort per 10 MIN prisoners.

e. Installation Custody (IC). Prisoners who present minimal security risks not warranting higher classifications.

(1) Supervision. Require only limited supervision. They may work and move about much the same as individuals in normal duty status.

(2) Work. IC prisoners are normally assigned work outside the security perimeter.

(3) Quarters. IC prisoners normally will be assigned to general population housing but may be housed outside the security perimeter.

(4) Restraints and Escorts

(a) IC prisoners are not required to wear restraints while inside or outside the security perimeter.

(b) IC prisoners normally will not require escorts when outside the security perimeter.

(5) Selection Criteria for IC

(a) Have completed at least one half of the confinement adjudged or the convening authority has taken action, whichever occurs first.

(b) Not more than 12 months from adjusted minimum release date or approved supervised release date.

(c) Consideration must be taken into account as to the nature of offense and applicable Federal, State, and local laws concerning unsupervised release for work and recreation into local geographical areas (especially those areas with schools, daycare centers, housing, etc.).

(d) Have not been removed previously from this custody for cause.

(e) IC prisoners must sign DD 512 Installation Custody Agreement and carry it with them at all times when outside the MCF's security perimeter. A locally prepared agreement listing the limitations on movement outside the MCF must be agreed to, signed by IC prisoners, and countersigned by the MCF commanding officer (CO). The DD 512 will be turned in and checked out from the R&R supervisor as required.

Assignments will depend on the ability to handle responsibility and, whenever possible, be commensurate to the prisoner's previous training, skill, needs of the Service, and potential training value to the prisoner.

(6) Additional Privileges. Additional privileges such as attending the installation theater, library, sports events or similar activities, and messing sequence may be authorized by the MCF CO.

4202. Classification Criteria

1. Custody classification will be based on the amount of supervision and restraint each prisoner requires.

2. All new prisoners, except those specifically deemed serious management problems, must be assigned an MDI custody classification during the reception phase. Pretrial prisoners must not be assigned any custody classification except MDI or MAX.

3. Ultra-conservative custody classification results in a waste of prisoner and staff manpower. A large number of MAX and MDI prisoners reduces the number of staff available for supervision of the kinds of productive work available to lower custody classifications. Classification systems must follow established, but flexible, procedures.

4. Prisoners will be placed in a lower custody classification as soon as practical and as warranted.

5. Override of the Objective-Based Screening Decision

a. The below factors, though not all-inclusive, are considered in assessing whether to override the objective-based classification system to increase a prisoner’s custody:

(1) Assaultive behavior;

(2) Disruptive behavior;

(3) Serious drug abuse;

(4) Serious civil or military criminal record (convicted or alleged);

(5) Low tolerance of frustration;

(6) Intensive acting out or dislike of the military;

(7) History of previous escape(s);

(8) Pending civil charges or detainers filed;

(9) Serving a sentence that the individual considers unjust or severe;

(10) Poor home conditions or family relationships;

(11) Emotional or mental instability;

(12) Indication of unwillingness to accept responsibility for personal actions, past and present;

(13) Demonstrated pattern of poor judgment;

(14) Length, or potential length, of sentence;

(15) Gang affiliation or ties with disruptive organizations;

(16) Awaiting transfer;

(17) A sentence length exceeding the designated length of confinement authorized at the MCF; and

(18) Refusal to accept or participate in recommended treatment or education programs.

b. The below factors, though not all-inclusive, are considered in assessing whether to override the objective-based classification system to decrease a prisoner’s custody:

(1) Clear military record, aside from present offense;

(2) Close family ties - good home conditions;

(3) The offense(s) charged is not serious;

(4) Emotional and mental stability;

(5) Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

(6) Behavior during confinement, and

(7) Successful completion of, or active participation in, offense-related treatment programs or groups.

c. The factors mentioned above are only indicators, not ironclad rules; therefore, the brig officer will consider objective-based overrides where applicable. An evaluation of all phases of the prisoner's performance will be made prior to each custody change. By following the criteria and concepts outlined in this chapter, the brig officer should be able to make more efficient use of staff and provide an atmosphere in which rehabilitative efforts will be more effective.

6. Adult Internal Management System (AIMS). An AIMS classification will be determined for each prisoner confined in level II MCFs. This is a five-level classification of prisoners based on aggressiveness of personality and methods of problem management used by an individual. AIMS is never used for custody or incentive determination but is very useful for housing and programming prisoners together in order to maximize their opportunities to succeed and to utilize programs offered. Each C&A Board will consider (but not be bound by) a prisoner's AIMS classification in assignment of berthing, program, and work assignment. AIMS classification is applicable only to male prisoners. AIMS is integrated within CORMIS or its electronic equivalent.

## 4203. Evaluation of Prisoners

1. All members supervising prisoners will be responsible for evaluating prisoners and must submit periodic written reports on their performance. Quarters supervisors and work supervisors will complete a prisoner evaluation, no less than monthly, to show levels of performance on a continuing basis. The evaluation must be submitted on DD 2712 Prisoner Evaluation.

2. A prisoner program plan must be developed for each post-trial prisoner to identify and prioritize all required and recommended correctional programs. The program plan will serve as the central source for documenting program progress and completion. The prisoner program plan should take into account the prisoner's sentence length, confining offense(s), needs, and program sequence.

3. Each staff member has responsibility for communicating information concerning prisoners to the proper authority in the MCF. The behavior and attitude of the prisoner in living quarters, at work, in recreation, and in a classroom provides a good overall indicator of problem areas and adjustment progress. Continuous documented staff evaluation of each prisoner cannot be overemphasized.

4204. C&A Board and Unit Team Management (UTM)

1. The C&A board will establish a prisoner's custody classification using objective-based classification or reclassification procedures. When the C&A Board convenes to develop prisoner classification and assignment, it will be composed of the brig officer, or designated representative, and members from varying departments of the MCF as appointed in writing by the MCF CO. At a minimum, the C&A Board must be comprised of a chairperson and no fewer than two additional members to ensure a multi-disciplinary perspective. See article 6401 of this manual for program functions of the C&A Board.

2. UTM. Level II MCFs may utilize UTM principles in the operation of their C&A boards. Unit teams oversee prisoner program plans, custody classification, incentive levels, and counseling on a routine basis. Unit teams are comprised, at a minimum, of a unit manager, case manager or counselor, leading chief petty officer or leading petty officer (or Military Service equivalent), and quarters supervisor(s).

4205. Quarters

1. General Population Quarters

a. To the largest extent that design and staffing allow, newly confined prisoners generally will be housed in an orientation quarters, that may be located in the RHU, and

administered separately from post-orientation prisoners. During reception processing and orientation, prisoners will be objectively evaluated and a custody classification assigned prior to transfer to the general population.

b. Although preferred, there is no requirement that prisoners of different legal status (pretrial or post-trial) be berthed separately. Separation of prisoners may be by custody or AIMS classification or both (see article 4202.6 of this manual). Optimum situations permit housing different custody classification prisoners in different and separate areas. In many MCFs, practicality dictates commingling of prisoners in the same quarters; however, every effort will be made to maintain separate berthing where possible and when staffing allows. Direct supervision is required in general population housing.

2. RHU

a. The RHU provides living conditions similar to those of the general population; all exceptions will be clearly documented. RHU cells will be designed to permit prisoners to converse with and be observed by staff members. Prisoners are assigned to the RHU by the brig officer or designee and will not have normal privileges restricted unless privileges must be withheld for reasons of security or prisoner safety. In these cases, all restrictions must be documented on a special handling letter and signed by the brig officer or designee.

b. Definitions of Segregation Categories. Abbreviated segregation statuses listed below align with those in CORMIS or its electronic equivalent.

(1) Administrative Segregation (AS). A form of separation from the general population when the presence of the prisoner in general population poses a serious threat to life, property, self, staff, or other prisoners, or to the good order and discipline of the MCF. This segregation category is administrative in nature and may be for relatively extensive periods of time. Sub-categories of AS coincide with housing assignments in CORMIS or its electronic equivalent. Assignment to and removal from AS is authorized by the brig officer or designee.

(a) Medical Segregation (MED). MED is utilized for medical reasons.

(b) Prevention of Injury (POI). POI may be recommended by clinical, medical, CDO or DBS.

(c) Suicide Risk (SR)

1. Prisoners who are considered suicidal must be immediately referred to the medical department, clinical services, or mental health department for further evaluation and appropriate action, which may include hospitalization. References (aa) and (ab) provide guidelines in cases involving emergencies, specialized treatment or evaluation, or psychiatric treatment that cannot be deferred.

2. Such prisoners are normally hospitalized, but if not, the prisoner must be placed in the status of "SR" for continuous observation.

3. SR prisoners must be under continuous observation. Direct physical observation must be by a staff member and considered a primary duty. For documentation purposes, a logbook must be maintained by the staff observer (prisoner's name, date, observer, time the observer took over and ended the shift to include relief, and behavioral remarks as applicable). Annotation on the prisoner's DD 509 Inspection Record of Prisoner in Segregation will be made every 5 minutes. Supplemental (physical) sighting of and visit to suicide risk prisoners will be officially recorded on DD 509 and include date, time, name of visitor, and any appropriate remarks.

4. At levels II and III MCFs, a suicide watch companion program may be authorized by BUPERS-00D or DC PPO.

5. The brig officer or designee may direct removal of a prisoner's clothing and replacement with a suicide protection smock or privacy gown, or approved suicide blanket when deemed necessary by medical, clinical, or the CDO or DBS.

6. When no longer considered to be a suicide risk by medical officers, psychiatrists, doctoral-level clinical psychologists, or doctoral-level clinical social workers with

clinical practice privileges, prisoners will be returned or stepped-down to POI or placed back in appropriate quarters.

(d) Escape Risk (ER). ER may be recommended by CDO or DBS or by the C&A Board due to seriousness of offense, misconduct while in confinement, or confinement capabilities.

(e) Potentially Violent or Dangerous (PVD). PVD may be recommended by CDO or DBS or by the C&A Board due to seriousness of offense, confinement capabilities, or dangerous conduct previously in general population.

(f) Pending Investigation (PI). PI may be recommended if the prisoner cannot be left in general population during an investigation.

(g) Loss of Privileges (LOP). LOP is used only when necessary to enforce loss of certain privileges requiring the prisoner to be housed in the RHU. LOP can also be served in general population based on the magnitude of the lost privileges.

(h) Awaiting Transfer (AT). A prisoner may be placed in AT when waiting to transfer to another facility.

(i) Protective Custody (PC). PC is a form of separation from the general population for prisoners requesting or requiring protection from other prisoners for reasons of health and safety. Admission to PC, to include rationale, must be fully documented with a consent form signed by the prisoner. Assignment to and removal from PC may be authorized by the brig officer or designee.

(j) Indoctrination (INDOC). Newly arriving prisoners assigned to the orientation program will normally be berthed in RHU on INDOC status until medically and clinically cleared to join general population.

(2) Disciplinary Segregation (DS). A form of separation from the general population directed by the approving authority after due process, in which prisoners committing violations of conduct, considered serious from an institutional standpoint, are housed within the RHU.

3. Procedures

a. Assignment to the RHU is not a punitive measure, except for DS, and must not be used as such. Prisoners must be aware of the reason they are assigned to the RHU and acknowledge in writing the limitations of their assigned status. All authorized special handling instructions that impact prisoners in the RHU must be annotated on a special handling letter.

b. When a prisoner is transferred to the RHU, health care staff will be informed immediately and will provide a screening and review as indicated by the protocols established by the health authority. Unless medical attention is needed more frequently, each prisoner in the RHU will receive a daily visit from a qualified health care professional. The visit ensures that offenders have access to the health care system. The presence of a health care provider in the RHU will be recorded on DD 509. The frequency of physician visits to the RHU is determined by the health authority.

c. All prisoners in the RHU will be under direct supervision. They will be sighted at least once every 15 minutes by a staff member and will be visited daily by members of the programs staff and the brig officer or designee. In addition, it is highly desirable that prisoners in the RHU be visited daily by a chaplain. Prisoners who are violent or who demonstrate unusual behavior may receive observation that is more frequent. The DD 509 must be used to document each sighting and visit to any RHU prisoner. Documentation of visits will include date, time, name of visitor, and any appropriate remarks.

d. Prisoners in the RHU must have the opportunity to be outside of their cell for at least 2 hours daily. The 2 hours may be comprised of opportunities for sunshine, recreation, exercise call, education, clinically appropriate treatment therapies, skill-building, and social interaction with staff and other prisoners. The amount of time and type of opportunity will depend on the prisoner’s status; however, at a minimum, all prisoners residing in the RHU who are not designated as on a specific restricted housing reportable status must receive 2 hours outside of their cell daily. If a prisoner is a safety or security concern and cannot receive 2 hours outside of their

cell daily, they will be classified as a specific RH-reportable status and will be handled per article 4206 of this manual.

e. Alternative meal service may be provided to a prisoner in the RHU who uses food or feeding utensils in a manner that is hazardous to self, staff, or other prisoners. Alternative meal service will be on an individual basis, based on health or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the brig officer or designee, or responsible health authority. The substitution period must not exceed 7 days.

f. Prisoners in the RHU can write and receive letters on the same basis as prisoners in general population.

g. Prisoners in the RHU have opportunities for visitation unless there are substantial reasons for withholding such privileges. These restrictions must be documented on a special handling letter.

h. Prisoners in the RHU are allowed telephone privileges, unless restricted for cause or under investigation concerning the abuse of telephone privileges. Prisoners on DS are allowed limited telephone privileges. Regardless of status, prisoners in the RHU will have unlimited access to telephone calls related specifically to their attorney of record.

i. Prisoners in the RHU, regardless of status, must have access to legal materials, available legal reference materials, allowed access to legal counsel, access to courts, and access to reading or library materials.

j. Prisoners in the RHU will have access (which may or may not include attendance) to programs and services that include, but are not limited to, the following:

(1) Educational services;

(2) Commissary services;

(3) Library services;

(4) Social services;

(5) Counseling services;

(6) Religious guidance; and

(7) Recreational programs

4. Review of Segregated Prisoners

a. 72-Hour Review. The status of each prisoner placed in the RHU must be reviewed by the C&A Board within 72 hours of assignment of the RHU status. A prisoner placed in the RHU under PI status must be reviewed within 24-hours. This PI review may be accomplished through means other than the C&A Board as dictated through local policy.

b. 7-Day Review. A review of the status for prisoners in the RHU by the C&A Board must be conducted at least every 7 days for the first 60 days and every 30 days thereafter.

c. 30-Day Review

(1) A credentialed mental health provider must personally interview and provide a written report on any prisoner remaining in the RHU over 30 days. If segregation continues beyond 30 days, a credentialed mental health provider must make an assessment at least every 3 months, or more frequently if prescribed by the MCF medical officer, psychiatrist, or clinical services director. Prisoners in the RHU may develop symptoms of acute anxiety or other mental problems; regular psychological assessment helps ensure the mental health of anyone in the RHU for over 30 days.

(2) DS. A review of the status for prisoners in DS for more than 30 days must be reviewed and approved by the MCF CO. If a prisoner is in DS over 60 days, the prisoner must be provided the same program services and privileges as prisoners in AS (security and safety concerns permitting).

4206. Restrictive Housing (RH). Reference (ac) details RH policy for use within MCFs. RH-reportable status must only be utilized in extreme situations when no other corrections alternative is available.

1. Definition. Any type of detention or segregation that involves all three of these basic elements triggers an RH-reportable status:

a. Removal from the general prisoner population, whether voluntary or involuntary

b. Placement in a locked room or cell, whether alone or with another prisoner

c. Inability to leave the room or cell for the vast majority of the day, typically more than 22 hours.

2. Placement in RH-Reportable Status

a. Prisoners will be housed in the least restrictive setting necessary to ensure their own safety, as well as the safety of staff, other prisoners, and the public. Assignment of a prisoner to the RHU does not necessarily mean the prisoner is in an RH-reportable status. RH-reportable status may only be used for a prisoner in the RHU if there is no safer alternative. To administer the corrections mission safely, a prisoner in the RHU may meet the definitional parameters in paragraph 4206.1 of this manual.

b. MCFs must strive to limit the use of RH-reportable statuses whenever possible, and to the extent used, to limit the length of a prisoner's stay and to identify services including group, educational, and therapeutic services that the prisoner can safely participate in while in an RH-reportable status.

c. A RH-reportable status must always serve a specific correctional purpose. In each instance, MCFs must clearly articulate and document the specific reason(s) for a prisoner's placement and retention in an RH-reportable status. CORMIS or its electronic equivalent is the primary method for documenting all prisoner record entries. The reason(s) and duration for use of an RH-reportable status must be supported by objective-based rationale and factual statements. Prisoners will remain in the RH-reportable status for no longer than necessary to address the specific reason(s) for their placement.

d. A prisoner's initial placement in an RH-reportable status will be reviewed by the C&A Board the next business day

and ongoing placement in an RH-reportable status will be reviewed by the C&A Board every business day in an attempt to remove the prisoner from the RH-reportable status as soon as possible. This review will include not only security and housing staff but also medical and mental health professionals and be endorsed by the MCF CO.

e. All correctional staff will be trained annually on RH policies (inclusive of pre-service and in-service training). Correctional supervisors must ensure compliance with RH policies and training standards. This training will be reflected in staff training records. Emphasis must be placed on the difference of being housed in the RHU vice actually being in an RH-reportable status.

f. MCFs will formally establish a RH committee, consisting of command and department-level correctional staff to regularly (i.e., not less than semi-annually) evaluate existing RH policy, develop safe and effective alternatives to the use of RH, and craft special handling letters and step-down plan strategies.

## 4207. Management of Mixed-Gender Prisoners and Staff Supervision of Opposite-Gender Prisoners

1. Background. Confinement of both male and female prisoners in a MCF manned by both male and female staff present significant correctional challenges and requires a gender-relevant approach to ensure safety, security, and meet identified privacy needs.

2. Definitions

a. Commingled Mixed-Gender Prisoners. Male and female prisoners mixed in the same space or area at the same time.

b. Opposite-Gender Supervision. MCF staff supervising a prisoner of the opposite gender.

3. Management and Supervision of Commingled Mixed-Gender Prisoner Policy

a. There must be no prisoners of the opposite gender confined in the same space at the same time. For the purposes of this manual, the term “space” refers to quarters, to include

cells and open-bays. At no time will male and female prisoners be commingled in any space during the period between taps and reveille; or at any time or location without direct staff supervision.

b. MCFs must ensure visual and acoustic berthing separation of males and females confined, if simultaneous confinement of male and female Service members is authorized. For the purposes of this manual, "acoustic separation" is defined as out of range of normal conversation.

c. For operational planning purposes, the plan of the day must distinctly identify authorized commingled, mixed-gender events and times for general population prisoners. Adequate supervision and communication requirements must be in place prior to the commencement of the activity.

d. To the greatest extent possible, male and female prisoners will not be assigned simultaneously in the same program or work areas, while ensuring both have full access to a full range of programming opportunities. If assignment to the same work site simultaneously is unavoidable to ensure the same programming opportunities, the supervisor must provide direct supervision continuously and enforce prisoner rules that restrict mixed-gender communication to only that required to carry out the assigned work or task.

e. Mixed-gender prisoner working parties are not authorized outside the MCF security perimeter without specific authority of the brig officer or designee.

f. At no time will commingled male and female prisoners be unsupervised without a staff member being directly present in the program, workroom, or immediate area.

g. Staff members will permit no integration between opposite-gender prisoners except for verbal greetings and authorized exchanges during supervised activities (e.g.; work details, religious activities; morale, welfare, and recreation activities such as holiday functions; assigned group therapy sessions, etc.).

4. Staff Supervision of Opposite-Gender Prisoners

a. Staff must not be assigned duties that require supervision of prisoners of the opposite sex at times when routine nudity occurs.

b. Prisoners must be informed during reception that they are subject to observation by staff, to include staff members of the opposite sex. During the use of the toilet, showering, changing clothes, and similar periods of undress and nudity, mitigation efforts must be employed by the MCF to protect prisoner privacy. Efforts (temporary or otherwise) may include staff replacements to ensure observation by only staff members of same sex, privacy screens or partitions for each head area or shower area, etc. Nudity must not be permitted in common areas.

c. When both male and female prisoners are simultaneously confined in the MCF, at least one male and one female staff member must be on duty at all times and be positioned in a manner to support same-gender supervision requirements.

d. Accommodations must be in place to ensure camera monitoring by staff ensures adequate mixed-gender privacy (e.g.; during use of the toilet, showering, changing clothes, and similar periods of undress and nudity). Where necessary, staff augmentation will be employed to mitigate security and supervision concerns. For RHU prisoners in a camera cell, specialized clothing may be used to provide privacy from camera view. Such clothing will provide sufficient coverage of the body when seated on a toilet (i.e., longer than a standard uniform shirt).

e. MCF staff, volunteers, and all visitors who interact with prisoners of the opposite gender must always be under the continuous observation of correctional staff, at all locations. While direct observation is desired, frequent indirect observation such as camera or observation through a window is authorized.

f. Correctional staff must not conduct mixed-gender frisk searches, except as necessary in the event of an emergency affecting MCF safety and security. Such searches must be documented with an incident or information report and notated in the brig log.

g. Opposite-gender strip searches or opposite-gender visual body cavity searches (meaning a search of the anal or genital opening) are prohibited. These searches may only be performed by medical practitioners.

(1) MCF staff must not search or physically examine a transgender, intersex, or gender non-conforming prisoner for the sole purpose of determining the prisoner's genital status. Upon initial receipt and prior to search, if the prisoner's genital status is unknown, it may be determined during conversations with the prisoner, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical officer.

(2) Transgender, intersex, or gender non-conforming prisoners who do not feel comfortable being frisk-searched or stripped-searched by a staff member of the same sex will be searched by medical personnel.

h. Where mixed-gender correctional activities are authorized, there will be direct communication (radio) between the correctional staff and the control center. The CDO or DBS must pre-authorize and acknowledge mixed-gender presence, ensuring supervision requirements are in place prior to commencing the activity.

i. Male staff must not be permitted to enter places where females are housed, including a visual control center, unless they are accompanied by female staff or female staff are present, and only when entry is justified. The area must first be visually clear of prisoners who may be clothed inappropriately for the presence of male staff, and prior to entry, "male on deck" must be sounded loud enough to be heard. When female staff members enter a male area, the same procedures are followed and "female on deck" must be sounded. Justification for entry includes:

(1) Assist a prisoner;

(2) Restrain a prisoner;

(3) Accompany medical personnel; and

(4) Conduct official business.

j. Prisoner rules and regulations must be published at each MCF that:

(1) Identify mitigation efforts that provide privacy such as screens or partitions for each head area or shower area, etc., and the prisoner's obligation to use available protocols and procedures to avoid compromising themselves or undermining the staff

(2) Advise prisoners that they must not initiate or involve themselves in unduly familiar relationships with staff, volunteers, or other prisoners (e.g.; knowingly expose themselves in a state of undress where not authorized, conduct conversations of an intimate nature, or engage in sexual contact of any nature).

## Section 3. Security Systems

### 4301. Responsibilities for Security

1. The primary purpose of a MCF is custody and control of prisoners. Control of prisoners requires impartial enforcement of reasonable rules and regulations that are necessary for the safe and orderly operation of the MCF. Custody and control measures must be adequate to maintain good order and discipline and to protect staff and prisoners.

2. An effective system of security, custody, and control must be established in each MCF. Every staff member must be aware that custody and security do not stand-alone but are interdependent with all other portions of the operation. Each staff member is responsible for security, custody, and control, regardless of duty assignment.

3. Fixed posts must be maintained to ensure all traffic is channeled with authorized access permitted to enter or leave only upon suitable identification and inspection. Use of armed staff within the security perimeter is not authorized. When necessary to post staff external to the security perimeter, staff must be located in a manner to ensure an unobstructed view of the observation area.

4. Security measures inside the MCF are the day-to-day control and supervision procedures designed to facilitate the movement

of prisoners, to assure control of their whereabouts, to guard against violation of rules, and to promote good order and discipline. Posts must be established at key points such as in quarters and at entrances to work and recreation areas to afford control and direct supervision. Provisions must also be made for direct supervision during meals and plan-of-the-day activities.

5. Persons not assigned to duty at the MCF will not be allowed to enter the MCF except on official business or as authorized visitor. Authorized visitors shall wear a visitor's badge on the front of their outside garment, above the waist.

4302. Contraband and Searches

1. Contraband

a. Contraband is anything not specifically authorized by proper authority to be in a prisoner's possession, or any item authorized for use by a prisoner that has been modified for a use other than originally intended. Contraband can be controlled through close supervision and frequent searches.

(1) Unscheduled searches of prisoners, cells, visiting rooms, recreation areas, library, heads, dining facility, work areas, vehicles, deliveries, shipments, etc., are essential. Personal property and items of clothing that accompany new prisoners must also be closely searched to prevent the introduction of contraband.

(2) Staff will be provided sufficient furnishings, implements, and materials to conduct their duties. Introduction of unnecessary items into the secure area of the MCF must be strictly limited. Staff briefcases, purses, carrying bags, offices, and work areas are subject to search, along with all other areas of the MCF where prisoners may access for any reason. Regular and random searches of MCF staff should be conducted by the operations officer.

b. When contraband is discovered, a written report must be made listing the items and covering precisely the circumstances of discovery. The contraband items, along with the report, will be submitted to appropriate staff per local policy. It is essential that a strict chain of custody be maintained of any

evidence that may be used in disciplinary action. OPNAV 5580/22 Evidence/Property Custody Receipt must be used.

2. Searches. Prisoners will be instructed that all persons, quarters, and work areas are subject to search at any time while confined. There are two types of searches, of a person and of an area. Searches are conducted to control contraband or recover missing or stolen property; use of non-intrusive methods (scanners) or other techniques instead of body searches should be used whenever feasible. Where random frisk or area searches are authorized, an objective-based method will be used; on-the-spot selection by staff is not an acceptable method. Random strip searches are not authorized. Searches are described below and will be used as the situation requires.

a. Search of the Person. Searches must be conducted by staff members of the same sex as the prisoner, absent emergency circumstances.

(1) Frisk Search. The prisoner's body, clothing, and possessions will be searched by the staff member. Requirements for prisoners to assume exaggerated positions are not authorized. Unnecessary force is prohibited. A quick, careless search is useless.

(2) Strip Search. A strip search must be conducted on prisoners being newly confined, entering or leaving the MCF on a temporary release, after visitation call, before and after transfer, or initially assigned to the RHU. Unnecessary strip searches must be avoided. Other than instances already stated, strip searches may be conducted only when specifically authorized by the brig officer or designee and there is reasonable belief that the prisoner may be in possession of an item of contraband or a good opportunity for concealment of contraband has occurred (e.g.; reliable information that the prisoner possesses contraband, the discovery of contraband in the prisoner’s living space, a serious incident in which the prisoner was involved or where the prisoner was present, refusal to be frisk searched, or breaks in custody). In these searches, prisoners must remove their shoes and all clothing. Clothing and personal effects must be physically searched. The prisoner’s body will be visibly searched. No contact is authorized. Strip searches must be made in privacy with only one prisoner at a time present and the searcher must have

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 10 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Place or Places of Trial)* *(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 10 of 25; Article 30a Proceedings (Continued), and Prosecution Exhibits Admitted (PE 1 through PE 33).



# 30a PROCEEDINGS

another staff member present as a witness. Both staff must be of the same sex as the prisoner. Strip searches must be documented in a log with date, time, prisoner name, staff, and reason for search.

(3) Body Cavity Search. Internal examination of body orifices may be conducted only by qualified medical personnel, when authorized by the MCF CO or designee, and only when there is a reasonable belief that prisoners are concealing contraband in or on their person. The use of body cavity searches must be extremely limited and fully documented.

b. Area Search. All areas will be subjected to a thorough search at random times and on an unscheduled basis. Visiting areas, including visitor-parking areas, must be searched by staff before and after all visits and must be completed prior to any further access by prisoners. Area searches will be conducted in an organized orderly manner (zone search). Prisoners must not be present during the search nor be permitted to see how the search is conducted. If prisoners are occupying the area to be searched, they will be escorted out of the area, each being frisk-searched upon leaving. All authorized articles will be handled carefully and replaced as neatly as possible when the search is completed. Care will be exercised to avoid any undue disturbance of the prisoners' personal effects.

4303. Key Control

1. Control of keys is a major element of security. Key control procedures must be rigidly enforced. A key control system must include routine (at least monthly) inspections to ensure the authorized number of keys are available and will operate their corresponding locks. The key control system must identify each key or ring of keys and give its location at all times. No key will be marked to indicate its function; however, keys to emergency exits must be properly controlled and distinctly marked. Locks and keys for fire escapes and emergency doors must be checked frequently to ensure their operation.

2. There must be three identical sets of keys and all keys will be stored in lockable security containers. All three sets of keys must be rotated regularly (at least every 6 months) to ensure proper function and even wear of keys.

a. Active keys will be located in the control center unless an electronic key watch system is approved by BUPERS-00D or DC PPO; however, emergency keys must always be kept in the control center. Emergency keys must be readily identifiable and stored in such a way that provides accessibility in case of emergencies.

b. The second set of keys will be located on the premises of the MCF but outside the security perimeter.

c. The third set of keys will be located outside of the MCF and at a secure location providing 24-hour access.

3. The active key set must be inventoried daily for accountability and inspected monthly for functionality. All three sets of keys must be inventoried quarterly for accountability, and rotated at a minimum of every 6 months to ensure even wear. Results of inspections, inventories, and verification of rotation of keys will be documented and maintained on file locally for 3 years.

4. Only authorized staff members on duty will have MCF keys in their possession and then only during the performance of duties requiring the use of those keys. A sentry within a locked area must have only the keys to a locked sub-area (such as keys to cells within a unit). Keys, except permanently issued keys, must not be taken from the MCF. Staff members authorized to draw keys or key rings will use a metal tag, logbook, or personal identification number system for each key or key ring drawn and returned. An accurate inventory showing the number of each key, trade name of lock and its location, and number and location of keys for that lock must be maintained in a secure location. Each key or ring of keys will have its own hook on a lockable key panel board or key watcher location. All keys must be accounted for at all times.

5. In the event of lost, misplaced, or stolen keys, an investigation must be conducted immediately; thereafter, a determination to replace affected locks or cores must be made by the brig officer or designee. Any lock, core, or key replacement deemed necessary must be accomplished immediately. Replacement or reserve locks, cores, and keys must be secured to preclude access by unauthorized individuals.

6. A system for the control of MCF staff and visitors' personal keys must be implemented.

7. A key custodian and alternate key custodian must be appointed in writing by the MCF CO to administer the key control program.

4304. Tool Control. All MCFs must have a formal tool control plan that includes culinary, barber, and medical and dental instruments and supplies. Tools must be etched or tagged for identification and closely controlled. Where tools or equipment are kept in a MCF, a secure and lockable tool crib equipped with shadow boards, ladder racks, and garden tool storage racks will be provided. Ladders, ropes, cords, and hoses, as well as other equipment that can be used for escape purposes or for weapons, must be included in the tool control plan and highly supervised.

1. Restricted and hazardous tools must be easily identifiable, used only under supervision, and secured in a double-locked environment. A list of restricted tools (not all-inclusive) follows:

a. Workshops. Files, hacksaws, blades, welding torches, and pipe or bolt cutters;

b. Culinary. Kitchen knives, meat saws, cleavers, ice picks;

c. Medical and Dental Instruments and Supplies. Syringes, needles, and other sharps; and

d. Miscellaneous. Barber instruments

2. Procedures

a. A record of all tools, including life-cycle, must be maintained and monitored, tracking each item from the time it enters the MCF until the date it is removed from the MCF.

b. Keep tools to a minimum and maintain an accurate up-to-date inventory.

c. Utilize a shadow-board with outlines for tools where feasible.

d. Restricted and hazardous tools such as hacksaw blades, knives, culinary instruments, files and tips for cutting torches, and welding equipment must be specially marked, placed in identifiable containers and double-locked.

e. Account for all tools daily.

f. Maintain a tool log to include identification number of the tool, name of personnel or prisoner in possession, date and time issued and returned, and the issuing personnel.

g. Frequently verify location of all tools. Restricted tools and hazardous must only be used by prisoners under continuous staff supervision.

h. Tools allocated to various departments within the MCF will be distinctly marked or etched for ready identification and to determine which department has responsibility.

i. Prisoner utensils and culinary tools must be inventoried after each meal .

j. Broken, damaged, or worn tools must be turned in to the responsible supervisor for disposal. The responsible supervisor must account for all pieces and parts of a broken tool prior to its disposal.

k. Missing or lost tools must be reported immediately to the CDO or DBS. In the event of lost, misplaced, or stolen tools, an investigation must be conducted immediately and a search must be conducted in an effort to locate the missing tool(s). A report of the lost, missing, or stolen tool(s) will be forwarded to the brig officer or designee as soon as possible, but no later than the end of the shift in which the tool(s) were noted missing.

4305. Vehicle and Equipment Control

1. Authorization for entry of any vehicle into the MCF compound is contingent upon consent to search. No personal vehicles are authorized within the security perimeter. All vehicles entering

or leaving the security perimeter must be carefully searched. A staff member will remain with the vehicle the entire time it is in the security perimeter unless the compound is clear of all prisoners. Containers entering the compound must be searched unless they were banded or sealed at a point of shipment and have not since been opened. Laundry, trash, and other containers must be searched before leaving the compound. All vehicles that remain in the security perimeter overnight must be disabled with security safeguards implemented per local policy.

2. Vehicles parked in the MCF staff or visitor parking area must be locked, keys removed, and windows fully closed.

4306. Flammable, Toxic, and Caustic Substance Control. Supplies, which may be dangerous, must be stored and secured per applicable Navy or Marine Corps policy, Navy Occupational Safety and Health standards, and reference (h).

1. Definitions

a. Flammable or Combustible. Flammable materials, liquids with a flash point below 100 degrees Fahrenheit.

b. Toxic. Materials or substances that through chemical reactions or mixture can produce possible injury or harm to the body by entering through the skin, digestive tract, or respiratory tract (e.g.; zinc, chromate paint, ammonia, chlorine, antifreeze, herbicides, and pesticides).

c. Caustic. Materials or substances that can destroy or eat away by chemical reaction (e.g.; lye, caustic soda, sulfuric acid).

d. Medical Supplies. Everything containing a narcotic or alcohol requires special handling and accounting. Refer to chapter 10 of this manual for further information on medical supplies.

e. Flavoring Extracts, Spices, and Food. When the MCF operates its own dining facility, close supervision by dining facility personnel must be maintained to prevent theft of material for making alcoholic beverages or weapons.

2. Control

a. Handling. If a material or substance possesses more than one of the above definition properties, the safety requirements for all applicable properties should be considered. Prisoners must never possess such items unless they are under the close supervision of qualified staff. Substances that do not contain one or more of the above properties but that are labeled "Keep Out of the Reach of Children" or "May Be Harmful If Swallowed" is not prohibited; their use and control, however, will be addressed in local policies. Safety data sheets must be maintained as applicable. Personnel handling flammable, toxic, or caustic materials must use appropriate personal protective equipment and be trained in their proper use.

b. Storage. All flammable, toxic, and caustic materials must be stored in secured areas that are inaccessible to prisoners and a prescribed system must be used to account for their distribution. Fuel (e.g.; gasoline or diesel) will be stored outside the MCF. If stored within the security fence line perimeter, hazardous material (HAZMAT) must be stored in locked authorized HAZMAT containers. HAZMAT items must only be brought into the security perimeter when necessary and then only in the amounts needed for the immediate work on hand and managed under staff supervision.

c. Safeguards. Staff will not introduce any form of unauthorized flammable, toxic, caustic material or substance into the security perimeter.

4307. Weapons. Immediate medical examination and treatment is required in all instances involving the use of a weapon. A written report detailing the use of force involved, detailing prisoners, staff, or others involved, and to describe the nature of the offense must be submitted to the MCF CO or designee no later than the conclusion of the tour of duty when any weapon or chemical agent is used. If injury or adverse public reaction occurs, an interim telephonic report must be made immediately to BUPERS-00D or DC PPO with follow-up reports as soon as additional information becomes known.

1. Restrictions. The MCF CO must ensure proper training of staff prior to employment of any weapons within the MCF. Firearms, ammunition, non-lethal, or chemical riot control

equipment will only be allowed inside the security perimeter of the MCF when specifically authorized by the MCF CO, or higher authority, and then only to prevent or stop a riot or major disturbance. The officer authorizing such use will ordinarily be physically present during the period of authorized use.

2. Firearms. Use of firearms must be authorized by the MCF CO, or higher authority, only as a last resort. The MCF CO must ensure all MCF personnel authorized to use firearms receive appropriate training and demonstrate competency in their use before being assigned to a post involving the possible use of such weapons. Weapon competency will be renewed at least annually (each 12-month period rather than calendar year). Firearms training should be conducted using a systematic curriculum and be appropriately documented. Firearms must be used only to prevent serious injury, loss of life, or to protect staff or prisoners who are held as hostages. Persons must not be fired upon to prevent their escape unless in their efforts to escape, they harm or threaten to harm others seriously, or in any other way endanger the lives of others. Orders to halt will be given first. Warning shots will not be fired. Firearms must be used only by personnel qualified in their use.

3. Batons. Batons of any type (e.g., riot batons, asps, Monadnock PR-24, etc.) may be considered deadly weapons if used improperly. The MCF CO, or higher authority, may authorize their use only when the degree of force that can be applied by hand is inadequate to quell violence or control unruly prisoners. When authorized, the minimum force necessary to control the situation will be applied. Specific training and annual certification is required.

4. Non-Lethal. Use of non-lethal weapons may be authorized by the MCF CO or higher authority. The Marine Corps has been designated as the executive agent for the DoD Joint Non-Lethal Weapons (JNLW) Program for the responsibility in providing program recommendations and for estimating and coordinating JNLW requirements. Due to the array of applications available and unique scenarios appropriate for their use, pre-selection of such weapons or munitions is required. Purchase of non-lethal weapons for use by MCFs must first be authorized by BUPERS-00D or DC PPO. The MCF CO must publish policy governing training requirements and application consistent with JNLW Program guidelines.

5. Arms Locker. An arms locker must be provided outside the security perimeter for the storage of weapons carried by personnel who visit the MCF. An arms clearing trap must be provided outside the security perimeter to safely clear all weapons prior to storage in the arms locker. Instructions on the safe loading and unloading of common types of firearms utilized must be posted to assist personnel in the safe loading and clearing of their firearms.

4308. Chemical Agents. Chemical agents may be used only upon order of the MCF CO, or higher authority, and only by a person trained in its use. All personnel authorized to use chemical agents must receive thorough training in their use and in the treatment of individuals exposed to a chemical agent. A special training curriculum will be established that includes both individual and group instruction by competent authorities. A trained riot force of the MCF must be utilized. Oleoresin Capsicum (OC) and Ortho-Chlorobenzylidene Malonitrile (CS) gas may be used in all MCFs, with the exception of overseas facilities where OC or CS gas is prohibited by the status-of-forces agreement with the host nation. OC and CS gas must be inventoried and weighed at least monthly and after each use to determine condition, amounts available, and expiration dates. A record must be maintained on the use of OC or CS gas during disturbance control, training, or accidental release to monitor the number of individuals exposed and any attributed adverse outcomes. Immediate medical examination and treatment is required in all instances involving the use of a chemical weapon. A written report detailing use of force involved, detailing prisoners, staff, or others involved, and to describe the nature of the offense must be submitted to the MCF CO or designee no later than the conclusion of the tour of duty when any chemical agent is used. If injury or adverse public reaction occurs, an interim telephonic report must be made immediately to BUPERS-00D or DC PPO with follow-up reports as soon as additional information becomes known. Additional restrictions and responsibilities are provided below.

1. OC Spray. Exposure to OC spray may cause respiratory failure in susceptible individuals. If the situation and time allow, medical records will be reviewed to determine at-risk prisoners prior to deployment of OC. Ensure MCF staff members are appropriately trained in basic life support procedures before using OC spray.

2. CS Gas. CS gas may be used when there is a large number of rioters so situated that their removal would be hazardous to other prisoners or staff members. CS gas will not be authorized in conjunction with any other chemical agent.

a. Sufficient CS gas must be used at the first attempt to quickly break-up all resistance. Minimum effective amounts and maximum amounts that can be safely used in any given area must be computed in advance and be maintained as part of the riot control plan.

b. Provisions for equipment and personnel must be made for a follow-up action. CS gas will likely break the resistance, but prisoners may have to be forcibly removed. A follow-up squad equipped with gas masks must be ready to enter the affected area.

c. CS gas must be permitted to develop fully but not to dissipate before sending in follow-up squad(s).

4309. Instruments of Restraint. Instruments of restraint are never applied as punishment, discipline, coercion, convenience, or retaliation by staff and are applied only with the approval of the MCF CO or designee. Instruments of restraint should be used only as a precaution to prevent escape during transfer, for medical reasons if directed by the medical officer, or to prevent self-injury, injury to others, or property damage. Restraints should not be applied for more time than is necessary.

1. Definitions

a. Ambulatory Restraints. Corrections-related restraint equipment (as opposed to medical-related) that limits movement of body extremities without preventing the prisoner from moving about an area (also referred to as "walking restraints"). Ambulatory restraints generally allow the prisoner to eat, drink, move, and take care of basic human needs with no or minimum staff intervention.

b. Authorized Restraints. Restraints authorized by BUPERS-00D or DC PPO include steel handcuffs, leg irons, and waist chains (referred to as "hard restraints"), transportation

or restraining belts, “body cuff universal restraint system,” and other restraints (referred to as "soft restraints").

c. Full Restraints. Full restraints include the collective use of steel handcuffs, leg irons, and transportation or restraining belts.

d. Progressive Restraint. Use of the least restrictive restraints deemed necessary to control the prisoner (e.g.; first use hand irons, then leg irons, then transportation or restraining belts, etc.). When MCF design supports single cells within the general population quarters, progressive restraint may also include de-escalation interventions such as staff directing a disruptive prisoner to return to his or her cell for a “cool down” period. Based on the prisoner’s behavior, more or less-restrictive restraints and transportation belts may be used.

e. Soft Restraints. Soft restraints are made of material such as Velcro, vinyl, plastic or leather and designed to prevent excessive movement of the prisoner’s body part to which they are attached in order to prevent the prisoner from Self-harm. Select soft restraints may also be considered “authorized restraints” when specifically authorized for use by BUPERS-00D or DC PPO.

f. Therapeutic Restraints. Therapeutic restraints include restraint equipment directed by a medical officer, most often a psychiatrist. Therapeutic restraints may include, but are not limited to, ambulatory soft restraints and immobilizing restraints such as “four-point” or “five-point” restraints, or a restraining chair. Immobilizing restraints secure the prisoner in such a way that the prisoner is prevented from self-rising, using toilet facilities, drinking, or eating. The use of four-point or five-point restraints is not authorized in MCFs but may be utilized during hospitalizations as prescribed by health care authorities. Medical, vice correctional, policy and regulation applies for use of therapeutic restraints. Neither the MCF CO nor staff have the authority to authorize the use of these restraints within MCFs.

2. Procedure

a. The MCF CO or designee is responsible for implementation

of all aspects of prisoner ambulatory restraint policy and management with one exception. A military judge may direct restraints to be removed from a prisoner in the courtroom (and that the prisoner remain unrestrained while in the courtroom) if, in the judge's opinion, such restraint is deemed unnecessary.

(1) This exception does not extend to legal visits such as prisoner and attorney meetings occurring outside of court-martial proceedings.

(2) The MCF CO or designee is the approving authority (with exception to military judges as noted above) for any request to remove restraints outside of the MCF's security perimeter.

(3) Upon conclusion of court-martial, pretrial prisoners may be awarded "time served" or found "not guilty" resulting in pending release from confinement. In these instances, prisoners should be properly restrained based on their custody classification and returned to the MCF for out-processing and permanent release.

b. The MCF CO may delegate restraint authority to security personnel. MCF CO's will employ use of progressive restraint consistent with governing policy and guidance herein.

c. Restraint policy and guidance associated with prisoner custody classification is found in article 4201.2 of this manual.

d. The use of restraints on female prisoners during the active labor and delivery of a child is prohibited. Any deviation from this policy requires approval by, guidance on, and methodology from, the medical officer directing use of restraints and is based on serious security risks.

(1) The medical officer will provide guidance on the use of restraints on a pregnant prisoner prior to active labor and delivery.

(2) Restraints used on pregnant prisoners prior to active labor and delivery should not put the pregnant prisoner nor the fetus at risk.

e. Restraint equipment will be applied only for appropriate purposes and per applicable procedures. Staff and prisoner escorts must be specifically trained to each type of locally available authorized restraint.

f. Restraints may be authorized when regaining control during a disorder or when a prisoner is violent or escape-minded. If restraints are used because of a disorder or on a violent or disruptive prisoner, the brig officer will be notified immediately. The brig officer or designated senior security personnel will make an immediate on-site visit to observe that the use of restraints is appropriate and, where warranted, will report that use to their immediate superior in command. An incident report, a use of force statement, voluntary statements (including medical), and an updated scars and marks form must be submitted by the end of shift in all cases where restraints are applied in a non-routine use. In any case, senior security personnel will ensure restraints are removed as soon as practical.

g. Care will be taken not to unnecessarily display restrained prisoners to the public during transportation.

h. Staff may apply restraints to a prisoner who continues to resist after staff achieves physical control of that prisoner and may apply restraints to any prisoner who is placed under control by use of force (e.g., forced cell move). If a prisoner in a forcible restraint situation refuses to move to another area on his or her own, staff may physically move that prisoner by carefully lifting and carrying the prisoner to the appropriate destination. Staff members must not use the restraints for lifting or carrying a prisoner.

i. In circumstances when immediate use of restraints is required for control of the prisoner, the MCF CO or designee may require a prisoner to be restrained while in a cell or authorize restraints to remain on a prisoner once placed in a cell. Leaving prisoners restrained and unattended in a cell by themselves must not be authorized. Use of restraints on a prisoner in a cell must not be used unless a staff member directly and continually monitors the prisoner face-to-face. Staff must be cautioned and trained regarding the potential of injury to prisoners who are in restraints while in a cell by

themselves. Injury can result from situations where prisoners fall and are not able to protect themselves from harm because of restricted movement.

j. Restraint equipment or devices must be used as designed and may not be used in any of the following ways:

(1) About a prisoner's neck or face or in any manner that restricts blood circulation or obstructs the prisoner's airway. Binding must never be placed around a prisoner's mouth, nose, and neck, or so tight to a limb that circulation is restricted. Staff protective gear generally provides sufficient insulation from a prisoner's spitting or biting; therefore, no effort should be made by use of towels, sheets, blankets, hosiery, masks or any other devices to prevent a prisoner from spitting or biting. However, when endorsed by a medical officer and approved by the MCF CO, the use of a medical mask may be authorized on a prisoner.

(2) In a manner that causes unnecessary physical pain or extreme discomfort and:

(a) Staff in general and supervisory personnel in particular must ensure that unnecessary pressure is not placed on a prisoner's body in applying restraints (e.g.; the prisoner's chest, back, or neck). While the proper application of restraints may result in some discomfort, examples of prohibited uses of restraints would include, but are not limited to: "hog-tying;" unnecessarily tight restraints; improperly applied restraints; or unauthorized restraints. Soft restraints, when specifically authorized by a medical officer, should only be used when all lesser measures to prevent the prisoner from harming him or herself are not working or such use is in the interest of safety. Helmets may also be considered as protective devices. Videotaping the application of restraints during a forced-cell move or for self-injurious prisoners is a good practice. Having medical personnel observe and examine the prisoner after application is also good practice.

(b) Restraints will be administered in a natural body position. If restrained in a supine position (face up), head should be free to rotate from side to side and, when possible, elevate head of bed to prevent risk of aspiration. Always avoid use of prone position (face down) due to

possibility of a prisoner's airway becoming obstructed and lung expansion being restricted.

(4) To secure a prisoner to a fixed object, such as a cell door, cell grill, or vehicle component

k. De-escalation Interventions

(1) The effective handling of aggressive prisoners is one of the most demanding aspects of working in corrections. It is an area where good interaction and communication skills are required. The majority of situations, where there is a potential for violence, can be handled through effective communication. Staff must be trained to recognize the signs of aggression (e.g.; standing tall, red faced, raised voice, rapid breathing, direct prolonged eye contact, exaggerated gestures) and reasons for aggression (e.g.; frustration, unfairness, humiliation, immaturity, excitement, learned behavior, reputation, means to an end, decoy).

(2) Staff faced with aggressive prisoners should seek to defuse the situation as they continually assess the risk of violence. Staff should be cautious to do nothing to further escalate the situation, yet maintain control of the situation. Training must be provided to staff in methods to: appear confident; display calmness; create some space; speak slowly, gently, and clearly; lower their voice; avoid staring; avoid arguing and confrontation; show that they are listening; and calm the prisoner. Staff should adopt a non-threatening body posture: use a calm, open posture (sitting or standing); reduce direct eye contact (as it may be taken as a confrontation); allow the prisoner adequate personal space; keep both hands visible; avoid sudden movements that may startle or be perceived as an attack; avoid audiences, as an audience may escalate the situation.

(3) When MCF design supports single cells within the general population quarters, progressive restraint may also include de-escalation interventions such as staff directing a disruptive prisoner or prisoners to return to their cell for a "cool down" period. Such periods cannot exceed 30 minutes and all cases will be reported immediately to the CDO or DBS, be documented in the quarters supervisor’s log, and be brought to the attention of senior security personnel. Where warranted,

the CDO or DBS can extend the cool down period by an additional 30 minutes.

l. Staff and prisoner escorts should be thoroughly trained in the use of locally authorized restraints. Restraints can be cumbersome to apply and harmful to a prisoner if proper training is not provided. In the rare cases where restraint is required for pregnant prisoners, an approved vinyl or leather restraint belt should be used instead of a metal waist chain, whenever possible, to prevent injury to the prisoner or fetus. Where a metal waist chain is directed for use on a pregnant prisoner, where possible, medical personnel should check for proper application.

m. All prisoners in restraints, internal or external of the MCF, must be under direct and continuous observation, supervision and, if under movement, assisted control.

n. To support prisoner escorts, restraint guidance for use on a specific prisoner must be indicated in the "Remarks" field (block 6) of DD 2708 Receipt for Pretrial/Post-Trial Prisoner or Detained Person.

o. Requests for use for other than traditional "hard restraints" must be forwarded to BUPERS-00D or DC PPO with pictures, design intent, technical specifications, application procedures, and training curriculum. For audit purposes, authorizations must be retained locally and readily available for review.

3. Staff Training

a. Brig officers will ensure all correctional staff, to include support staff and prisoner escorts, are thoroughly trained in the policy, application, and use of available authorized restraint equipment and such training will be inclusive within pre-service and in-service training programs and documented within staff training records.

b. At a minimum, restraint-related training should include such issues as: restraint terminology; types of restraints; staff authorized to direct restraints; proper procedures for applying and removing restraints; de-escalation interventions; communication skills; role of the medical officer; terminology,

physiology, and medical risks associated with the application and the use of restraints; procedures for lifting or carrying a restrained prisoner; supervision, movement, and monitoring prisoners in restraints; measures to reduce the risk for asphyxia and death; and legal implications and liability.

## Section 4. Disturbances and Emergencies

### 4401. Prevention of Disturbances

1. There are causes for all disturbances. Trouble may be indicated when prisoners become restless and flare-up easily or when they avoid contact with staff members. Excessive numbers of disciplinary reports, requests for work or housing changes, and suicide attempts are indications of potential trouble and must be investigated. To eliminate incidents that could result in a riot or disorder, staff should be able to observe and detect tensions and unrest among prisoners and report them promptly. Frequent causes of disturbances are mistreatment, untrained staff, failure to separate problem prisoners, and improperly prepared or served food.

2. When an incident or disturbance occurs, staff members must identify individual prisoners involved and report their actions. Immediate identification and isolation of leaders may prevent development of a major disturbance. Staff members will be trained in the exercise of patience in the control of troublesome groups. Unnecessary use of force or arbitrary actions may precipitate a disturbance.

3. Each MCF must implement adequate disturbance and emergency plans, and all MCF staff must be trained in their implementation. Work stoppage and riot or disturbance plans are communicated only to appropriate supervisory or other personnel directly involved in the implementation of those plans. An annual review of all disturbance and emergency plans must be an essential element of staff pre-service and in-service training. New staff must be thoroughly familiar with all disturbance and emergency plans prior to their permanent post assignment.

4. The principles of Incident Command System for Corrections (ICS-C) will be followed in the development and implementation of emergency bills. The ICS-C is based upon the National Incident Management System (NIMS) protocols, which identify

steps for improved coordination in response to incidents that impact correctional operations. The result of the basic protocols is emergency management and incident response systems that provide a common operating picture, to include common incident response procedures, communication and language spoken, and universal priorities which applies across the spectrum of response agencies and departments whether Federal, State, local, or tribal governments. NIMS protocols directly relate to corrections and detention settings.

4402. Controlling Disturbances

1. Staff personnel must avoid use of force where the assigned responsibilities can be effectively discharged without its use. If security cannot be accomplished without the use of force, personnel will use the minimum amount of force necessary to control the situation.

2. When deciding a course of action, consideration must be given to general public safety, safety and welfare of hostages (if any), prevention of loss of life or injury to other personnel, prisoner welfare, and protection of property.

4403. Priorities of Force. Use of physical force is restricted to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, and to maintain or regain control, then only as a last resort per this manual. When use of force is necessary, it will be exercised according to priorities of force and limited to the minimum degree necessary under the particular circumstances. All instances requiring the use of force must be fully documented. Use of firepower is justified only when ordered by the MCF CO or higher authority, under conditions of extreme necessity as a last resort, and when all lesser means have failed or cannot be reasonably employed. Examples of such circumstances are stated in article 4404 of this manual. The application of any or all of the priorities of force listed or the application of a higher priority of force without first employing a lower priority of force will depend on and be consistent with the situation encountered during any particular disorder. Priorities of force and who may order them are as follows:

| **Priority of Force** | **Who May Order (billet)** |
|---|---|
| An order | Any staff member |
| Show of force (condition or code) | Any staff member |
| Show of force (organized) | Brig officer or authorized representative |
| Use of physical force (individual) | Staff member in self-defense or CDO or DBS |
| Use of physical force (organized) | Brig officer or authorized Representative (if immediate action is required; otherwise CO |
| Chemical agents (OC spray) | CO |
| Use of batons | CO |
| Non-lethal munitions or use use of high pressure water water | CO |
| Fire by selected marksmen or full firepower | CO |

4404. Deadly Force. Deadly force is defined as that force which is used with the purpose of causing, or which a person knows or should know would cause, a substantial risk of death or serious bodily harm.

1. The following are examples of extreme situations where use of deadly force may be directed:

a. To protect citizens, staff personnel, or hostages when a reasonable belief exists that they are in imminent danger of death or serious bodily harm; or

b. To prevent the commission of a serious offense involving violence and the threatened death or serious bodily harm to another prisoner

2. The CO must verify that all elements of intent, capability, and opportunity are in place prior to application of deadly force.

a. Intent. Threat or will of a person to cause injury to another

b. Capability. A means to carry out the threat; i.e., a weapon of some sort

c. Opportunity. Space in which a subject is in to complete the threat. Subjects with knives cannot injure individuals 50 yards away; however, if they had pistols the situation changes.

4405. Emergency Response Plan. The MCF emergency response plan will be prepared to ensure the safety of staff and prisoners in the event of an emergency and reviewed annually. At a minimum, the MCF must publish the following required bills; fire, escape, riot, hostage, natural disaster, work stoppage, hunger strike, and bomb threat. MCF staff must be trained in the implementation of written emergency response plans during pre-service and in-service training. Emergency response plans will specify the means for immediate release of prisoners from locked areas in case of an emergency requiring evacuation and provide for a back-up system in case the primary system fails. These plans must be safeguarded to ensure prisoners do not have access.

1. Fire Bill. Fire bills will provide for the following:

a. Secure and prompt evacuation of all personnel to a pre-selected control point and the means for the immediate release of prisoners from locked areas in case of emergency and provide for a back-up system of release;

b. Availability of efficient firefighting equipment at all times;

c. Modern, portable fire extinguishers in close proximity to all living quarters and at other strategic locations, as determined by the fire marshal;

d. Keys to emergency exits properly controlled and distinctly marked;

e. Availability of portable floodlight equipment;

f. Prisoners will be trained in fire evacuation procedures;

g. Prominent posting of primary and alternate evacuation routes and use of exit signs and directional arrows for traffic flow as information to staff and prisoners in quarters and administrative spaces;

h. Fire drills to be conducted at least monthly and recorded in the brig log;

i. All fire bills must be coordinated with and approved by the installation fire department. Fire bills must be reviewed annually, updated if necessary, and re-approved by the installation fire department; and

j. Detailed plan of building(s) for fire department only.

2. Escape Bill. All precautions must be taken to prevent the escape of prisoners. Reasonable precautions include proper custody classification of prisoners, adequate instruction and supervision of staff, alertness of all staff members, a system of security inspections, and issuance of an adequate escape bill. All staff members and prisoner escorts from other activities or units must be familiar with procedures to be followed in the case of an escape or attempted escape. In the event of an escape, or attempted escape, action as outlined below must be taken.

a. Attempted Escape from a MCF. If a prisoner attempts to escape from inside the MCF, take action in the following order:

(1) Command the prisoner to “halt” and repeat the command one time, if necessary.

(2) If unsuccessful using the command "halt," prevent the escape by physical pursuit and restraint as may be necessary under the circumstances.

(3) An escape, whether successful or unsuccessful, will tend to cause unrest and could lead to a disturbance. Care must be taken to ensure a proper count is conducted and the daily routine is resumed as soon as possible; and

(4) If the prisoner is injured when captured, request medical assistance immediately.

b. Attempted Escape from an Escort. If a prisoner tries to escape from an escort outside the MCF or if the person refuses to obey an order to remain with the detail, the escort will attempt to restrain the prisoner with any effective means at hand, provided it can be done without jeopardizing control over the remaining prisoners in the detail. If the prisoner successfully escapes, the escort will move the remaining prisoners to the nearest means of communication, report the incident to the MCF and request instructions.

c. Escape Bill Requirements. Specific procedures that can be used quickly when an escape occurs should be made available to all staff. Procedures must include the following: prompt reporting of the escape to the MCF CO; mobilizing of staff; implementing of a predetermined search plan; notify base security or provost marshal's office; higher headquarters; public affairs office; preparing of escape circulars for distribution and mailing; and, after apprehension of the escapee, promptly notify all who were previously alerted to the escape. Additional considerations include:

(1) Procedures for reporting absence of a prisoner and sounding the alarm without loss of time;

(2) Maintenance of an up-to-date list of all staff members with addresses and telephone numbers so they can be recalled when needed (emergency recall bill). The recall roster must be safeguarded to ensure compliance with personally identifiable information requirements and tested every quarter, at a minimum, to verify accuracy of recall numbers and response time of staff members;

(3) A listing of escape posts to be manned while the search is in progress. These may be divided into groups that provide for coverage according to areas and known circumstances;

(4) Escape post-specific instructions will be provided for each staff member assigned to an escape post. Instructions will include post number, location of nearest law enforcement agency, and any other information that will assist staff members when they arrive on the post. Portable communication will be issued for each escape post;

(5) Provisions for notification of military and civil law enforcement agencies in the area when an escape has occurred and their notification upon apprehension. The applicable Service Deserter Information Point (DIP) will be notified immediately via telephone with a message to follow the next working day, and DD 553 Deserter/Absentee Wanted by the Armed Forces will be completed and forwarded to the Service DIP by the most expeditious means available. The below points of contact are provided:

(a) USN: Toll free (877) 663-6772
Commercial (901) 874-2522

(b) USMC: Commercial (703) 604-0395, 6666

(c) USA: Commercial (502) 626-3711

(d) USAF: Toll free (800) 433-0048
Commercial (210) 565-3727

(6) Provisions for picking-up personnel assigned to outlying posts and for turn-in of equipment;

(7) Provisions for not disrupting unrelated activities of the installation or station; and

(8) Provisions for securing and preserving any evidence of, or related to, the escape.

3. Riot Control Bill

a. Personnel assigned to riot control response units must be properly equipped and trained in local riot control measures.

b. Each team must be given specific instructions in the course(s) of action to be followed.

c. An assessment of the situation must be made before committing personnel to a condition that could result in a hostage-taking situation. Reinforcements must be called as necessary to handle the situation and they will be assembled as soon as they arrive. This delay can be used to plan the operation and determine immediate objectives. Outer perimeter must be secured.

d. Chemical agents may be used as directed by article 4308 of this manual.

e. Prior arrangements must be made for appropriate emergency response units, not assigned to the MCF, to secure the outside perimeter of the MCF to prevent escape during the period of time spent in forming and briefing the MCF riot squad. Practice drills must be held on a periodic basis. Kind and amount of force used will be directed by the situation. A standby reaction force will be employed as required.

f. Riot control bills must provide for the following:

(1) Sounding the alarm;

(2) Basic procedures for dealing with riots in the mess hall, recreation area, auditorium, or any place where large numbers of prisoners normally gather; and

(3) Instructions for identifying, separating, and housing agitators and ringleaders

g. Provisions for notifying the MCF CO; security, fire, and utilities departments; public affairs; and staff members (emergency recall bill) who may be needed in controlling the riot

h. Safety measures for staff and prisoners who are not participants

i. Provisions for the protection of property

j. Taking immediate steps to close the security perimeter to any avenue of escape or breaching

k. Procedures for localizing the disturbance

l. Procedures to be followed in the event of a hostage-taking situation

m. Procedures for permitting withdrawal from the affected area by prisoners not wishing to participate

n. Provisions made for securing communications facilities, heat, water, and main electrical controls

o. Cause of the disturbance will be ascertained if possible. Rioters may be conferred with, but no promises will be made regarding any demands other than they will have a fair hearing. Use of a formally trained negotiator must be provided for in the emergency bill, but senior decision-making personnel must not become directly involved in negotiations with prisoners.

p. Personnel will be instructed to closely observe actions of the prisoners in order to provide future evidence concerning the agitators and ringleaders.

q. Use of cameras and video recording is encouraged during disturbances as they can serve as a deterrent, as well as providing graphic evidence in the case of future disciplinary hearings. A bullhorn, video camera, and tape recorder are practical equipment to have available for disturbances.

r. Detailed plan of building(s) (blueprint or video)

s. Steps must be taken as soon as the disturbance is under control to ensure no one has escaped and that the physical plant of the MCF is secure.

(1) Segregate all prisoner participants of the riot and assign sufficient supervision to prevent a recurrence of the disturbance.

(2) Account for all prisoners and involved staff.

(3) Provide extra supervisory personnel in all quarters and mess hall until it is certain the disorder is completely subdued.

(4) Segregate all prisoner leaders and agitators in the RHU pending investigation.

(5) Curtail all work and recreation activities, if necessary, and rearrange dining schedules so it is possible to provide adequate supervision for small groups of prisoners.

(6) Conduct a thorough investigation of the incident.

(7) Photograph all damaged areas and destruction before making repairs.

(8) Arrange for repair of damage to the MCF's physical plant and equipment.

(9) Debrief staff members.

(10) Evaluate use of traumatic stress teams.

4. Hostage Bill. Proper training of all staff members and specialized training of hostage reaction teams is imperative. A person, regardless of grade, held hostage has no authority. All orders received from an individual under duress or being held hostage will be referred to the applicable (non-hostage) staff member in the chain of command before being acted upon.

5. Natural Disaster Bill

a. If a MCF is not secure enough to withstand natural disasters, prisoners and staff may be evacuated prior to the final alert stage or condition. Pre-planning and coordination must be made with BUPERS-00D or DC PPO as appropriate.

b. Disaster bills must include the following:

(1) A secure area or structure must be predetermined for the security and prompt evacuation of all personnel

(2) Evacuation routes must be carefully predetermined for security and prompt evacuation of all personnel and take into account natural and manufactured barriers along the route

(3) Emergency food, water, first-aid supplies, fuel, and communications planned for either evacuation site or remain-in-place operations (3-day supply)

(4) If time permits, individual prisoner records will accompany personnel to the evacuation site.

(5) MCFs will be secured once evacuation is complete.

(6) Medical assistance must be provided for injured personnel.

(7) Procedures to account for all personnel and a plan to effect the orderly return to the MCF; and

(8) Working parties will be formed as necessary to repair damage and clear debris.

6. Civilian Work Stoppage Bill. A work stoppage occurs when civilian staff members actively demonstrate dissatisfaction by striking, calling in sick, and or creating work slowdowns or substandard performance.

a. Procedure. At a minimum, each MCF must maintain a work stoppage bill that includes:

(1) Continuity of operations based on the length of the adverse action(s);

(2) Security and safety;

(3) Communications with employees;

(4) Communication with the public affairs office; and

(5) Documentation of employee actions during adverse job actions.

b. After Action. At a minimum, upon resolution of a work stoppage, the MCF must:

(1) Devise a plan to release temporary assigned personnel from other commands;

(2) Resume normal MCF operations as soon as possible;

(3) Analyze cause of the action; and

(4) Analyze lessons learned for improvements.

7. Hunger Strike Bill. MCFs must publish a hunger strike bill consistent with the provisions contained within article 10201.6 of this manual.

8. Bomb Threat Bill. MCFs must prepare a bomb threat bill to react to bomb threats or explosions. Any type of bomb threat must be treated seriously and never ignored. All threats must be investigated before making a declaration that the threat is a hoax. The bomb threat bill must contain the following procedures:

a. Bomb threat by phone (bomb threat checklist);

b. Bomb threat by mail;

c. Suspicious items;

d. Event of an explosion;

e. Threat evaluation;

f. Bomb search procedures;

g. Bomb search techniques;

h. Evacuation;

i. Reporting or notification requirements; and

j. After action reports

**DEPARTMENT OF THE NAVY**
NAVAL CONSOLIDATED BRIG CHARLESTON
1050 REMOUNT RD, BLDG 3107
CHARLESTON. SC 29406-3515

UNITED STATES NAVAL
CONSOLIDATED BRIG CHARLESTON
CODE: 20
DATE: 14 JAN 2025

SOP: 401
SUBJECT: CLASSIFICATION
TITLE: CUSTODY CLASSIFICATION

Ref: (a) SECNAV M-1640.1
(b) ACA Standards **5-ACI-2B-02, 5-ACI-2B-03, 5-ACI-5B-01, 5-ACI-5B-02, 5-ACI-5B-03, 5-ACI-5B-04, 5-ACI-5B-05, 5-ACI-5B-06, 5-ACI-5B-07, 5-ACI-5B-08, 5-ACI-5B-09, 5-ACI-5B-11, 5-ACI-5B-12, 5-ACI-5F-03, 5-ACI-7A-09**
(c) NAVCONBRIG CHASN SOP 633
(d) NAVCONBRIG CHASN SOP 635
(e) NAVCONBRIG CHASN SOP 431

Encl: (1) 48 Hour Notice of Classification Form

Cancellation. NAVCONBRIGCHASNSOP 401 of 28 Jun 2023.

Effective date. Twenty-four hours after issue.

1. Purpose. To set forth policies and procedures governing objective classification for prisoner custody level.

2. Applicability. To all staff and prisoners.

3. Definitions

a. Classification. A process for objectively determining the level of security and program requirements for prisoners based upon existing resources.

b. Custody. The degree of supervision each prisoner requires.

c. Prisoner. An individual in naval confinement. This includes individuals in pretrial confinement.

d. Unit Team. The Unit Teams are appointed by the Commanding Officer and comprised, at a minimum, of a Unit Manager, Unit Counselor, and Quarters Supervisor (s).

e. Security Perimeter. That area within the confines of the facility walls and/or the dual twelve-foot fence.

4. Policy

a. Staff will determine the degree of supervision, restraint and control needed for individual prisoners. This will be based on individual interviews and a review of all available records as from intake, orientation, program plan development, and evaluation by staff. Initial classification actions will be completed by the Command Duty Officer (CDO). Reclassification actions will be completed by the Unit Team and Classification and Adjustment Board (C&A Board) and approved by the Brig Officer or designee.

b. A written policy, procedure, and practice provide for a written prisoner classification plan. The plan specifies the objectives of the classification system and methods for achieving them, and provides a monitoring and evaluation mechanism to determine whether the objectives are being met **(5-ACI-5B-01)**.

c. The classification system will specify the level of custody required and provides for a regular review of each classification **(5-ACI-5B-02)**.

d. The classification plan will provide for maximum involvement of representatives of relevant institutional programs and the prisoner concerned in classification reviews **(5-ACI-5B-03)**.

e. The institution or parent agency solicits and uses pre-institutional assessment information regarding the prisoner's progress and adjustment **(5-ACI-5B-04)**.

f. At initial classification, each prisoner will be assigned to a staff member to ensure supervision and personal contact; a unit team may perform this function **(5-ACI-5B-05)**.

g. The written plan for each prisoner classification status will be reviewed at least every 12 months **(5-ACI-5B-06)**.

h. The classification plan specifies criteria and procedures for determining and changing a prisoner's program status; the plan includes at least one level of appeal **(5-ACI-5B-07)**.

i. Unless precluded for security or other substantial reasons, all prisoners appear at their classification hearing and are given notice 48 hours prior to the hearing; such notice may be waived by the prisoner in writing **(5-ACI-5B-08)**.

j. Prisoners may initiate a review of their progress and program status by submitting a request to their unit team **(5-ACI-5B-09)**.

k. Special needs prisoners will be identified by receiving personnel, clinical, medical, or unit team staff or other qualified personnel **(5-ACI-5B-11)**.

l. Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults will not reside in the brig **(5-ACI-5B-12)**.

m. The maximum size of a single management unit is variable and is based upon the characteristics of its prisoner population but does not exceed 80 prisoners. The exact size of each management unit is determined by (1) the security classification of the prisoner occupants (higher security levels require smaller unit size), and (2) the ability of staff to complete regular security checks, maintain visual and auditory contact, maintain personal contact and interaction with prisoners, and be aware of unit conditions **(5-ACI-2B-03).** The Brig rated capacity is 175 which is designated by PERS-00D.

n. Security and program determinations necessary for any individual to be eligible for industries work are made by the unit team and the C&A Board, as outlined in ref (d) **(5-ACI-7A-09).**

o. Graduated release through a systematic decrease in supervision and corresponding increase in prisoner responsibility will be considered during the classification process **(5-ACI-5F-03).**

p. Staff and prisoner interaction are encouraged. Brig staff, particularly Unit Teams, follow the unit management system which provides staff with the authority to make decisions, and the ability to make recommendations regarding security, classification, services, and programs for prisoners as out lined in ref (c) **(5-ACI-2B-02).**

q. A graduated release through a systematic decrease in supervision and corresponding increase in prisoners responsibility is part of the classification program **(5-ACI-5F-03).**

r. The security and program determinations necessary for any individual to be eligible for industries work are made by the Classification and Assignment Board **(5-ACI-7A-09).**

5. Procedures

a. Initial Custody Classification. The initial custody classification is conducted during the reception process by the CDO using pre-institutional assessment regarding progress and adjustment **(5-ACI-5B-05).** The facility solicits and uses pre-institutional assessment information regarding the prisoner's progress and adjustment **(5-ACI-5B-04).** The CDO shall ensure the following are completed:

(1) Complete Prisoner Background Summary DD Form 2710.

(2) Complete Initial Custody Classification Form DD Form 2711.

(3) Determine prisoner level of custody and identify any special needs or problems **(5-ACI-5B-11).**

(4) An initial custody classification of MDI will be assigned to all pre-trial and post-trial prisoners, except when MAX is required due to special circumstances. Under no circumstances should a prisoner have an initial classification of MDO/MIN/IC.

(5) Classification actions are entered into the Corrections Management Information System (CORMIS).

(6) All prisoners shall be initially assigned to the Special Quarters' Chief to ensure supervision and personal contact, pending clinical/medical clearance and urinalysis. Once cleared, the prisoner will be assigned to the Orientation Housing Unit. **(5-ACI-5B-05).** **Transient prisoners will remain in Special Quarters until transfer is affected.**

(7) Policy, procedure, and practice provide for a written prisoner classification plan. The plan specifies the objectives of the classification system and methods for achieving them, and it provides a monitoring and evaluation mechanism to determine whether the objectives are being met **(5-ACI-5B-01).**

(8) Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults will not reside in the brig **(5-ACI-5B-12).**

b. Prisoner Notification. Unless precluded for security or other substantial reasons, all prisoners will be given the opportunity to appear at their classification hearing. They will be notified in writing at least 48 hours before the next Classification Review, using enclosure (1). Prisoners may waive the 48 hour notice and/or their right to appear at the hearing **(5-ACI-5B-05).** The right to appeal the outcome to the Commanding Officer is retained even if the prisoner declines to appear. Unless precluded for security or other substantial reasons, all prisoners appear at their classification hearing and are given notice 48 hours prior to the hearing; such notice may be waived by the prisoner in writing **(5-ACI-5B-08).**

c. Custody Reclassification. Custody reclassification shall be focused on the graduated release through a systematic decrease in supervision and corresponding increase in prisoner responsibility **(5-ACI-5F-03).**

(1) After orientation, prisoners will be reviewed by the Orientation Unit Team for placement in the general population, custody, housing, work, and special programs. Reclassification will be done if the following occurs:

(a) Meeting time requirements listed in paragraph (d) below.

(b) A guilty finding from a Discipline and Adjustment Board.

(c) Receipt of more than three negative spot reports within a 90-day period.

(d) After movement from disciplinary segregation.

(e) Any time determined appropriate by a unit team member or at the prisoner's request.

(2) To effect a reclassification review; the Unit Team will:

(a) Complete the Custody Reclassification Form DD Form 2711-1. This form is verified by the Unit Manager with input from the Unit Team. If the Unit Team agrees with the objective recommendation, "no" is circled on the override line. If the C&A Board disagrees recommendation, "yes" is circled with the override code and rationale written on the form for review by the Brig Officer. Override of the objective classification recommendation will be determined by the Brig Officer. An override will normally increase/decrease the custody by one level unless otherwise approved by the Brig Officer.

(b) Determine change in custody level and housing assignment.

(c) Notify the prisoner of the unit team decision.

(d) Forward form to Brig Officer via the Classification and Adjustment Board (C&A Board), a multi-disciplinary board, in accordance with SOP 635, and place completed form in the prisoner's file after Brig Officer's approval **(5-ACI-5B-03)**.

(e) Input the classification actions into CORMIS after final approval is received.

d. Time Schedule for Reclassification. In accordance with reference (b), reclassification of prisoners will be accomplished by the Unit Team as follows **(5-ACI-5B-02) (5-ACI-5B-06)**:

| Criteria | Pretrial | Post-Trial |
|---|---|---|
| At completion of orientation or upon change in legal status | Maximum Custody | All |
| Every 30 Days | Maximum Custody | Maximum Custody |
| Initiated by staff recommendation to change custody classification to a higher/more restrictive level based on identification of risk, other salient factors or management problems. (e.g., MDI to MAX) | Medium-In Custody | All except Maximum Custody |
| Initiated by staff recommendation to change custody classification to a lower/less restrictive level based on performance, risk or other salient factors. (e.g., MDI to MDO) | N/A | All except Installation Custody |
| Quarterly* | N/A | Medium-In, or those with sentences of one year or less |

| | | |
|---|---|---|
| Semi-annual* | N/A | All with sentences of 1 to 3 years |
| Annual* | N/A | All with sentences over 3 years |

*Reclassification may also be conducted based on review of the prisoner's hard-card, work evaluations, disciplinary actions, or other performance or security issues. This review is initiated by the Unit Team at its weekly meeting, which reviews prisoner hard-cards and other related performance information. A review of the prisoner program plan will also be conducted at least annually and documented in CORMIS.

e. Prisoner Initiated Reclassification. Prisoners may initiate a review of their progress and program status, and custody classification at any time by submitting a DD Form 510 request to their unit team **(5-ACI-5B-09)**. If a request for custody classification is received, the Unit Team will assess the prisoner and make a recommendation to the C&A Board. The C&A Board will review the prisoners request and Unit Team recommendation, and forward their recommendation to the Brig Officer for approval.

f. Guidelines for Custody Reclassifications. The Unit Team shall take into consideration the degree of supervision and restraint needed for control of individual prisoners, inside and outside the security perimeter, as outlined in Reference (a), Article 4201. The Unit Team/C&A Board will use the following guidelines to establish proper custody classification assignments for all post-trial prisoners; exceptions to any of the elements listed below must be approved by either the CO or XO.

**NOTE: Time awarded for pretrial confinement and other administrative credits deemed appropriate by the court will be considered as time served and used in computing minimum time eligibilities for custody classification.**

(1) Maximum Custody (MAX). Pre-trial and post-trial prisoners requiring special custodial supervision because of the high probability of escape, are potentially violent or dangerous, and those who are at risk of harming themselves. Ordinarily, only a small percentage of prisoners shall be classified as MAX.

(2) Medium Inside (MDI). Pre-trial and post-trial prisoners who present security risks not warranting MAX and are not regarded as dangerous or violent.

(a) Assigned to all new prisoners, except those specifically deemed to be serious management problems (MAX), shall be assigned a MDI custody classification during the reception/orientation phase.

(b) All pre-trial prisoners will maintain an MDI custody classification, except those specifically deemed to be serious management problems (MAX).

(c) Assigned to General and Special Courts-Martial prisoners who have more than 90 days remaining on their sentence and who have not served one fourth 1/4 of their sentence to confinement.

(d) May also be used when special circumstances warrant (e.g., previous or current conduct in confinement, convicted of serious violent crime, previous convictions, escape risk, pending civil charges, etc.).

(3) Medium Outside (MDO). Post-trial prisoners who present security risks not warranting MDI are considered MDO prisoners.

(a) Will normally be assigned to Summary Courts-Martial prisoners after completion of orientation unless special circumstances warrant remaining MDI.

(b) Assigned to General and Special Courts-Martial prisoners who have served one fourth (1/4) of their sentence to confinement or have less than 90 days remaining on their sentence to confinement unless special circumstances warrant remaining MDI (e.g., convicted of serious violent crime, previous convictions, escape risk, pending civil charges, etc.).

(4) Minimum Custody (MIN). Post-trial prisoners who present security risks not warranting the above classifications are considered MIN prisoners.

(a) Summary courts-martial prisoners may be assigned upon completion of orientation if facility needs require.

(b) May be assigned to General and Special Courts-Martial prisoners who have served one third (1/3) of their sentence to confinement or have less than 2 years remaining on their sentence to confinement.

(c) Must be active in or completed all required programs associated with their convicted offense(s) or any other condition that may exist (i.e., Sexual Offender Education (SOED), General Violence (GO) Treatment, Innovative Skills, Techniques, Options and Plans for Better Relationships (STOP) Treatment, Substance Use Treatment).

(d) No DRs or negative Observation Reports within 90 days. If more than 3 DR's received, prisoner must have completed 120 days without incident since their last DR. Exceptions may be granted on a case-by-case basis. Should a minimum custody prisoner be found guilty at a disciplinary hearing, the prisoner shall be reviewed for increased custody.

(e) Work and Training Reports must reflect above average to outstanding marks.

(f) A prisoner increased from minimum custody will not normally be reassigned to minimum.

(5) Installation Custody (IC). Certain post-trial prisoners who require only limited custodial supervision. They may work and move about much the same as individuals in a normal duty status.

(a) Assigned to prisoners upholding the highest standards of personal conduct and behavior.

(b) Have completed at least one half (1/2) of their confinement adjudged, or the convening authority has acted, whichever occurs first.

(c) No violent charges or any charges that are of a sexual nature.

(d) No more than twelve months from minimum release date.

(e) Never previously removed from IC classification for poor performance or behavior.

(f) Must be active in or completed all required programs related to their offense or any other condition that may exist.

(g) No DR's or negative Observation Reports within 180 days of the nomination. If more than 3 DR's received, he must have completed 180 days without incident since his last DR. Exceptions may be granted on a case-by-case basis.

(h) Work and Training Reports must reflect above average to outstanding marks.

(i) Consideration will be taken when assigning jobs to prisoners adjudicated for serious sexual or aggravated assault offenses.

(j) IC Classification shall be administered in accordance with ref (e).

g. Other Factors Affecting Custody Classification

(1) Factors, though not all inclusive, to be considered in assessing higher custody classifications (MAX or MDI) include:

(a) Assaultive behavior.

(b) Disruptive behavior.

(c) Serious drug abuse.

(d) Serious civil/military criminal record (convicted or alleged).

(e) Low tolerance of frustration.

(f) Intensive acting out or dislike of the military.

(g) History of previous escape(s).

(h) Pending civil charges/detainer filed.

(i) Serving a sentence which the individual considers to be unjust or severe.

(j) Poor home conditions or family relationships.

(k) A mental evaluation indicating serious neurosis or psychosis.

(l) Indication of unwillingness to accept responsibility for personal actions past and present.

(m) Demonstrated pattern of poor judgment.

(n) Length, or potential length, of sentence.

(o) Gang affiliation or ties with disruptive organizations.

(p) Awaiting transfer to another confinement facility.

(q) Refusal to accept/participate in recommended treatment programs.

(2) Factors that indicate lower custody classifications (MDO, MIN, or IC) include:

(a) Clear military record, aside from present offense.

(b) Close family ties; good home conditions.

(c) The offense(s) charged is not serious.

(d) Apparently stable mental condition (responsible for own actions).

(e) Indications the individual wishes to return to duty.

(f) Comparatively short sentence to confinement; however, length of sentence shall not be an overriding factor.

(g) Behavior during a previous confinement.

(h) Completion of, or active participation in, treatment programs or groups.

(3) The factors listed above are indicators, not ironclad rules; therefore, the Brig Officer will consider objective based overrides where applicable. An evaluation of all phases of prisoner performance shall be made prior to each custody change. By following the criteria and concepts outlined above, the Brig Officer shall be able to make more efficient use of staff and provide an atmosphere in which rehabilitative efforts shall be more effective.

h. Staff and prisoner interaction are encouraged. Brig staff, particularly unit teams, follow the unit management system which provides staff with the authority to make decisions, and the ability to make recommendations regarding security, classification, services, and programs for prisoners (see SOP 633) **(5-ACI-2B-02)**. The maximum size of a single management unit is variable and is based upon the characteristics of its prisoner population but does not exceed 80

prisoners. The exact size of each management unit is determined by (1) the security classification of the prisoner occupants (higher security levels require smaller unit size), and (2) the ability of staff to complete regular security checks, maintain visual and auditory contact, maintain personal contact and interaction with prisoners, and be aware of unit conditions **(5-ACI-2B-03).**

i. The security and program determinations necessary for any individual to be eligible for industries work are made by the Classification and Assignment Board **(5-ACI-7A-09)**.

6. Appeals. Appeals of classification decisions shall be forwarded to the Commanding Officer via DD Form 510 in accordance with the Prisoner Handbook (5-ACI-5B-07).

7. Records Management. Records created as a result of this SOP, regardless of media or format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

8. Review and Effective Date. Per OPNAVINST 5215.17A, the originator will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9.

J. M. BRISCO JR.

Releasability and distribution:
This SOP is cleared for public release and is available electronically only via Y Drive\\Naeachrlfs101v\navperscom$\CHRL\TownHall\Instructions - SOPs\SOPs\401

Distribution:
PERS-00D
Department Heads
Special Assistants
Unit Teams

## 48 HOUR NOTICE OF CLASSIFICATION

The notice is to advise you that your classification status will be reviewed as explained below. You are encouraged to attend this classification hearing - it is your opportunity to personally hear the discussion and consideration of the factors that affect your classification. If you choose not to attend you still retain the right to appeal the outcome to the Executive Officer. You may waive the 48 hour notice and/or your right to appear at your hearing. Such notice will be made by your signature, which verifies your preference and indicates receipt of notice.

UNIT: _____

DATE: _____

TIME: _____

LOCATION: _____

NAVCONBRIG CHARLESTON, SC

1640/35 (NEW 05/93)

## 48 HOUR NOTICE OF CLASSIFICATION

| DATE | NAME | WAIVE NOTICE | WILL ATTEND | WAIVE APPEAL | SIGNATURE |
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# FORENSIC EXAMINATION REPORT

## CASE NUMBER 01JUN25-NFNF-00237-7MNA

Case generated Thursday, June 5, 2025
Report generated Thursday, September 4, 2025

Record 1

| | |
|---|---|
| Tags | 29Jun25 timeline |
| Type | PlaceCardTap |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 5/29/2025 1:10:59.116 PM |
| Action | GET_DIRECTIONS |
| Location Name | Bermuda |
| Country | Bermuda |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Location | • File Offset 346588 |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Recovery method | • Parsing |
| Item ID | 798281 |

Record 1

| | |
|---|---|
| Search Term | norfolk airport |
| URL | https://www.google.com/search?q=norfolk+airport&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari&dlnr=1&sei=IrQ9ZqKoDPihptQPvMGG8A8#cobssid=s&dlnr=1&wptab=si:ACC90nw1iFjLNTDUIV-gYYwlwGJPH-ZiErUy9FvC_xiBozCkI3J-taYwYH9nt1jhgUnHPDV8ZHhwNO4k0kS8LJphhf_jRrmegTub_1hASB8c-LevJaEMb6wh6P9635mYAjsivLU0xGXwvnhz_f_pM7AqSJPX0vk4Xw%3D%3D&lpg=cid:CgIgAQ%3D%3D |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/3/2025 8:41:43.067 PM |
| Search Session Start Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 5/10/2024 1:44:02.000 AM |
| Web Page Title | norfolk airport - Google Search |
| Artifact | Safari iCloud Tabs |
| Artifact ID | 30646 |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Safari\CloudTabs.db |
| Location | • Table: cloud_tabs(rowid: 4674)<br>• Table: cloud_tab_device(rowid: 2) |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Item ID | 30666 |

Record 2

| | |
|---|---|
| Search Term | virginia airport |
| URL | https://www.google.com/search?q=virginia+airport&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari |
| Date/Time - UTC-05:00 (M/d/yyyy)[DST] | 6/3/2025 8:41:43.914 PM |
| Web Page Title | Can't Open Page |
| Artifact | Safari iCloud Tabs |
| Artifact ID | 31280 |
| Source | • 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Safari\CloudTabs.db |
| Location | • Table: cloud_tabs(rowid: 4708)<br>• Table: cloud_tab_device(rowid: 2) |
| Evidence number | • NFFO 13Y9L Item XUQP3 |
| Item ID | 31291 |



# PROSECUTION EXHIBITS ADMITTED

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **United States of America**<br><br>**v.**<br><br>**Jermiah Copeland**<br>**CSSN/E-3**<br>**U.S. Navy** | **STIPULATION OF FACT**<br><br>**30 April 2026** |

I, CSSN Jermiah Copeland, United States Navy, stipulate and agree that the following facts are true, accurate, susceptible of proof, and are admissible into evidence without regard to any evidentiary rule, applicable case law, or Rule for Courts-Martial. I hereby waive any objection I may have to the admission of these facts and evidence. The military judge may consider these facts in determining the providence of my guilty pleas and in determining an appropriate sentence.

**Jurisdiction**

1. I, CSSN Jermiah Copeland, United States Navy, was born on 23 March 2005.

2. On 13 July 2023, I enlisted in the United States Navy. I have been on continuous active duty since my enlistment.

3. I was assigned to the USS HARRY S. TRUMAN (CVN 75) from 30 December 2023 to 22 January 2025.

4. I have been assigned to the USS JAMES E WILLAMS since 24 January 2025.

5. I did not at any time suffer from any mental defect or disease that caused me to commit the offenses to which I am pleading guilty. I was not forced or coerced to commit these offenses, nor did I commit them to save myself or anyone else from death or grievous bodily harm. I engaged in the conduct underlying these offenses voluntarily and I was unaware of any authority or entitlement allowing me to commit these acts.

**Charge II, Sole Specification**
**128 – Aggravated Assault by Strangulation**

6. "Strangulation" means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the alleged victim.

7. I have reviewed Article 128 of the Uniform Code of Military Justice.

8. I admit that I violated Article 128 (aggravated assault) when I committed the acts described below.

9. On 24 July 2024, I was stationed onboard the USS HARRY S. TRUMAN (CVN 75). ABHAN C.R. was also stationed onboard the USS HARRY S. TRUMAN.

10. In the late evening hours of 24 July 2024, ABHAN C.R. asked if I would come to the fantail and talk to her. I agreed.

11. While we were on the fantail, I assaulted her. I grabbed her neck and squeezed by applying pressure to her throat impeding blood circulation. I intentionally put my hand around ABHAN C.R.'s neck.

12. I did not have ABHAN C.R.'s consent to touch her. I was not under the mistaken belief that she consented or wanted me to strangle her. I did not have any legal justification or excuse. My conduct was unlawful.

**Charge III, Specification 1**
**120c – Indecent Recording**

13. I have reviewed Article 120c of the Uniform Code of Military Justice.

14. I admit that I violated Article 120c (indecent recording) when I committed the acts described below.

15. On 4 November 2024, I was stationed on board the USS HARRY S. TRUMAN (CVN 75).

16. CSSN S.S. was also stationed onboard the USS HARRY S. TRUMAN (CVN 75).

17. On 4 November 2024, the USS HARRY S. TRUMAN conducted a port visit to Oslo, Norway.

18. CSSN S.S. and I were not liberty buddies. Her and I went out with a large group of people from mixed friend groups.

19. That night, I was at a bar, Heidi's. CSSN S.S. and her liberty buddies were also there.

20. We went to the female restroom together. In the ladies' room, we had sex in a bathroom stall. I used my phone to make a recording of that sexual activity. In the video you could see CSSN S.S.'s naked buttocks.

21. I intentionally made the recording of CSSN S.S. and myself having sex.

22. CSSN S.S. did not know that I was recording her. She did not consent to me recording her.

23. CSSN S.S. was in a bathroom stall where she had a reasonable expectation of privacy.

**Charge IV, Specification 1**
**131b – Obstruction of Justice**

24. I have reviewed Article 131b of the Uniform Code of Military Justice.

25. I admit that I violated Article 131b (Obstruction of Justice) when I committed the acts described below.

26. On 5 November 2024, I was stationed on the USS HARRY S. TRUMAN. CSSN S.S. confronted me about having sex with her when she was drunk the night before. CSSN S.S. was upset and angry because other people had seen a video of us having sex. Given how she responded, I had a reason to believe that there would be criminal proceedings pending against me. I thought that my phone contained evidence that would be hurtful to me. Because I thought my phone

contained potential evidence against me, I hid my cellular phone, by smashing it and throwing in the street in Oslo.

27. I hid my phone because I believed that there would be criminal proceedings against me because of CSSN S.S.'s accusations.

28. I hid the phone with the intent to impede the due administration of justice. Specifically, to prevent NCIS from obtaining evidence that could be harmful to my case.

**Charge IV, Specification 2**
**131b – Obstruction of Justice**

29. I have reviewed Article 131b of the Uniform Code of Military Justice.

30. I admit that I violated Article 131b (Obstruction of Justice) when I committed the acts described below.

31. On 2 June 2025, I was stationed on the USS JAMES E. WILLIAMS (DDG 95).

32. I had a reason to believe that there would be criminal proceedings pending because I was aware that CS3 A.R. was declared missing and law enforcement was looking for her. Because I thought criminal proceedings would be pending, I concealed the body of CS3 A.R.

33. I hid CS3 A.R.'s body because I believed that there would be criminal proceedings against me because I knew I had murdered CS3 A.R. and her deceased body was in my barracks room. I hid her body inside of a suitcase and put the suitcase inside my closet. On 2 June 2025, I transported the suitcase from my barracks room closet and dropped the suitcase outside in a wooded area near Cary Ave located in Norfolk, VA.

34. I had no legal justification or excuse to hide CS3 A.R.'s body.

35. My decision to hide CS3 A.R.'s body was intentional and not done by accident.

**Charge VI**
**107 – False Official Statement**

36. I have reviewed Article 107 of the Uniform Code of Military Justice.

37. I admit that I violated Article 107 when I committed the acts described below.

38. On 1 June 2025, I spoke with Special Agent Jessica Gokey, NCIS. When I spoke to her, I knew I was making an official statement. During that official statement, I told SA Gokey that I drove CS3 A.R. back to her barracks room on the morning of 29 May 2025 or words to that effect.

39. That statement to SA Gokey was totally false and I knew it was false. I knew it was false because I had not taken CS3 A.R. back to her barracks room. When I made that statement to SA Gokey, I did so with the intent to deceive her.

**Charge VII**
**118 – Unpremeditated Murder**

40. I have reviewed Article 118 of the Uniform Code of Military Justice.

41. I admit that I violated Article 118 on 29 May 2025 when I committed the acts described below.

42. I believe and admit that CS3 A.R. is dead. I know this because I caused her death.

43. On 29 May 2025, CS3 A.R. came to my barracks to hang out, drink, and make tacos with me. While we were hanging out, we started drinking alcohol. CS3 A.R. and I were hanging out in my barracks room on my couch. While we were on the couch, there was bright flash on my cell phone. CS3 A.R. became very upset after she saw the flash.

44. While she was upset, she made a lot of noise. I wanted her to be quiet and tried to get her to calm down and stop making so much noise. I was concerned that my roommates would wake up and assume I did something inappropriate to her. Despite my attempts to calm her down, she did not calm down.

45. To try and make her be quiet, I put my hands over CS3 A.R.'s mouth, which was unsuccessful at keeping her quiet. She continued to make lots of noise. While I was attempting to

put my hands over her mouth, she tripped and fell to the floor. While she was on the floor, I got on top of her and strangled her with two hands. My intent while strangling her was to at least cause her grievous bodily harm because I wanted her to stop making noise. I caused CS3 A.R.'s death by strangling her with my hands while she was laying down on the floor in my barracks room. I had both hands around her neck, strangling her until she stopped moving and making noise. I knew she had died when she stopped moving and became unresponsive.

46. When I put my hands around CS3 A.R.'s neck, I intended to at least inflict great bodily harm to CS3 A.R.

47. The killing of CS3 A.R. was unlawful. I did not have any legal justification or excuse. While I had consumed alcohol prior to strangling CS3 A.R., I knew what I was doing and my actions were intentional. I have been advised of the defense of voluntary intoxication, and I do not believe it applies in my case. I was not acting in self-defense. I was not under duress. CS3 A.R.'s death was not an accident. It was caused by my intentional action.

**The remainder of this page was intentionally left blank**

**Statement of CSSN Jermiah Copeland**

I, CSSN Copeland, United States Navy, swear that all the foregoing statements in this Stipulation of Fact are true and that I entered into this Stipulation of Fact intelligently, voluntarily, and under no duress or coercion from anyone.

I understand that the Military Judge will use this Stipulation of Fact in determining my guilt or in determining an appropriate sentence if I am found guilty. I understand that by entering into this Stipulation of Fact, I am electing to give up my constitutional right to remain silent, to a trial of facts on these offenses, and to confront and cross-examine witnesses against me. I understand I am providing the Court with the strongest form of proof against me known to the law. By my signature below, I acknowledge that I have read this Stipulation of Fact completely, discussed it with my counsel, and understand it in all respects.

30 APR 2026 [redacted]
Date CSSN Jermiah Copeland, USN

30 Apr 26 [redacted]
Date LCDR Amanda Serfess, JAGC, USN, Defense Counsel

30 Apr 26 [redacted]
Date LCDR Clifton Morgan, JAGC, USN, Defense Counsel

30 Apr 26 [redacted]
Date LCDR Todd Mihill, USCG, Defense Counsel

1 MAY 26 [redacted]
Date LCDR Christopher Dempsey, JAGC, USN, Trial Counsel

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF [redacted]

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported [redacted], reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe.

2. On 06Aug24 at approximately 2030 hours, [redacted] was interviewed by Reporting Agent (RA) aboard CVN 75, while at sea in compartment 02-88-4-Q. IT2 Morgan RODRIGUEZ, USN, Uniform Victim Advocate (UVA), CVN 75, was present for the entirety of the interview.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. [redacted] related she is in a relationship with CSSN Fernando CUESTABRAVO, USN, CVN 75, and was in the mess decks with him in the early morning hours of 23Jul24 when he stated he was going to sleep. [redacted] stated after CSSN CUESTABRAVO left, she began receiving SnapChat snaps from S/COPELAND, who stated he was headed to the ship and expressed he wanted to talk to her about CSSN CUESTABRAVO. [redacted] agreed, and stated S/COPELAND arrived and requested the pair go somewhere private to talk.

5. After arriving to the area of the fantail, S/COPELAND told [redacted] that CSSN CUESTABRAVO was talking to other women and asserted CSSN CUESTABRAVO was not treating [redacted] the way she should be treated. [redacted] related S/COPELAND suggested SHE engage in a relationship with him (S/COPELAND) to "get back at" CSSN CUESTABRAVO. [redacted] stated she told S/COPELAND she did not "do those types of things." [redacted] recalled discussing her relationship with S/COPELAND for a short period of time before S/COPELAND began to play a "game" with her wherein he pretended to arrest her. [redacted] stated S/COPELAND forced her hands behind her back and grabbed her vulva over the clothing.

6. [redacted] related she turned around and punched S/COPELAND in the stomach.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **06AUG24**

C.R. related S/COPLEAND told her he heard she liked to be choked, at which time S/COPELAND applied pressure to her neck with one hand so that it was difficult for C.R. to breathe. C.R. recalled pushing S/COPELAND's hand away from her throat but that he would immediately replace it and keep applying pressure. While applying pressure to her neck, C.R. recalled S/COPELAND kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing. C.R. related the physical contact lasted approximately a minute before S/COPELAND stopped of his own accord. C.R. stated she told S/COPELAND she was going to bed and left the fantail.

7. C.R. recalled being unsure if she should tell CSSN CUESTABRAVO because she was worried about his reaction, but texted him about what happened. C.R. stated CSSN CUESTABRAVO encouraged her to report the incident. C.R. stated she called the Sexual Assault Prevention and Response (SAPR) phone number she found on a poster aboard the ship, and was informed to get in touch with shipboard SAPR personnel. C.R. stated she did not know how, so CSSN CUESTABRAVO reported the incident to Security. C.R. stated she had bruising on her neck that CSSN CUESTABRAVO observed, but that it was now gone.

8. C.R. stated she told her Chief, CSC Gregory SIMMONS, USN, CVN 75, about the incident. C.R. related CSSN Jalen OWENS, USN, CVN 75, told CSSN CUESTABRAVO that S/COPELAND told her (CSSN OWENS) that C.R. had reported him.

9. C.R. provided RA screen shots of the texts she sent to CSSN CUESTABRAVA via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her consent; Enclosure (B) pertains. The screen shots were subsequently placed on an NCIS Photographic Template for inclusion into the case file; Enclosure (C) pertains.

11. At the conclusion of the interview, C.R. was provided a DD Form 2701 Victim Witness Assistance Pamphlet (VWAP).

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF C.R. 06AUG24
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY C.R. 06AUG24
(C) NCIS PHOTOGRAPH TEMPLATE/06AUG24



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **06AUG24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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PROSECUTION EXHIBIT 3
1 of 1

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 16AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF CSSN FERNANDO CUESTABRAVO, USN

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported C.R. [redacted], reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe. During the course of the investigation, CSSN Fernando CUESTABRAVO, USN, USS HARRY S TRUMAN (CVN 75), was identified as having information in reference to the investigation.

2. On 16Aug24 at approximately 2000 hours, CSSN CUESTABRAVO was interviewed by Reporting Agent (RA) and MAC Adam NORMAN, USN, CVN 75 aboard CVN 75, while at sea in compartment 02-88-4-Q.

3. CSSN CUESTABRAVO stated he and C.R. [redacted] have been dating and the two consider themselves to be boyfriend and girlfriend. CSSN CUESTABRAVO recalled at approximately 0200 hours on 24Jul24, he received text messages from C.R. [redacted] indicating something bad had happened. Later that morning, CSSN CUESTABRAVO stated C.R. [redacted] disclosed S/COPELAND had strangled her, grabbed her, and "touched her everywhere." CSSN CUESTABRAVO related C.R. [redacted] never mentioned S/COPELAND being creepy or weird prior to the incident. CSSN CUESTABRAVO recalled observing bruises on one side of V/RODGER's neck related to the strangulation. CSSN CUESTABRAVO stated neither he nor C.R. [redacted] took pictures of the bruises.

4. CSSN CUESTABRAVO stated he encouraged C.R. [redacted] to report the incident. When C.R. [redacted] was unable to contact Sexual Assault Prevention and Response (SAPR), CSSN CUESTABRAVO stated he went to the Security Department on 26Jul24 to report the offense.

5. CSSN CUESTABRAVO related he tries to avoid S/COPELAND, but S/COPELAND has made several attempts to talk to CSSN CUESTABRAVO about the incident. CSSN CUESTABRAVO recalled telling S/COPELAND he would not speak about it.

6. CSSN CUESTABRAVO stated CSSA Deontae WILLIAMS, USN, USS HARRY S TRUMAN (CVN 75) approached him after the incident and asked him if it was true S/COPELAND "fucked his girl." CSSN CUESTABRAVO opined S/COPELAND told CSSA WILLIAMS what had happened.



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:26JUL24-NFXQ-00015-8CNA** **16AUG24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF PRELIMINARY INTERVIEW OF [redacted]

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 06Nov24, Reporting Agent (RA) met with [redacted] in Medical spaces aboard the ship prior to her Sexual Assault Forensic Examination (SAFE) in order to glean preliminary information in reference to the assault.

3. [redacted] recalled she went to Heidi's Bier Bar Oslo located at Fridtjof Nansens plass 8, 0160 in Oslo, Norway, on 04Nov24 in the evening hours with a group of sailors. [redacted] stated she became extremely intoxicated and could not recall the events of the evening. The following day, [redacted] stated multiple individuals approached her and stated S/COPELAND was showing others a video of him having sex with her. [redacted] stated she did not recall having any sexual contact with S/COPELAND. [redacted] stated she called S/COPELAND later that day and he denied having sex with her or recording the sexual encounter. [redacted] stated S/COPELAND threatened to kill himself via text following the phone call.

4. [redacted] requested a full interview in reference to the offense take place the following day.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 07NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]

RESULTS OF INTERVIEW OF [redacted]

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 07Nov24 at approximately 1115 hours, [redacted] was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), USS HARRY S TRUMAN (CVN 75), was present for the entirety of the interview.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. [redacted] stated she knew S/COPELAND well prior to the assault and stated they became "really good friends" after he got to the ship. [redacted] stated he never expressed a romantic or sexual interest in her prior. [redacted] explained she and S/COPELAND work different shifts and stated she is on day shift in the galley and he is on night shift.

5. [redacted] stated she left the ship on 04Nov24 with a group of other Culinary Specialists and her liberty buddy was CSSN Alexis RODGERS, USN, CVN 75. [redacted] recalled they left the ship at approximately 1900 hours and walked to a mall, which was closed. At that time [redacted] stated the group moved to another bar but the group felt there were too many drunk sailors there so they eventually walked to Heidi's Bier Bar in Oslo, Norway. [redacted] stated the group began to drink alcohol and she estimated she had three (3) shots of tequila before "blacking out."

6. [redacted] stated others speculated she had been drugged, but [redacted] did not think that was likely. [redacted] stated she ate a normal dinner before leaving the ship at approximately 1900 hours. [redacted] stated she took the shots with a period of time between them and could not explain why she blacked out.

7. [redacted] stated she has some memories of the evening to include



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **07NOV24**

S/COPELAND dancing with her and her friends. S.S recalled after the evening, CSSN McKenzie SAUNDERS, USN, CVN 75, told CSSN Shamel EADDY, USN, CVN 75, she found S.S in the bathroom following the assault. S.S stated she did not remember how she got back to the ship but recalled throwing up upon her return.

8. The following morning, S.S stated she woke up for work and did not feel well. When she used the bathroom, S.S recalled she had vaginal pain and swelling and addition to cramps that felt similar to menstrual cramps. S.S recalled at the time, she was not concerned because she was unaware of the incident with S/COPELAND. Later, S.S stated she began to hear rumors that S/COPELAND was claiming he had sex with her in a bathroom at the bar and recorded the intercourse and was showing other people.

9. S.S stated she and her boyfriend, CSSN EADDY, were discussing the rumors in the evening hours with CSSA Nicholas SPIVEY, USN, CVN 75. S.S related she decided to call S/COPELAND and confront him about the rumors and CSSA SPIVEY provided her S/COPELAND's phone number. S.S stated CSSA SPIVEY left before she called S/COPELAND but CSSN EADDY remained with her while she called S/COPELAND from the first class mess. S.S stated CSSN EADDY attempted to record the entirety of the conversation but his phone died approximately one (1) minute in.

10. S.S related she called S/COPELAND and confronted him about the rumors, which he emphatically denied. S.S recalled after the phone call, he continued to text her and threatened to kill himself. S.S agreed to provide RA with screen shots of the text messages via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her intentions; Enclosure (B) pertains. Six (6) screen shots of the text messages were subsequently placed on an NCIS Photograph Template for their inclusion into the case file; Enclosure (C) pertains.

11. At the conclusion of the interview, S.S was provided a DD Form 2701 Initial Information for Victims and Witnesses of Crime.

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF
S.S 07NOV24
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
S.S 07NOV24
(C) NCIS PHOTOGRAPH TEMPLATE/07NOV24



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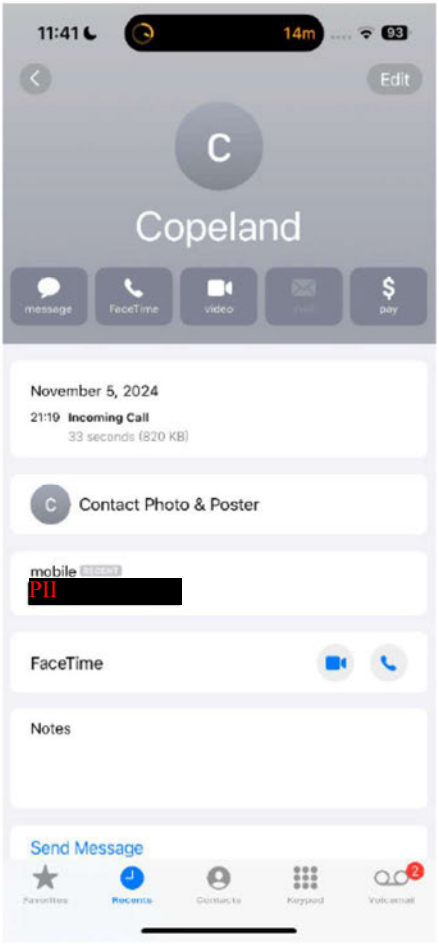
# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **07NOV24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



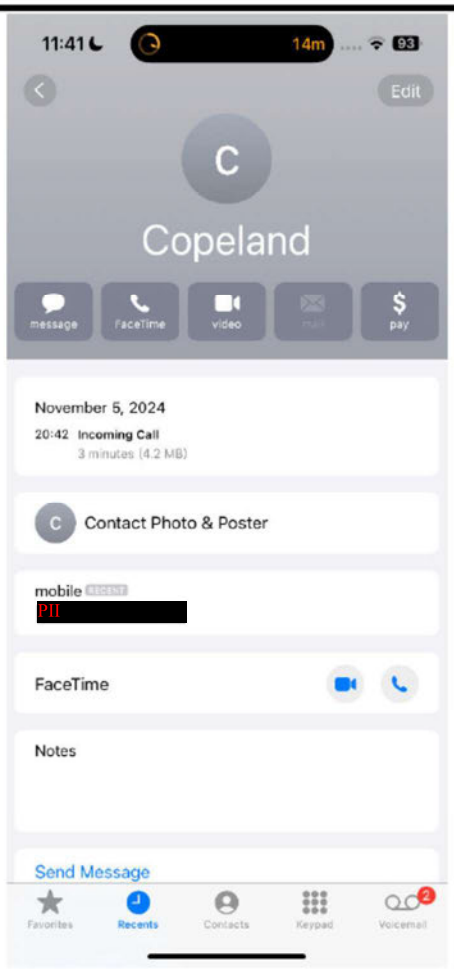
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| | | |
|---|---|---|
| **1. OFFICE CODE:** NFXQ | | |
| **2. TITLE:** S/COPELAND, JEREMIAH TAYLOR/SN USN | **3. CCN:** 06NOV24-NFXQ-00029-8SNA | **4. AGENT'S NAME:** SA BERNADETTE DUFFY |
| **5. SUMMARY/DESCRIPTION:** SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | **6. PHOTOGRAPHER/DATE PHOTO TAKEN:** 07NOV24 |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

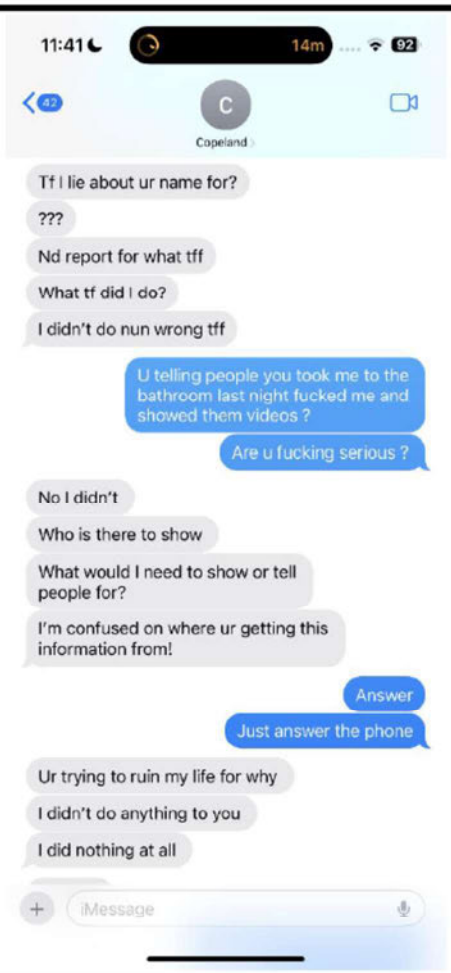
**PHOTOGRAPH (1) OF (6)** **ENCLOSURE (C)**




| | | |
|---|---|---|
| **1. OFFICE CODE:** NFXQ | | |
| **2. TITLE:** S/COPELAND, JEREMIAH TAYLOR/SN USN | **3. CCN:** 06NOV24-NFXQ-00029-8SNA | **4. AGENT'S NAME:** SA BERNADETTE DUFFY |
| **5. SUMMARY/DESCRIPTION:** SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | **6. PHOTOGRAPHER/DATE PHOTO TAKEN:** 07NOV24 |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

**PHOTOGRAPH (2) OF (6)** **ENCLOSURE (C)**

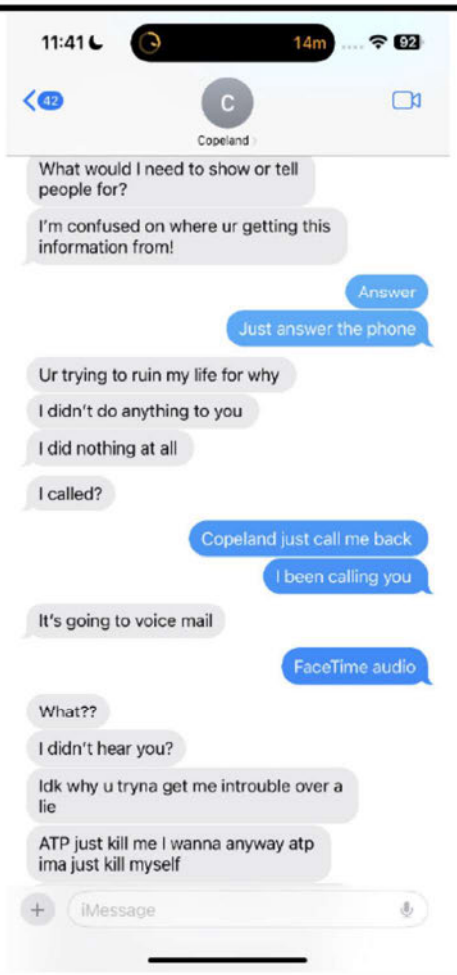



| 1. OFFICE CODE: NFXQ | | |
|---|---|---|
| 2. TITLE: S/COPELAND, JEREMIAH TAYLOR/SN USN | 3. CCN: 06NOV24-NFXQ-00029-8SNA | 4. AGENT'S NAME: SA BERNADETTE DUFFY |
| 5. SUMMARY/DESCRIPTION: SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: 07NOV24 |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

PHOTOGRAPH (3) OF (6)

ENCLOSURE (C)




| | | |
|---|---|---|
| 1. OFFICE CODE: **NFXQ** | | |
| 2. TITLE: **S/COPELAND, JEREMIAH TAYLOR/SN USN** | 3. CCN: **06NOV24-NFXQ-00029-8SNA** | 4. AGENT'S NAME: **SA BERNADETTE DUFFY** |
| 5. SUMMARY/DESCRIPTION: SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: **07NOV24** |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

**PHOTOGRAPH (4) OF (6)** **ENCLOSURE (C)**




| | | |
|---|---|---|
| 1. OFFICE CODE: **NFXQ** | | |
| 2. TITLE: **S/COPELAND, JEREMIAH TAYLOR/SN USN** | 3. CCN: **06NOV24-NFXQ-00029-8SNA** | 4. AGENT'S NAME: **SA BERNADETTE DUFFY** |
| 5. SUMMARY/DESCRIPTION: SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: **07NOV24** |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

**PHOTOGRAPH (5) OF (6)** **ENCLOSURE (C)**

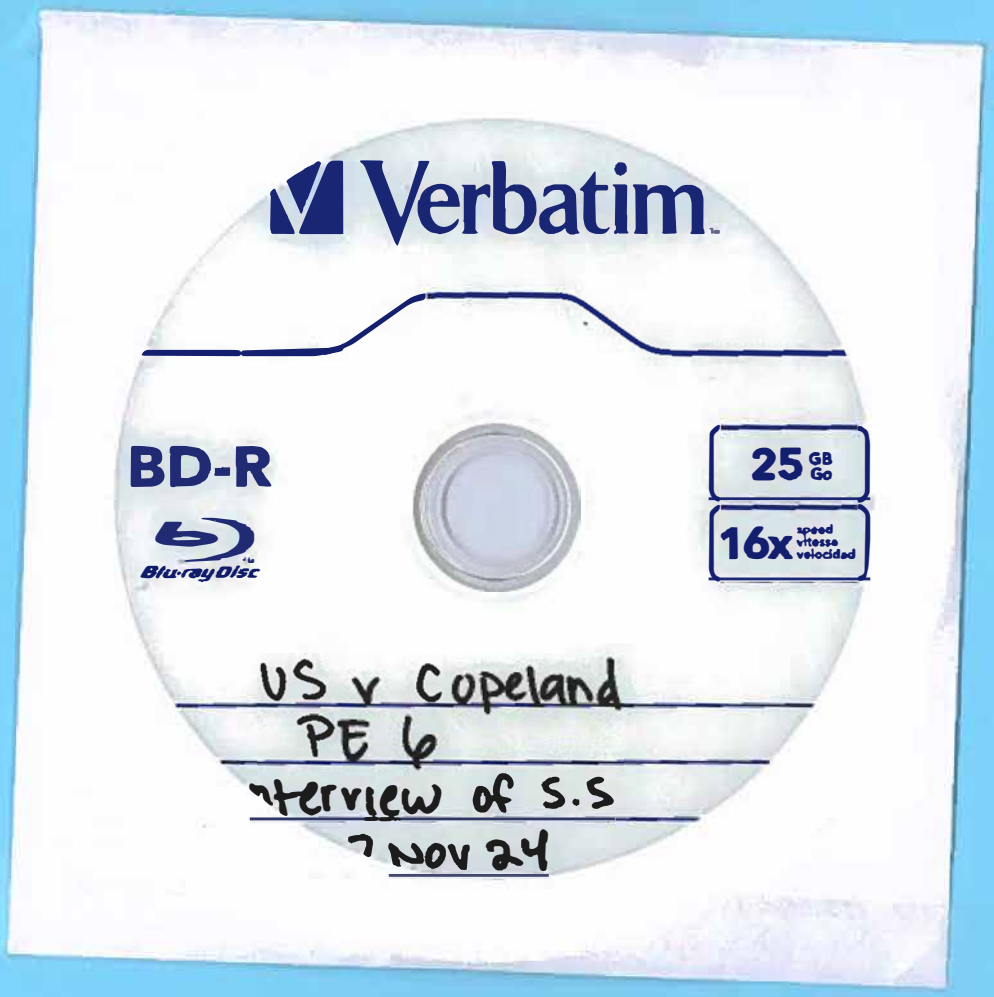



| 1. OFFICE CODE: NFXQ | | |
|---|---|---|
| 2. TITLE: S/COPELAND, JEREMIAH TAYLOR/SN USN | 3. CCN: 06NOV24-NFXQ-00029-8SNA | 4. AGENT'S NAME: SA BERNADETTE DUFFY |
| 5. SUMMARY/DESCRIPTION: SCREEN SHOT OF TEXT MESSAGE PROVIDED BY S.S [redacted] ON 07NOV24 | | 6. PHOTOGRAPHER/DATE PHOTO TAKEN: 07NOV24 |

NCIS 5580/91 (REV 06-2010) PREVIOUS EDITIONS ARE OBSOLETE

PHOTOGRAPH (6) OF (6)

ENCLOSURE (C)




PROSECUTION EXHIBIT 6
1 of 1

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]PII

RESULTS OF ATTEMPTS TO LOCATE CELLULAR TELEPHONE

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of this investigation is was reported the alleged nonconsensual encounter was recorded and broadcast by S/COPELAND via his cellular telephone.

2. On 06Nov24 at approximately 0930 hours, Reporting Agent (RA) made contact with S/COPELAND in Security Spaces aboard the ship. S/COPELAND was escorted to Security by CSCM Aneuris ROBLES, USN, USS HARRY S TRUMAN (CVN 75). RA introduced herself as a Special Agent and requested to search the person of S/COPELAND for his cellular telephone. S/COPELAND stated he did not have his cellular telephone and had given it to his friend, CSSN Kaulise COUSINS, USN, USS HARRY S TRUMAN (CVN 75), but consented to a search of his person. Due to the exigent nature of the search, a Permissive Authorization for Search and Seizure was not presented to S/COPELAND. The search yielded negative results.

3. RA made contact with CSSN COUSINS in Supply Spaces aboard the ship at approximately 1000 hours. RA identified herself as a Special Agent and requested to search the person of CSSN COUSINS for the cellular telephone belonging to S/COPELAND. CSSN COUSINS consented to the search and stated he never possessed the cellular telephone. Due to the exigent nature of the search, a Permissive Authorization for Search and Seizure was not presented to CSSN COUSINS. The search yielded negative results.

4. Both CSSN COUSINS and S/COPELAND were retained in Security and Supply spaces.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSA JACQUELINE BITA, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSA Jacqueline BITA, USN, CVN 75, was indicated as having information in reference to the offense.

2. On 06Nov24 at approximately 1030 hours, CSSA BITA was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

[redacted]

4. Later, CSSA BITA stated she was talking to SR Jada KNIGHT, USN, VAW 126, in the bar and S/COPELAND approached them and said something to the effect of "you'll never believe what happened, if I show you you can't tell anyone." CSSA BITA recalled S/COPELAND then showed the two women a video on his cellular telephone of S/COPELAND having sexual intercourse with S.S. [redacted] CSSA BITA described the video as showing S/COPELAND's face before capturing S.S. [redacted] bent over. CSSA BITA stated S.S. [redacted] face was not in the video, but she was easily identified by her hair and the gray sweatshirt she was wearing that actually belonged to CSSA BITA. CSSA BITA related S.S. [redacted] had borrowed her sweatshirt before leaving the ship. CSSA BITA stated she observed S.S. [redacted] bare buttocks in the video and though she could not see S/COPELAND's penis it was clear by the motion of S/COPELAND he was having sexual intercourse with S.S. [redacted] CSSA BITA opined she could not tell if S.S. [redacted] was conscious in the video and stated she did not look very closely because she did not want to see a video of someone else engaging in sexual intercourse.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **06NOV24**

5. CSSA BITA stated she and SR KNIGHT were "shocked" by the video and stated S/COPELAND seemed happy and was laughing. At the time, CSSA BITA assumed the sexual encounter was consensual and had no information to the contrary.

[redacted]

7. CSSA BITA stated the following day, S.S. [redacted] approached her and stated she did not remember any events from the evening prior due to intoxication and also told CSSA BITA that S.S. [redacted] had confronted S/COPELAND about the sexual intercourse and video via telephone. CSSA BITA related S.S. [redacted] stated S/COPELAND denied the accusations. CSSA BITA opined S/COPELAND "knew he messed up and was trying to save himself." CSSA BITA further opined it was clear from interacting with both parties S/COPELAND was "in his right mind" that evening and S.S. [redacted] was not.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSN SHAMEL EADDY, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Shamel EADDY, USN, USS HARRY S TRUMAN (CVN 75) was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1400 hours, CSSN EADDY was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN EADDY stated he and S.S. [redacted] are currently dating. [redacted]

[redacted]

5. Later CSSN EADDY stated he asked S.S. [redacted] about V/COPELAND, and she stated she did not remember. CSSN EADDY related CSSA Jakobie GANT, USN, CVN 75, had seen a video of S/COPELAND engaged in sexual contact with S.S. [redacted] CSSN EADDY explained the rumor of the video had started being spread around their workplace. [redacted]



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:06NOV24-NFXQ-00029-8SNA 08NOV24

[redacted]

6. CSSN EADDY stated V/SIMPSON confronted S/COPELAND about the rumors, which he denied. [redacted]

[redacted]

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE (PASS) SIGNED BY CSSN EADDY/08NOV24
(B) CD-R CONTAINING RECORDED PHONE CALL/07NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 2 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSA JAKOBIE GANT, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSA Jakobie GANT, USN, CVN 75 was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1930 hours, CSSA GANT was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSA GANT recalled he was not out with the group of sailors including S/COPELAND and S.S. [redacted] on 04Nov24. CSSA GANT stated the next day on 05Nov24, he was approached by S/COPELAND, who stated he had sexual intercourse with S.S. [redacted] and seemed excited about it. CSSA GANT related S/COPELAND stated S.S. [redacted] kissed S/COPELAND's neck and had sexual intercourse. CSSA GANT stated he was happy because S/COPELAND seemed happy, but conflicted because he knew S.S. [redacted] was dating their mutual friend CSSN Shamel EADDY, USN, CVN 75.

4. CSSA GANT recalled S/COPELAND showed him a video depicting S/COPELAND having sexual intercourse with S.S. [redacted] CSSA GANT described the video as from S/COPELAND's point of view, initially pointing the camera at himself before panning over S.S. [redacted] CSSA GANT related S.S. [redacted] face was not visible but her buttocks and back were. CSSA GANT recalled feeling very uncomfortable after watching the video because S.S. [redacted] did not appear conscious or in a comfortable position. CSSA GANT stated in the video S.S. [redacted] was face down against a toilet.

[redacted]



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **08NOV24**

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSN JADA KNIGHT, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Jada KNIGHT, USN, VAW 126, was indicated as having information in reference to the offense.

2. On 18Nov24 at approximately 2100 hours, CSSN KNIGHT was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

[redacted]

4. Approximately thirty (30) minutes after arriving at the bar, CSSN KNIGHT recalled she was approached by S/COPELAND who told her not to tell anyone about what he was going to show her. CSSN KNIGHT recalled S/COPELAND showed her a video of him having sexual intercourse with S.S. [redacted] in a bathroom stall. CSSN KNIGHT stated S.S. [redacted] face was not present in the video but S/COPELAND indicated she was depicted. CSSN KNIGHT opined she would have been able to identify S.S. [redacted] regardless due to S.S. [redacted] "big butt." CSSN KNIGHT recalled the video depicted S/COPELAND's smiling face in the camera before panning to S.S. [redacted] buttocks and back while his penis thrusted in and out of her vagina. CSSN KNIGHT also recognized the gray sweatpants and sweatshirt S.S. [redacted] was wearing.

[redacted]



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

[redacted]

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
CSSN KNIGHT/18NOV24
(B) CD-R CONTAINING THREE (3) PHOTOGRAPHS AND ONE (1)
VIDEO/18NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 2 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF S/COPELAND

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein S.S. [redacted], reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 18Nov24 at approximately 2230 hours, S/COPELAND was interviewed by Reporting Agent (RA) aboard the USS HARRY S TRUMAN (CVN 75), while at sea in compartment 02-88-4-Q.

[redacted]

[redacted]

[redacted]

6. S/COPELAND stated S.S. [redacted] faced away from him in the stall and pulled her pants down before bending over. S/COPELAND stated he pushed his penis into her vagina and opined S.S. [redacted] was consenting to the contact. S/COPELAND stated he took his phone out and began to record a video of the sexual interaction. S/COPELAND stated he did not know if S.S. [redacted] was aware



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

of him recording as she was facing away from him. S/COPELAND stated the intercourse lasted approximately twenty (20) minutes and that he did not ejaculate because the interaction seemed to be "too good to be true." When asked to explain, S/COPELAND stated he viewed S.S. [redacted] as a sister and that she had never shown any interest in him sexually. S/COPELAND stated he did not use a condom. Following the interaction, S/COPELAND stated he and S.S. [redacted] exited the bathroom and everything was "normal" between the two.

7. S/COPELAND recalled showing the video to CSSN COUSINS and CSSN Jada KNIGHT, USN, USS HARRY S TRUMAN (CVN 75), without S.S. [redacted] knowledge. S/COPELAND stated he showed the video to others because he was excited. [redacted]

[redacted]

9. S/COPELAND stated he gave his cellular telephone to CSSN COUSINS and did not know what CSSN COUSINS did with it. S/COPELAND denied throwing it away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. S/COPELAND stated he lost his Air Pod during the same incident and showed RA his Air Pod case with one Air Pod to verify the story.

[redacted]

[redacted]

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

S/COPELAND/18NOV24
(B) ARTICLE 31B FORM SIGNED BY S/COPELAND/18NOV24
(C) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
S/COPELAND/18NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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16 DEC 24

From: V/S.S. USN
To: Commanding Officer, USS HARRY S. TRUMAN (CVN 75)

Subj: REQUEST FOR EXPEDITED TRANSFER OF ALLEGED OFFENDER

Ref: (a) MILPERSMAN 1300-1205
(b) 10 USC § 674

1. I respectfully request an expedited transfer of CSSN Jeremiah Copeland, the alleged offender in my case. I am a victim of a qualifying sex-related offense as provided in reference (a). I made an unrestricted report of sexual assault on or about 6 Nov 2024.

2. Reference (b) provides the framework for military commanders to be able to make decisions regarding the temporary administrative reassignment or removal of active duty service members accused of committing a sexual assault or related offense. Reference (a) provides Navy Commanders "the authority to request the transfer of the alleged offender" so long as the reassignment or removal is not "taken as a punitive measure, but solely for the purpose of maintaining good order and discipline." Reference (a) does not delineate a time-limit within which this request must be made; rather, "once a Service member has been identified as an alleged offender, a transfer may occur at any time."

3. CSSN Jermiah Copeland, the offender in my case, still currently serves onboard the CVN 75. Although I understand there is currently an NCO in place, I still see him often onboard the ship. Seeing him makes me uncomfortable and is a constant reminder of what he did. He has also spread rumors about me to other shipmates. It makes it very difficult for me to focus on and excel at my work. Transferring him off of the ship, even temporarily until my case is fully adjudicated or until he executes his PCS orders, would allow me to stay close to my support system on the Truman and aid in my recovery while also ensuring good order and discipline is maintained within the command.

4. I understand Navy Personnel Command (NAVPERSCOM), Deployability Assessment Branch (PERS-454), will be the ultimate authority on this request.

5. I am represented by a Victims' Legal Counsel, LCDR Jason Kim, JAGC, USN, who can be reached at (757) 664-4868 or by email at jason.j.kim22.mil@us.navy.mil.

/s/
V/S.S.




PROSECUTION EXHIBIT 14
1 of 1

#2 - v1`3

Norfolk - 757-461-9369
1245 N Military Hwy
Norfolk, Virginia 23502-2228
05/28/2025 11:39 AM

| | | | |
|---|---|---|---|
| **GROCERY** | | | |
| 211120063 | GG TOMATO | B F | $1.19 |
| 218033237 | FD BREAD | B F | $4.19 |
| 212261550 | GUERRERO | B F | $2.49 |
| 231160066 | DREAM | B F | $5.98 |
| | 2 @ $2.99 ea | | |
| 284120027 | LAND O'LAKES | B F | $4.49 |
| 284110237 | SRGNTO SHRED | B F | $3.19 |
| 284031157 | GG EGGS | B F | $2.99 |
| 211210053 | GG PEPPERS | B F | $1.39 |
| 211210215 | SOLI ORG | B F | $1.99 |
| 224124770 | AVOCADO | B F | $2.97 |
| | 3 @ $0.99 ea | | |
| 267014048 | CITRUS | N F | $1.17 |
| | 3 @ $0.39 ea | | |
| 268020021 | GG GRND BEEF | B F | $7.69 |
| 210110126 | Hillshire | B F | $2.99 |
| 210110128 | HILLSHIRE | B F | $2.99 |
| 211174660 | ONION | B F | $0.99 |
| **HEALTH AND BEAUTY** | | | |
| 063040292 | Gimme Beauty | T | $7.99 |
| 037131315 | VASELINE .25 | T | $2.99 |
| 049095924 | Crest 3D Whi | T | $8.99 |
| 049060297 | Nair | T | $5.99 |
| 049003979 | Dove 30.6oz | T | $10.99 |
| 063000938 | OGX | T | $7.99 |
| 052161106 | EYELINER | T | $3.00 |
| 245046363 | The HoneyPot | T B + | $11.49 |
| 049010336 | SheaMoisture | | $9.99 |
| 049015448 | SheaMoisture | T | $9.99 |
| 245032026 | O Positiv | T | $28.99 |
| 245038262 | THE HONEYPOT | T | $19.78 |
| | 2 @ $9.89 ea | T | |
| 253031860 | Bounty | | $7.99 |
| **HOME** | | | |
| 082020040 | Blogilates | T | $16.99 |
| **SPORTING GOODS** | | | |
| 082020192 | AllInMotion | T | $9.99 |
| 082025073 | Gaiam | T T | $39.99 |
| 082024843 | Blogilates | | $25.98 |
| | 2 @ $12.99 ea | | |

| | |
|---|---|
| SUBTOTAL | $275.82 |
| B VA TAX 1.00000 on $57.02 | $0.58 |
| T = VA TAX 6.00000 on $212.63 | $13.06 |
| TOTAL | $289.46 |
| *2708 DEBIT TOTAL PAYMENT | $289.46 |
| AID: A0000000980840 | |
| US DEBIT | |
| AUTH CODE: | 119361 |

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• INDICATES HEALTH ITEM

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Take a 2 minute survey about today's trip

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User ID: 7485 1895 2992
Password: 599 474

CUÉNTENOS EN ESPAÑOL

Please take this survey within 7 days

ENCLOSURE ( C



PROSECUTION EXHIBIT 15
1 of 1

1. BACKGROUND: On 31May25, NCIS was contacted by Norfolk Police Department (NPD) in reference to a missing person's report. NPD relayed ET3 Daniel RICH, USN, USS JAMES E. WILLIAMS (DDG 95), was attempting to make a missing person's report regarding A.R. [redacted]. ET3 RICH identified himself as A.R. [redacted] ex-boyfriend. NCIS subsequently contacted DDG 95 command and they advised A.R. [redacted] and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, were in a status of Unauthorized Absence (UA) beginning on Thursday, 29May25. DDG 95 Command advised they believed A.R. [redacted] and S/COPELAND were involved romantically but did not know to what extent. Additionally, command nor ET3 RICH could articulate an immediate danger to either S/COPELAND or A.R. [redacted] On 01Jun25, NCIS made contact with Naval Station Norfolk Base Police to follow up from the previous night and to conduct a welfare check on the rooms of S/COPELAND and A.R. [redacted] Base Police stated they found S/COPELAND in his barracks room; however, received no answer at the room of A.R. [redacted] NCIS responded to Norfolk Naval Base and was able to gain entry to A.R. [redacted] barracks room wherein no persons were present. Subsequently, the NCIS Multiple Threat Alert Center (MTAC) initiated cell phone pings on A.R. [redacted] mobile phone, which yielded no location data due to the phone possibly being powered off.

2. ARRIVAL AND JURISDICTION: On 04Jun25, at approximately 1628 hours, Reporting Agent (RA) and participating agents Alison FOX, Dara ELK, Ashley ULLOM, Lauryn WATKINS, Supervisory Special Agent Danielle ORTIZ, and Forensic Consultant Morgan CURRIE conducted a search of Room 1083 of Miller Hall, Building U16, Cowan St, Norfolk, VA 23511 located on NSN. A.R. [redacted] resided in room 1083B. NCIS maintains primary jurisdiction.

3. SCENE SECURITY AND SEARCH AUTHORIZATION: A Command Authorization for Search and Seizure (CASS) signed by CAPT Matthew SCHLARMANN, USN, Commanding Officer (CO), Naval Station Norfolk, was obtained to search the room; Enclosure (A) pertains.

4. OVERALL OBSERVATIONS SCENE: Miller Hall, Building U16, was a multiple level building containing multiple barracks rooms, located on the north side of the roadway, facing south; Figure 1 pertains. Room 1083 was located on the first floor, east of the main lobby, on the south side of the building. The front door of the room led to a kitchen area. South of the front door and kitchen was Room B. Room B was furnished with a bed, desk, dresser and nightstand; Figures 2 and 3 pertain. On the desk, there was a water bottle containing an unknown liquid, a toothbrush, a tongue scraper, and an "Ōura" ring; Figures 4-6 pertain. An "iPhone" and a journal were in a drawer of the desk; Figures 7-8 pertain. An "iPhone 15 Pro Max" box and an "iPhone 12" box were found in the desk drawer. Navy uniforms with the name RESENDIZ and a passport with the name Angelina Resendiz and a photograph were in the closet. There was a reddish brown stain on the floor in the kitchen.

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*Figure 1- Google Earth image of location of Miller Hall (Obtained 07JUL25)*



*Figure 2 - Overall photograph of Bedroom B (DSC_6461)*



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*Figure 3 - Overall photograph of Bedroom B (DSC_6466)*

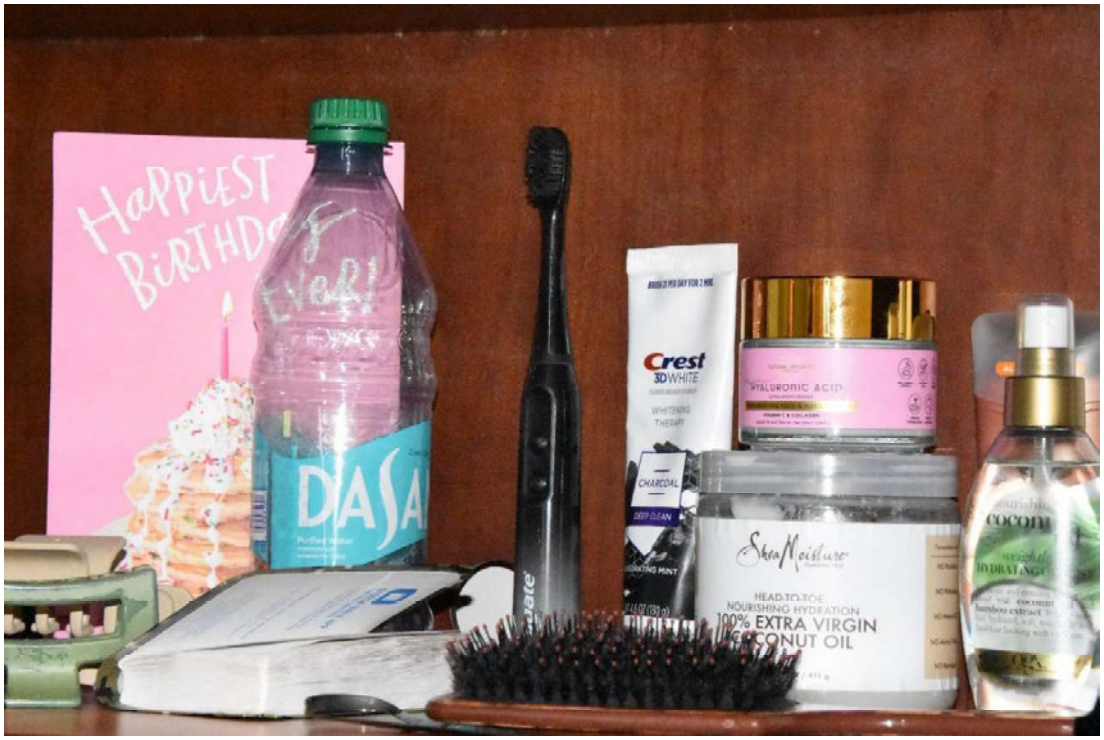



*Figure 4 - Photograph of toothbrush and tongue scraper on desk (DSC_6508)*

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*Figure 5 - Photograph of "Oura" ring on desk (DSC_6509)*



*Figure 6 - Photograph of water bottle on desk (DCS_6561)*



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*Figure 7 - Photograph of "iPhone" in drawer of desk (DSC_6542)*

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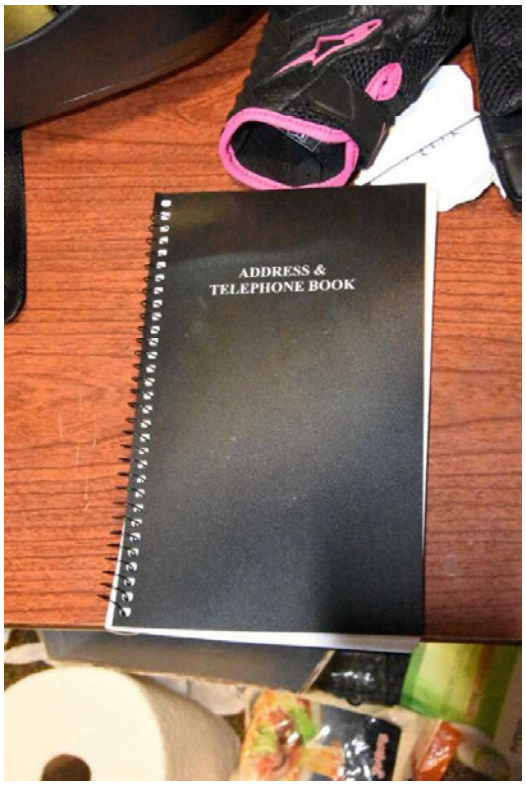



*Figure 8 - Photograph of journal found in desk drawer (DCS_6589)*

5. SCENE PROCESSING: SA FOX completed photographic documentation of the room using a Nikon D7200 camera. A total of one hundred eighty-four (184) digital images were captured, all of which were burned to a DVD-R; Enclosure (B) pertains. The reddish brown stain on the kitchen floor was presumptively tested for blood using Hemastik which yielded negative results. An alternate light source was used to search the room which yielded negative results. A cadaver dog was used to search the room which yielded negative results. An electronic detection canine was used to search the room which did not yield any further results. All drawers, cabinets, bags, clothing and trash containers of bedroom B, the bathroom and the kitchen were searched which yielded no additional evidence.

6. EVIDENCE SEIZURE: The following items were seized as evidence and entered into the NCISRA Norfolk Evidence Custody Facility under Log Number 52NYD:

Item NK009: One (1) book with addresses recovered from desk (Placard E)
Item WH6GR: One (1) hairbrush recovered from desk (Placard C)
Item 070W5: iPhone black in color in green case (Placard A)
Item L7RGN: One (1) Ōura ring, black, size 7, recovered from desk (Placard F)
Item P0Y8D: One (1) tongue scrapper recovered from desk (Placard D)
Item 7A4YA: One (1) electric toothbrush with battery recovered from desk (Placard B)
Item KECQ8: One (1) purple in color water bottle recovered from desk (Placard G)
Item Q27UP: Liquid collected from purple water bottle on desk

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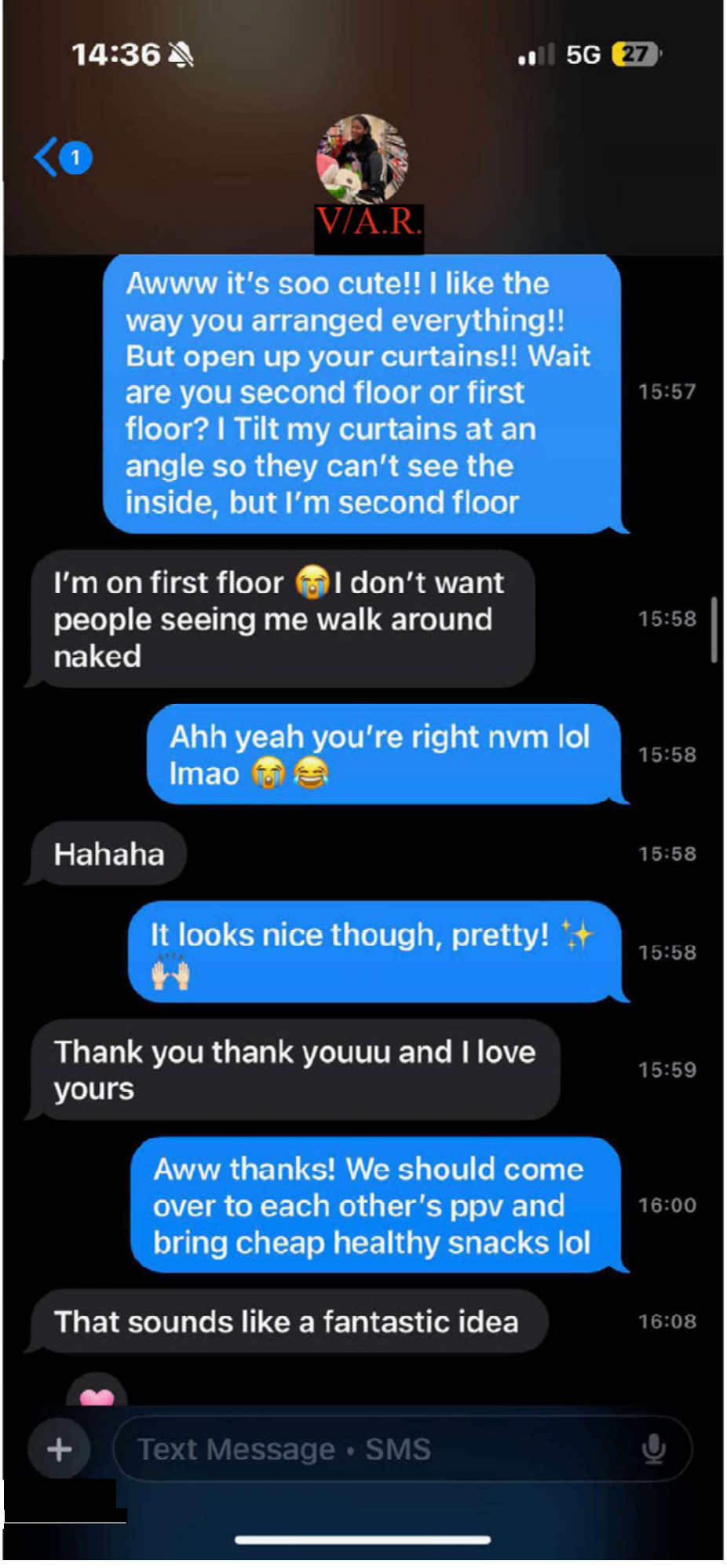
7. RELEASE: The scene was cleared and released to building management at 1825 hours.

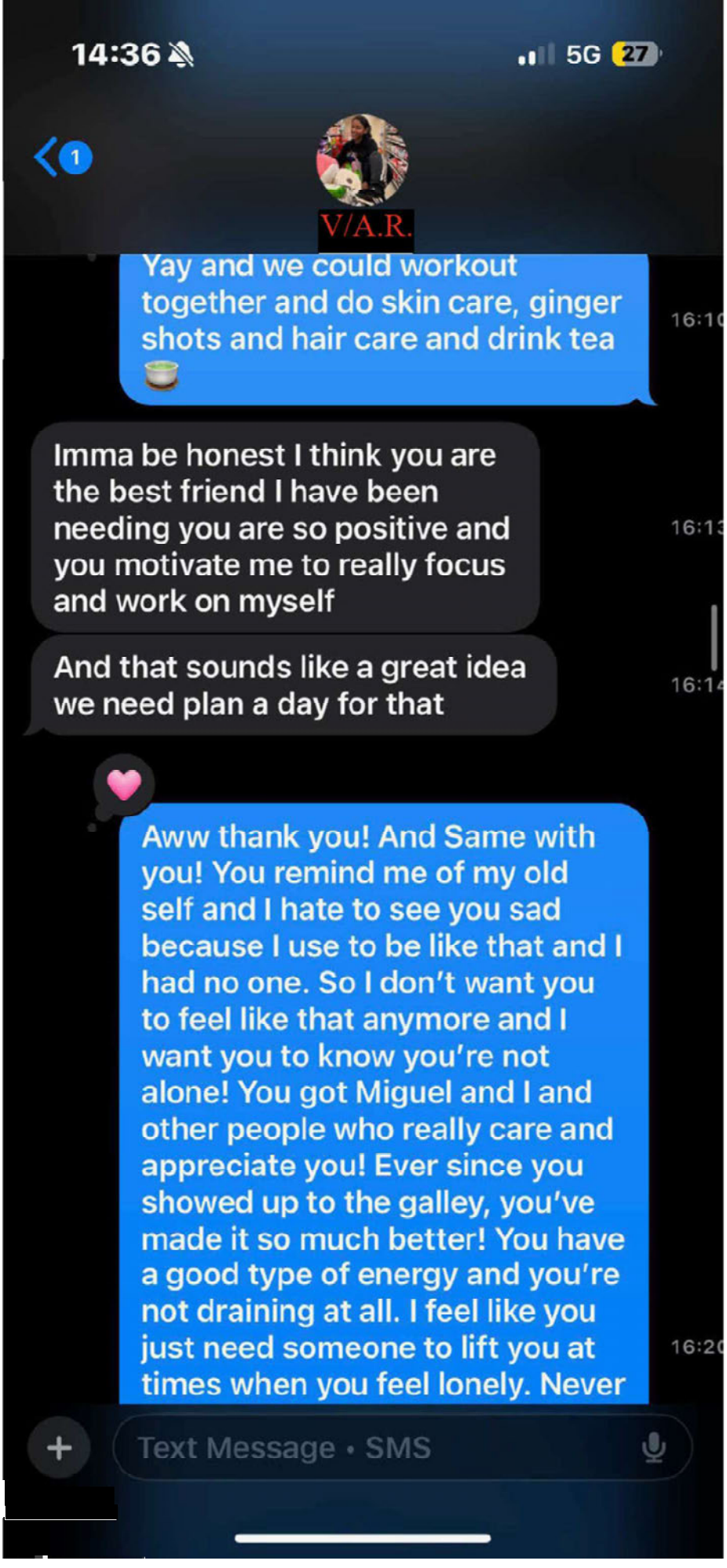
PARTICIPANT(S)
Alison FOX, Special Agent, NCISRA Yorktown, VA
Danielle ORTIZ, Supervisory Special Agent, NCISRA Norfolk, VA
Dara ELK, Special Agent, NCISRA Portsmouth, VA
Ashley ULLOM, Special Agent, NCISRA Norfolk, VA
Lauryn WATKINS, Special Agent, NCISRA Norfolk, VA
Morgan CURRIE, Forensic Consultant, NCISRA Norfolk, VA

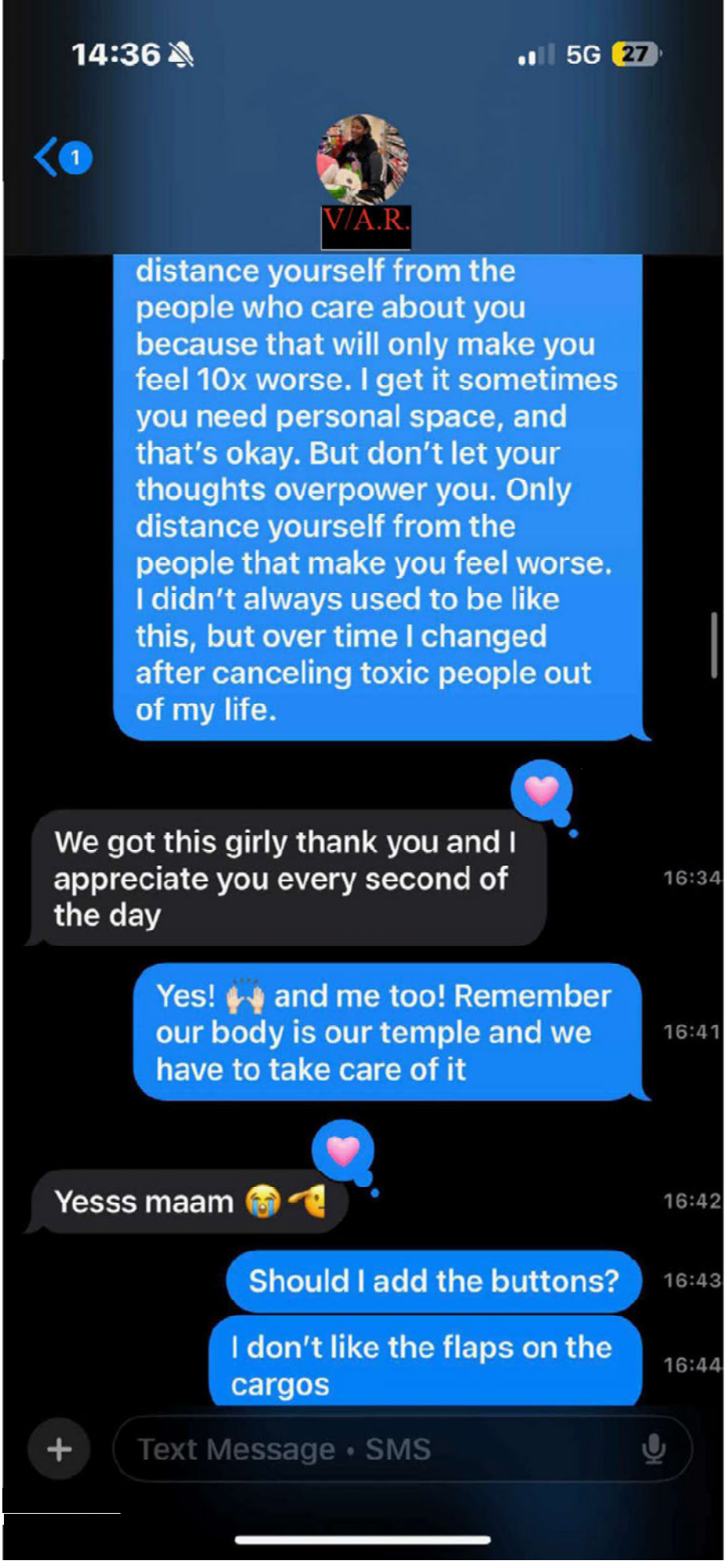
ENCLOSURE(S)
(A) COMMAND AUTHORIZATION FOR SEARCH AND SEIZURE/04JUN25
(B) DVD-R: 184 PHOTOGRAPHS FROM SCENE/04JUN25

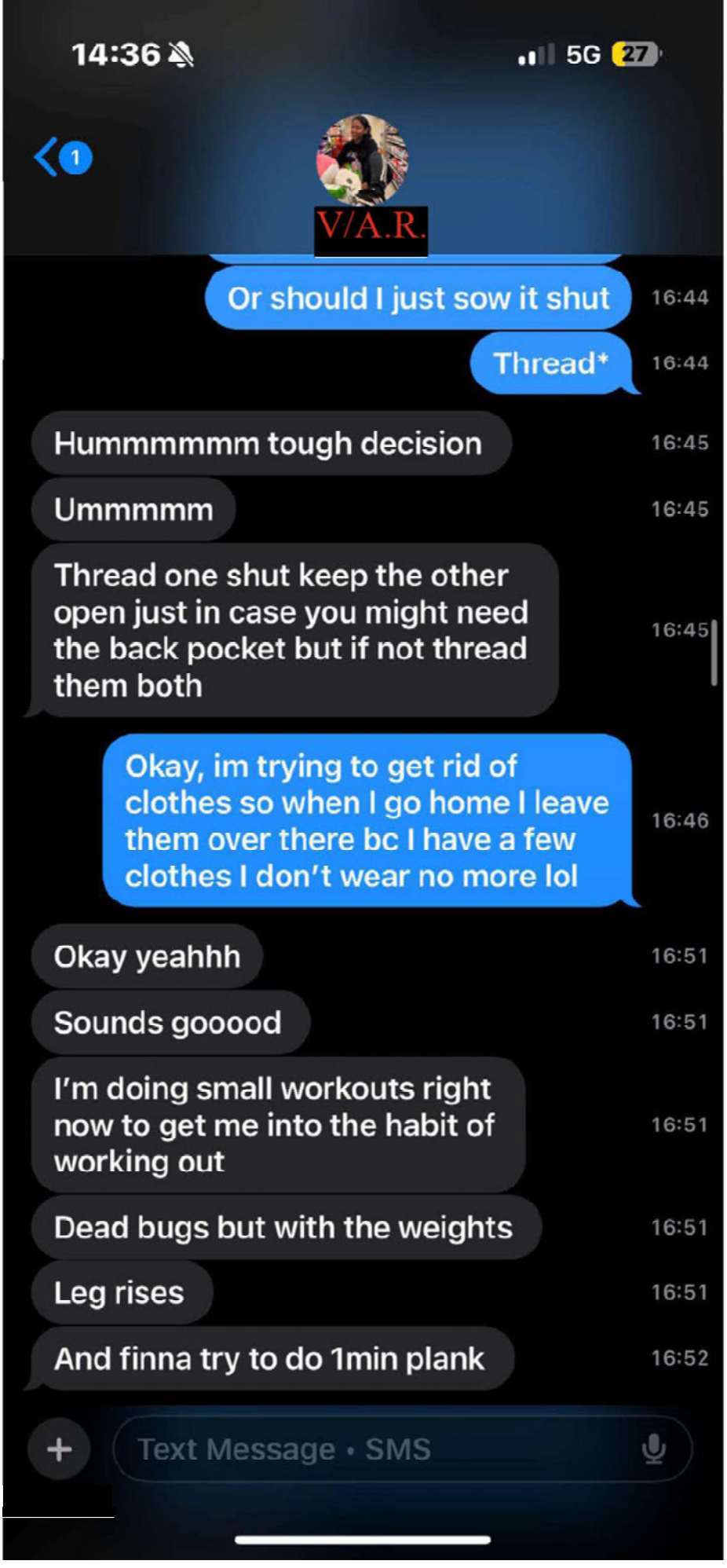


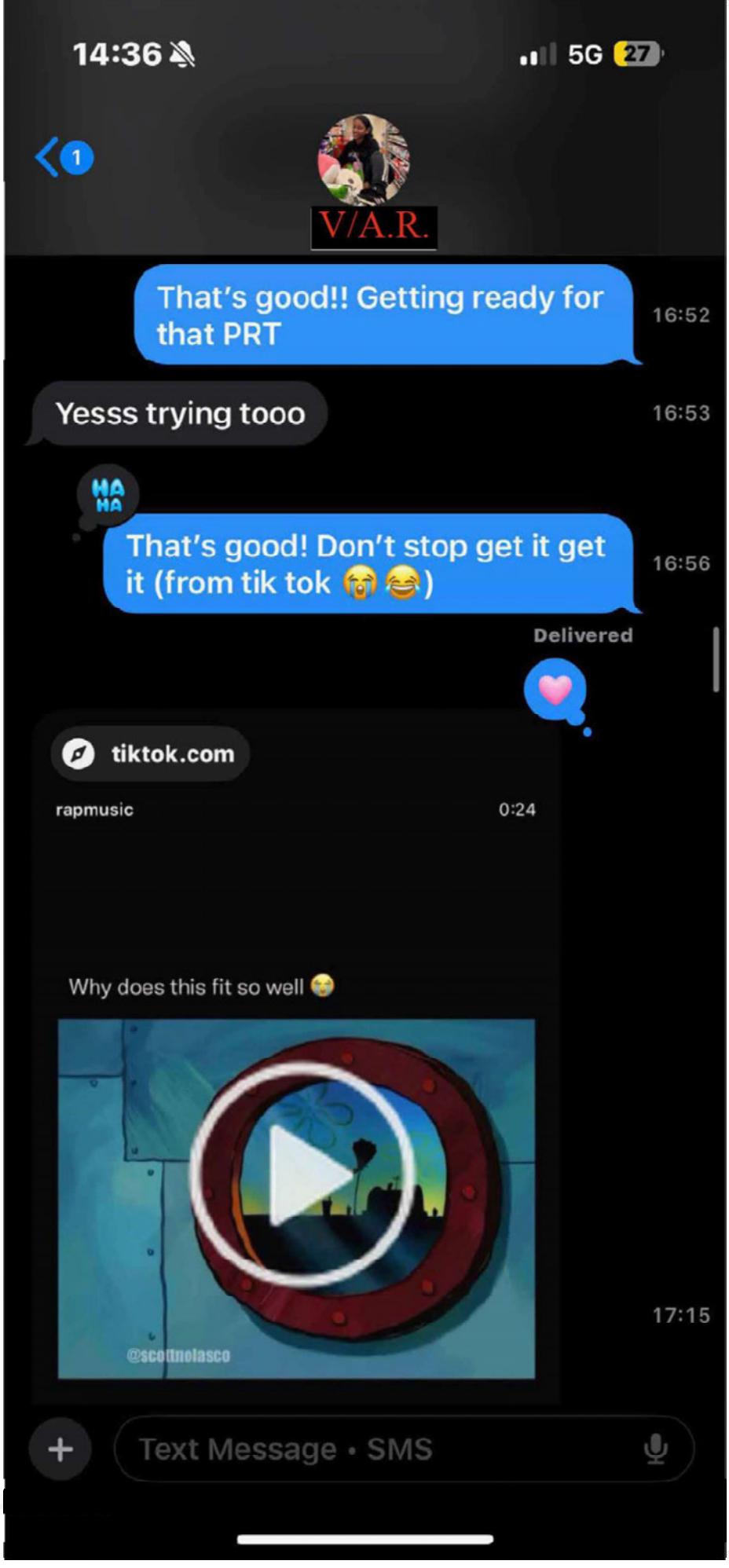
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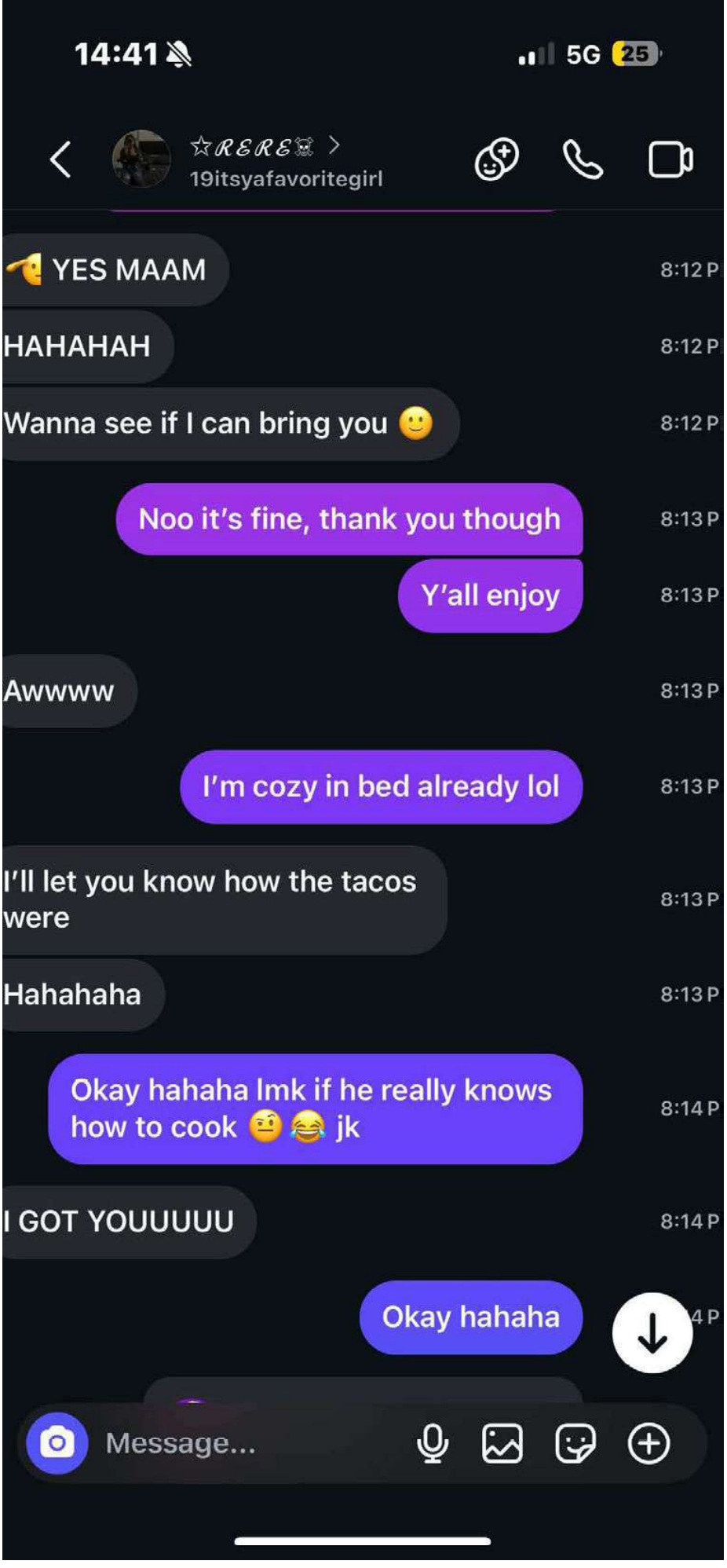

14:36
5G
27
1
V/A.R.
Awww it's soo cute!! I like the way you arranged everything!! But open up your curtains!! Wait are you second floor or first floor? I Tilt my curtains at an angle so they can't see the inside, but I'm second floor
15:57
I'm on first floor 😭I don't want people seeing me walk around naked
15:58
Ahh yeah you're right nvm lol lmao 😭😂
15:58
Hahaha
15:58
It looks nice though, pretty! ✨🙌
15:58
Thank you thank youuu and I love yours
15:59
Aww thanks! We should come over to each other's ppv and bring cheap healthy snacks lol
16:00
That sounds like a fantastic idea
16:08
Text Message • SMS


14:36
5G 27
1
V/A.R.
Yay and we could workout together and do skin care, ginger shots and hair care and drink tea
16:1
Imma be honest I think you are the best friend I have been needing you are so positive and you motivate me to really focus and work on myself
16:1
And that sounds like a great idea we need plan a day for that
16:1
Aww thank you! And Same with you! You remind me of my old self and I hate to see you sad because I use to be like that and I had no one. So I don't want you to feel like that anymore and I want you to know you're not alone! You got Miguel and I and other people who really care and appreciate you! Ever since you showed up to the galley, you've made it so much better! You have a good type of energy and you're not draining at all. I feel like you just need someone to lift you at times when you feel lonely. Never
16:2
Text Message • SMS


14:36
5G 27
1
V/A.R.
distance yourself from the people who care about you because that will only make you feel 10x worse. I get it sometimes you need personal space, and that's okay. But don't let your thoughts overpower you. Only distance yourself from the people that make you feel worse. I didn't always used to be like this, but over time I changed after canceling toxic people out of my life.
We got this girly thank you and I appreciate you every second of the day
16:34
Yes! 🙌 and me too! Remember our body is our temple and we have to take care of it
16:41
Yesss maam 😭👉
16:42
Should I add the buttons?
16:43
I don't like the flaps on the cargos
16:44
Text Message • SMS


14:36
5G
27
1
V/A.R.
Or should I just sow it shut
16:44
Thread*
16:44
Hummmmmm tough decision
16:45
Ummmmm
16:45
Thread one shut keep the other open just in case you might need the back pocket but if not thread them both
16:45
Okay, im trying to get rid of clothes so when I go home I leave them over there bc I have a few clothes I don't wear no more lol
16:46
Okay yeahhh
16:51
Sounds gooood
16:51
I'm doing small workouts right now to get me into the habit of working out
16:51
Dead bugs but with the weights
16:51
Leg rises
16:51
And finna try to do 1min plank
16:52
Text Message • SMS

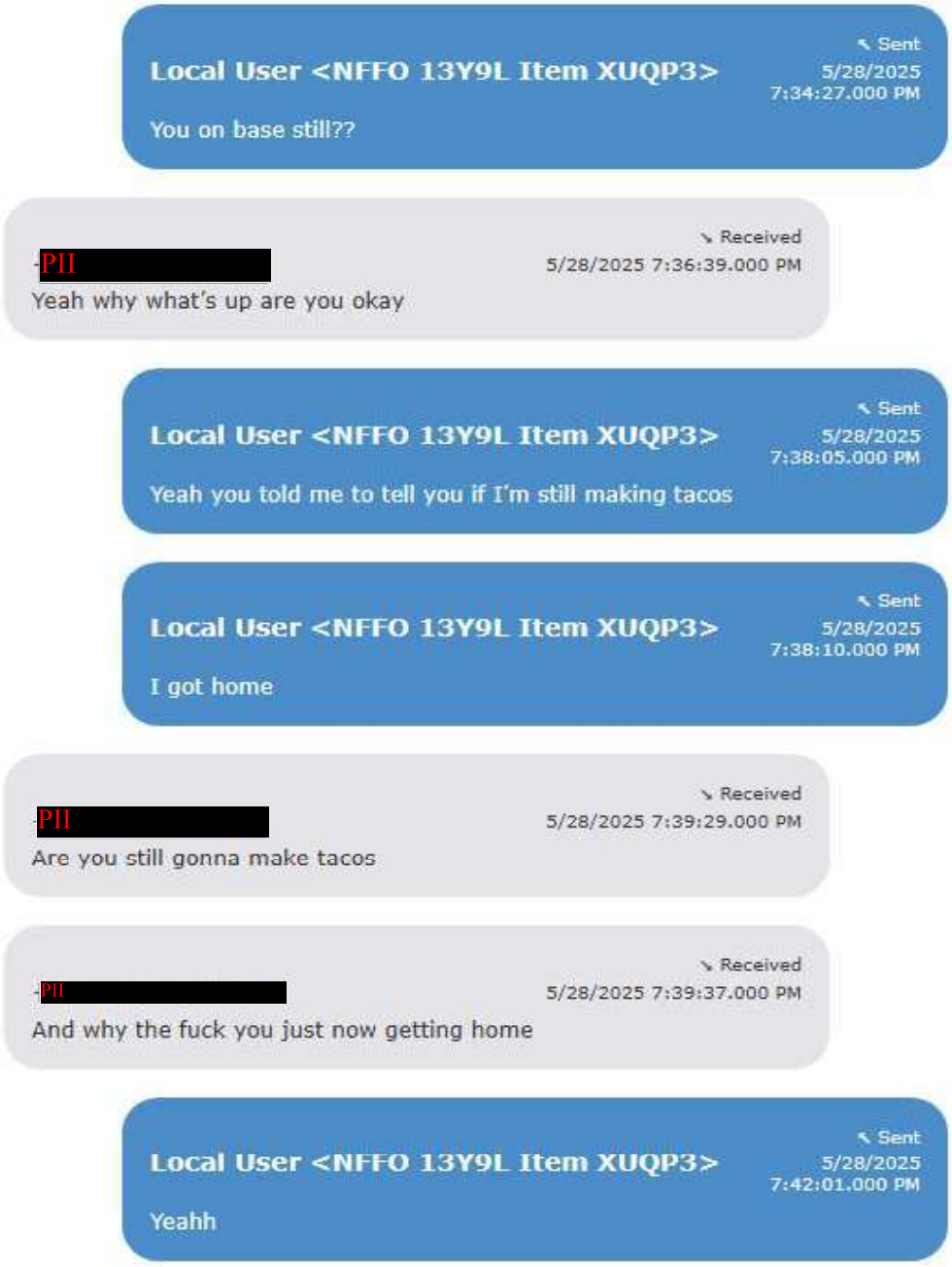

14:36
5G
27
1
V/A.R.
That's good!! Getting ready for that PRT
16:52
Yesss trying tooo
16:53
HA HA
That's good! Don't stop get it get it (from tik tok 😭😂)
16:56
Delivered
tiktok.com
rapmusic
0:24
Why does this fit so well 😭
@scottnolasco
17:15
Text Message • SMS

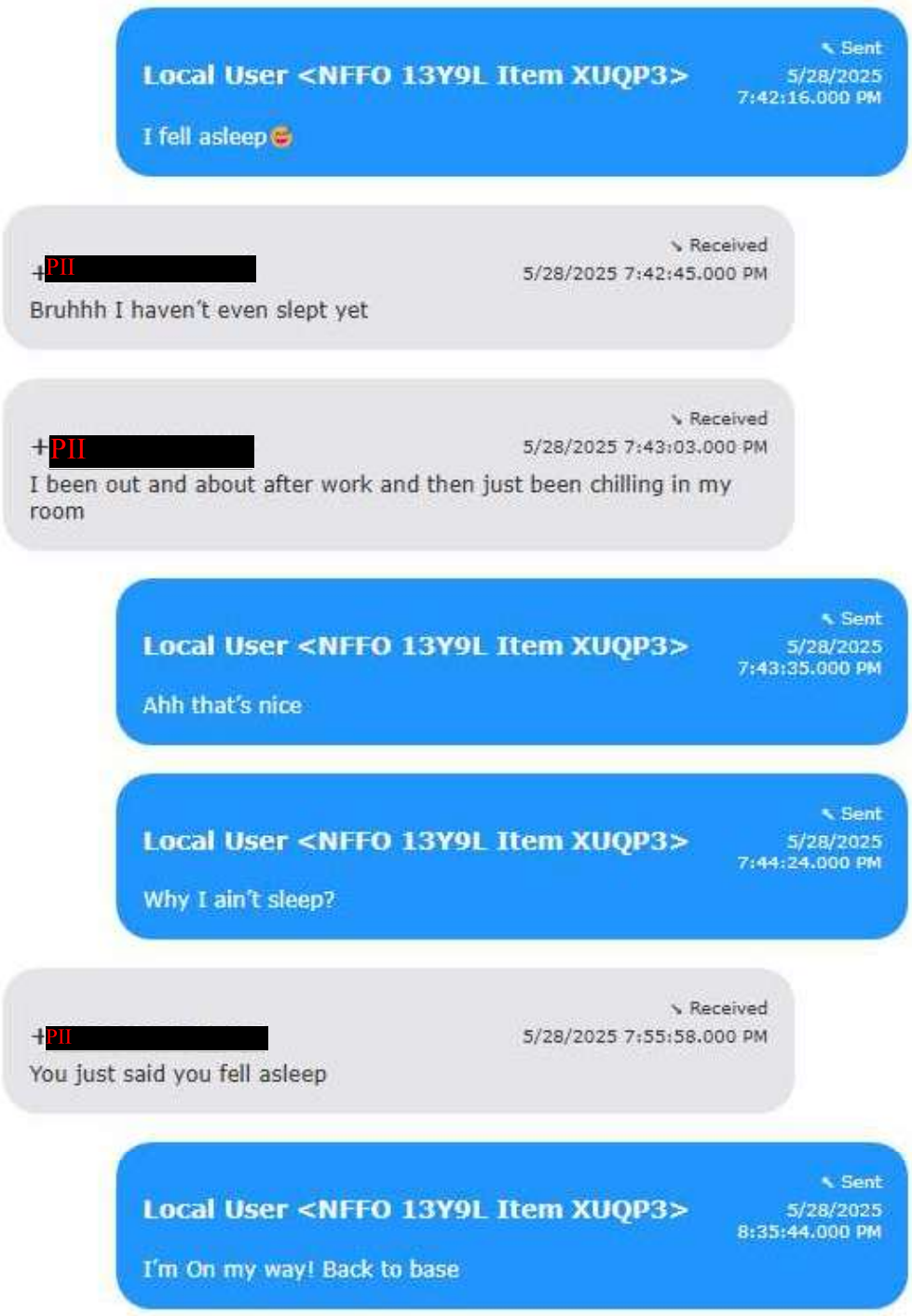

14:41
5G 25
☆RERE☠ >
19itsyafavoritegirl
YES MAAM
8:12 P
HAHAHAH
8:12 P
Wanna see if I can bring you 🙂
8:12 P
Noo it's fine, thank you though
8:13 P
Y'all enjoy
8:13 P
Awwww
8:13 P
I'm cozy in bed already lol
8:13 P
I'll let you know how the tacos were
8:13 P
Hahahaha
8:13 P
Okay hahaha lmk if he really knows how to cook 🤨😂 jk
8:14 P
I GOT YOUUUUU
8:14 P
Okay hahaha
Message...

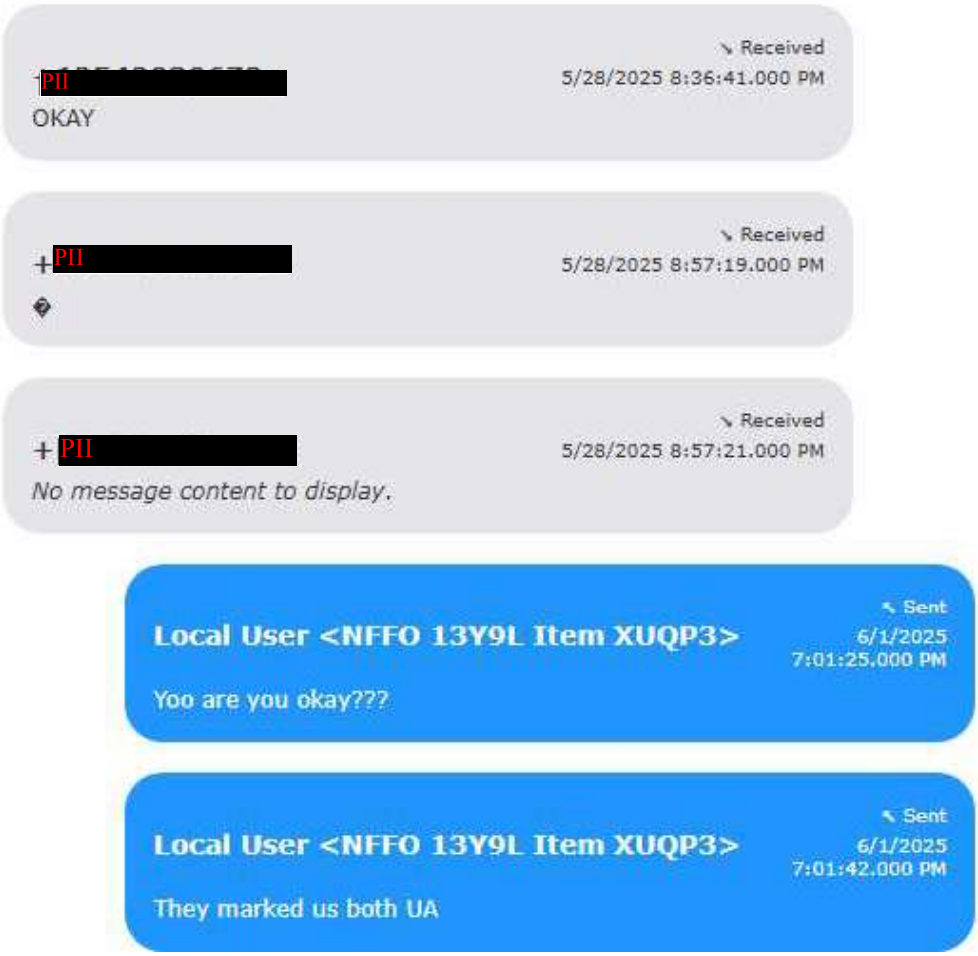

14:42
5G
25
☆RERE☠ >
19itsyafavoritegirl
MAY 28 AT 21:58
This guy bro has me making the salsa
9:58 P
With no tomatillos 😭
9:58 P
I made it work tho
9:58 P
Lol 😭 that's good though, I would of asked before I went if everything was ready, he has you working on your day off 🙄😂😂
10:00
Hell nah I'm making him cook the fuck
10:13
He used burger meat bro 😭
10:40
Didn't have my kinda seasonings and I had to save it because it tasted like burger so I had to step in and save the meat
10:41
I'm literally teaching him how to cook
10:44
MAY 29 AT 01:24
Message...

**COMMUNICATIONS WITH V/A.R. CELLULAR PHONE**

1. SDFE DAVISON located and extracted the entire text history between the user of the iPhone 15 Pro Max belonging to S/COPELAND and phone number PII identified as belonging V/A.R. . The text history starts on 24Feb25 with the last text sent by the user of the iPhone 15 Pro Max belonging to S/COPELAND on 01Jun25, at 7:01:42 PM. The text messages sent by the iPhone 15 Pro Max belonging to S/COPELAND on 01Jun25, were not received nor read by the user of the cellular phone belonging V/A.R. . SDFE DAVISON took the following screenshots displayed in Axiom that are excerpts from the entire text history.




Local User <NFFO 13Y9L Item XUQP3>
Sent
5/28/2025
7:42:16.000 PM
I fell asleep
+PII
Received
5/28/2025 7:42:45.000 PM
Bruhhh I haven't even slept yet
+PII
Received
5/28/2025 7:43:03.000 PM
I been out and about after work and then just been chilling in my room
Local User <NFFO 13Y9L Item XUQP3>
Sent
5/28/2025
7:43:35.000 PM
Ahh that's nice
Local User <NFFO 13Y9L Item XUQP3>
Sent
5/28/2025
7:44:24.000 PM
Why I ain't sleep?
+PII
Received
5/28/2025 7:55:58.000 PM
You just said you fell asleep
Local User <NFFO 13Y9L Item XUQP3>
Sent
5/28/2025
8:35:44.000 PM
I'm On my way! Back to base




| Recipient(s) | Message Sent D... | Message | Status | Message Delivered... | Message Read Date... |
|---|---|---|---|---|---|
| PII | 6/1/2025 7:01:42.000 PM | They marked us both UA | Sent | | |
| | 6/1/2025 7:01:25.000 PM | Yoo are you okay??? | Sent | | |
| Local User <NFFO 13Y9L Item XUQP3> | 5/28/2025 8:57:21.000 PM | | Received | | |
| Local User <NFFO 13Y9L Item XUQP3> | 5/28/2025 8:57:19.000 PM | | Received and Read | | 5/28/2025 8:58:03.000 PM |

Click to Review Text Messages

2. SDFE DAVISON located and extracted the entire call log history between the user of the iPhone 15 Pro Max belonging to S/COPELAND and phone number PII identified as belonging to V/A.R. . The last successful phone call occurred on 28May25, at 8:56:42 PM, with a call duration of 11 minutes and 15 seconds. The two outgoing phone calls on 01Jun25, at 07:02 AM, are listed as answered for a call duration of 5 and 6 seconds, respectively. The examination revealed the call status listed as “Answered” appears to be the call being directed to voicemail. SDFE DAVISON took the following screenshots as displayed in Axiom.

| Partners | Direction | Call Type | Call Status | Call Date/Time | Call Duration |
|---|---|---|---|---|---|
| PII | Outgoing | FaceTime Video | Unanswered | 3/1/2025 3:45:04.234 PM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 3/1/2025 3:45:11.128 PM | 00:00:00 |
| | Outgoing | FaceTime Video | Answered | 3/1/2025 3:58:43.894 PM | 00:01:10 |
| | Incoming | FaceTime Video | Unanswered | 3/11/2025 10:41:28.777 AM | 00:00:00 |
| | Outgoing | FaceTime Video | Answered | 5/28/2025 7:44:51.109 PM | 00:04:31 |
| | Outgoing | FaceTime Video | Answered | 5/28/2025 8:56:42.788 PM | 00:11:15 |
| | Outgoing | Phone | Answered | 6/1/2025 7:02:00.058 PM | 00:00:05 |
| | Outgoing | Phone | Answered | 6/1/2025 7:02:10.058 PM | 00:00:06 |
| | Outgoing | Phone | Unanswered | 6/1/2025 7:03:14.727 PM | 00:00:00 |
| | Outgoing | Phone | Unanswered | 6/1/2025 7:03:38.875 PM | 00:00:00 |

Click to Review Call Logs

3. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not save the name of the contact with phone number PII in the address book. The InteractionC log recorded the first interaction with the phone number PII on 24Feb25, and the last incoming successful communication on 28May25, at 8:57:21 PM. The examination revealed the last incoming successful interaction was a text message sent by the user of V/A.R.'s phone. SDFE DAVISON took the following screenshots as displayed in Axiom.

NCIS

**Results of Scene Examination**

Reported By: SA Ashley ULLOM
Date: 03Jun25

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

CCN: 01JUN25-NFNF-00237-7HNA
Title: S/COPELAND, JERMIAH TAYLOR/SN USN

1. **BACKGROUND:** On 31May25, NCIS was contacted by Norfolk Police Department (NPD) in reference to a missing person report. NPD relayed that ET3 Daniel RICH, USN, USS JAMES E. WILLIAMS (DDG 95), was attempting to make a missing person report regarding A.R. [redacted] NCIS subsequently contacted DDG 95 Command, and they advised A.R. [redacted] and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, were in a status of Unauthorized Absence (UA) beginning on Thursday, 29May25. DDG 95 Command advised they believed A.R. [redacted] and S/COPELAND were involved romantically, but did not know to what extent. On 01Jun25, NCIS made contact with Naval Station Norfolk Base Police to conduct a welfare check on S/COPELAND and A.R. [redacted]'s rooms. Base Police stated they found S/COPELAND in his barracks room; however, they received no answer at A.R. [redacted]'s door when they knocked. NCIS responded to Naval Station Norfolk and was able to gain entry to A.R. [redacted] barracks room, in which A.R. [redacted] was not located. Subsequently, NCIS' Multi-Threat Action Center (MTAC) initiated cell phone pings on A.R. [redacted] mobile phone, which yielded no location data due to the phone possibly being powered off. NCIS conducted an interview of S/COPELAND who stated A.R. [redacted] came over to his barracks on Wednesday, 28May25. S/COPELAND said A.R. [redacted] stayed the night and the next day, 29May25, FCC Brad PARKER, USN, DDG 95, came to his barracks room because he failed to report for work. S/COPELAND stated he borrowed his roommate's vehicle and drove A.R. [redacted] back to her barracks room around 1000 hours on 29May25. ET3 RICH was interviewed and stated he attempted to file a missing person report due to A.R. [redacted] not responding to friends and family correspondence in conjunction with A.R. [redacted] phone being turned off. On 01Jun25, an emergency subpoena was served to Navy Federal Credit Union (NFCU) regarding A.R. [redacted] bank account, and the last reported activity was 28May25. On 03Jun25, The NCISRA Norfolk Major Case Response Team (MCRT) was activated to conduct a scene examination of S/COPELAND's barracks room, as this was the last confirmed location of A.R. [redacted]. S/COPELAND resided in room 335 inside Willis Manor, Building X2, aboard Naval Station Norfolk.

2. **JURISDICTION AND SEARCH AUTHORIZATION:** Willis Manor, Building X2 is located aboard Naval Station Norfolk and is located within concurrent jurisdiction with Norfolk Police Department; however, NCIS retains primary investigative jurisdiction due to A.R. [redacted] and S/COPELAND'S status as USN service members. A Command Authorization for Search and Seizure (CASS) was signed by CAPT Matthew SCHLARMANN, USN, Commanding Officer (CO), Naval Station Norfolk, to authorize the search of S/COPELAND's barracks room in an effort to locate anything belonging to A.R. [redacted]. A copy of the CASS is appended as Enclosure (A).

3. **ARRIVAL AND SCENE SECURITY:** The scene was not secured prior to NCIS' arrival. At approximately 2004, on 03Jun25, the following members of MCRT arrived on scene: Reporting Agent (RA), SA Joy NAROWSKI, SA Alison FOX, SA Brandon MOORE, Forensic Consultant (FC) Morgan CURRIE, and Supervisory Special Agent (SSA) Danielle ORTIZ. At approximately 2058, the room was cleared, and the scene was secured by SA Kenneth MASON, SA Ryan GARDNER, and SA Steve CONLON. SA David LAWHORN with Electronic Storage Detection (ESD) K9 Jill, Andrew PISKE, CIV, Virginia Department of Emergency Management (VDEM) with Cadaver K9 Kyra, SA Salvatore MURGOLO, SA Cheyenne SIMMONS, SA Tiffany MARTINEZ, SA Caroline ROBINSON, SA Lauryn GODETTE, SA Morgan JOHNS, INV Jesse CLAAR, and INV Nick BURROWES were also on scene.

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**EXHIBIT 31**

PROSECUTION EXHIBIT 19
1 of 7

4. **EXTERIOR OBSERVATIONS:** Willis Manor, Building X2 is a military barracks located aboard Naval Station Norfolk. Willis Manor, Building X2 is a five story building with a parking lot located in front and to the side. The building is located between Maryland Ave and Virginia Ave. Figure [1] is a Google Earth image of Willis Manor, Building X2 depicting its relationship and orientation to the surrounding buildings. Figure [2] is a stock photo of the exterior of Willis Manor.




*Figure 1 - Google Earth image of Willis Manor, Building X2 (retrieved from Google Maps, 11Jun25)*



*Figure 2 – Stock photograph of the exterior of Willis Manor, Building X2*

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5. **INTERIOR OBSERVATIONS:** Upon arrival at the scene, at approximately 2117, RA, FC CURRIE, and SSA ORTIZ conducted an initial walk-through of room 335. After the initial walk-through was completed, RA completed photographic coverage of the room. RA a completed digital sketch of the scene which depicts associated items of evidence described throughout the remainder of the report. Figure [3] depicts the overall scene sketch with associated measurements and legend. The sketch has also been appended as Enclosure (B). Upon entering the room, a closet was located to the left and a washing and drying machine were located to the right. Continuing into the room, a kitchen was on the right and then the area proceeded to open up into a common space that contained a couch, two chairs, a coffee table, a smaller table, and a TV. Along the left wall was another doorway which led into the "B" side of the room, in which S/COPELAND resided with a roommate. Across the common space, "A" side was located, in which two other roommates resided. Inside the "B" side, there were two beds, each up against a wall. S/COPELAND's bed, desk, closet, sink, and belongings were on the side labeled "BA," located along the northeast wall. Once inside "B" side of room 335, a bathroom with a toilet and shower could be located along the northwest wall, past the closets and sinks. Side "A" was not entered by NCIS as it did not pertain to the captioned investigation; therefore, it was not covered in the CASS. At approximately 2203, SA LAWHORN and ESD K9 Jill searched room 335 side B and the common space for electronics belonging to A.R. [redacted] and found nothing pertinent. At approximately 2234, PISKE and Cadaver K9 Kyra searched room 335 side B and the common space for indications of human remains, to which Cadaver K9 Kyra alerted to a grey backpack located on S/COPELAND's side of suite B. This backpack was collected as evidence item (A). Figure [4] depicts the door and entryway into room 335. Figure [5] depicts the common area located within room 335. Figure [6] depicts S/COPELAND'S bed and desk located against the northeast wall. Figure [7] depicts a positive presumptive test for blood using a Hemastix with a swab taken from a "sticker" located on the floor of S/COPELAND's closet. Figure [8] depicts a positive presumptive test for blood using a Hemastix with a swab taken from the counter next to S/COPELAND's sink. In addition, Bluestar was completed by FC CURRIE and will be documented under a separate report.

OVERALL SKETCH OF ROOM 335 IN WILLIS MANOR, BUILDING X2

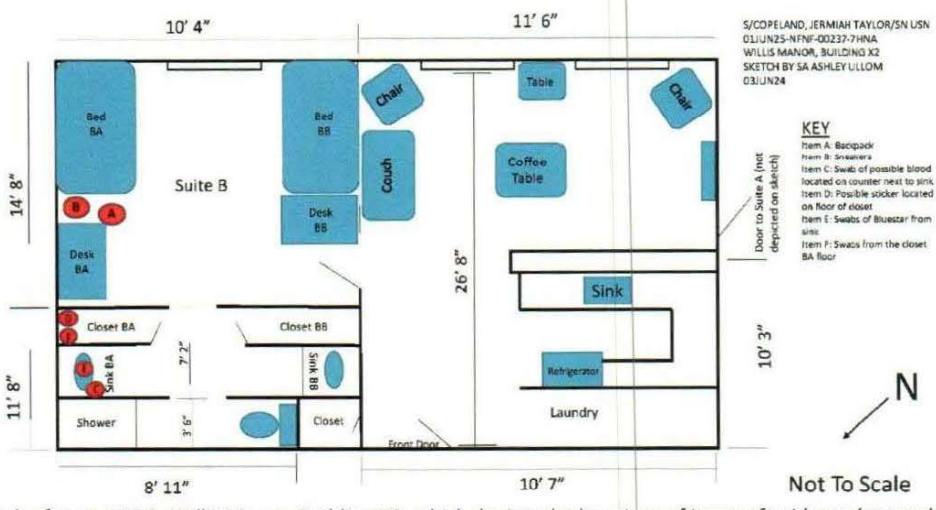



*Figure 3 – Overall Sketch of room 335 in Willis Manor, Building X2, which depicts the locations of items of evidence (created with Microsoft PowerPoint; 03Jun25)*

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*Figure 4 – Door and entrance to room 335 (DSC_0008.JPG)*



*Figure 5 – Common room area of room 335 (DSC_0018.JPG)*



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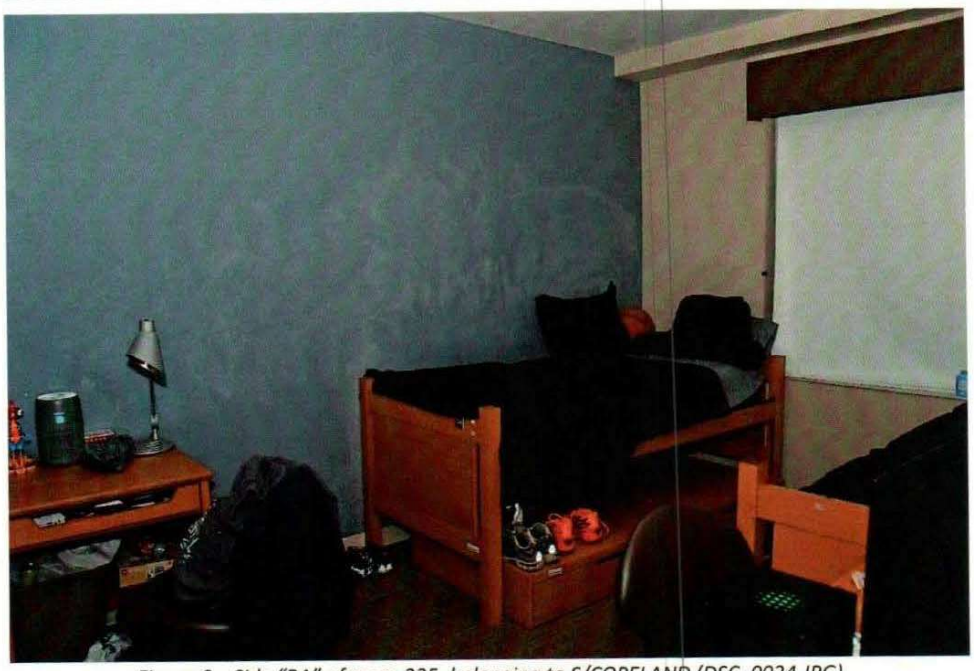


*Figure 6 – Side "BA" of room 335, belonging to S/COPELAND (DSC_0024.JPG)*



*Figure 7 – Hemastix test depicting positive result for presumptive blood on a "sticker" located on the floor of S/COPELAND'S closet (DSC_0210.JPG)*

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*Figure 8 – Hemastix test depicting positive result for presumptive blood on the counter next to S/COPELAND'S sink (DSC_0223.JPG)*

6. **SCENE PROCESSING:** RA completed photographic coverage of the scene utilizing a Nikon D 3000 digital camera. A total of 254 digital photographs were captured, all of which were burned to a DVD-R and appended as Enclosure (C).

7. **EVIDENCE SEIZURE:** The following items of evidence were seized from the residence and entered into the NCISRA Norfolk Consolidated Evidence Facility under Evidence Log Number JQNT4:

   Item (A): Gray backpack containing miscellaneous items; ID WGAM0
   Item (B): Pair of gray/white Jordan sneakers; ID FML8B
   Item (C): One (1) Swab taken from corner of wall above bathroom sink containing suspected blood; ID NY112
   Item (D): Sticker collected from closet floor containing suspected blood; ID TJY67
   Item (E): One (1) Swab taken from inside bathroom sink bowl containing suspected blood; ID NAH9K
   Item (F): Three (3) swabs taken from left rear corner of closet floor containing suspected blood; ID 4DT6A

8. **SCENE RELEASE:** At approximately 0138 on 04Jun25, MCRT released room 335 back to S/COPELAND and his three roommates.

**PARTICIPANT(S)**

Ashley ULLOM, Special Agent, NCISRA Norfolk, VA
Brandon MOORE, Special Agent, NCISRA Norfolk, VA
Kenneth MASON, Special Agent, NCISRA Norfolk, VA
Ryan GARDNER, Special Agent, NCISRA Norfolk, VA

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Morgan JOHNS, Special Agent, NCISRA Norfolk, VA
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Nick BURROWES, Investigator, NCISRA Norfolk, VA
Danielle ORTIZ, Supervisory Special Agent, NCISRA Norfolk, VA
Joy NAROWSKI, Special Agent, NCISRA Yorktown, VA
Alison FOX, Special Agent, NCISRA Yorktown, VA
Steve CONLON, Special Agent, NCIS REACT - Norfolk
Morgan CURRIE, Forensic Consultant, NCIS Office of Forensic Support – Norfolk

**ENCLOSURES**

(A) COMMAND AUTHORIZATION FOR SEARCH AND SEIZURE (CASS)
(B) OVERALL SKETCH OF ROOM 335 IN WILLIS MANOR, BUILDING X2
(C) DVD-R: PHOTOGRAPHS OF ROOM 335 IN WILLIS MANOR, BUILDING X2

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## 1. BACKGROUND

1.1. On 31May25, NCIS initiated an investigation regarding a missing person report. The missing person was later identified as A.R. [redacted] According to witnesses, A.R. [redacted] was last seen with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95 at his barracks located at Willis Manor (Building X-2), Room 335, 9712 Virginia Ave, Norfolk, VA on board Naval Station Norfolk. Reporting Forensic Consultant (RFC) responded to Building X-2, Room 335 to identify and document any suspected bloodstains and other items of potential forensic value on scene.

## 2. ARRIVAL, JURISDICTION, AND AUTHORIZATION

2.1. On 03Jun25 at approximately 2004 hours, Reporting Forensic Consultant (RFC), Participating Agents (PAs) Joy NAROWSKI, Alison FOX, Brandon MOORE, Ashley ULLOM, Lauren GODETTE and Supervisory Special Agent (SSA) Danielle ORTIZ arrived at Building X-2, see figure 1. NCIS maintains primary jurisdiction. NCIS conducted a search of S/COPELAND's residence pursuant to a Command Authorization for Search and Seizure (CASS).




*Figure 1: Google Maps aerial image of Willis Manor, Building X-2, on board Naval Station Norfolk, VA (retrieved from Google Maps 20Jul25).*

(area intentionally left blank)



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## 3. SCENE OBSERVATIONS—BUILDING X-2, ROOM 335

3.1. Building X-2 is a Navy unaccompanied housing military barracks with five floors containing multiple residences, see figure 2. Building X-2 has a parking lot located to the south of the building. Building X-2 is positioned in between Virginia Avenue and Maryland Avenue. Room 335 is located in the east wing, on the third floor, along the south side of the building.




*Figure 2: Google image of Willis Manor, Building X-2, on board Naval Station Norfolk, VA (retrieved from Google Images on 20Jul25).*

3.2. Upon entering Room 335, RFC observed a foyer which led into the kitchen. South of the kitchen was a living room. RFC observed a broken coffee table in the living room. The coffee table also contained two red plastic cups and an opened bottle of "Uptown Cocktails" Strawberry Margarita ready-to-drink cocktail. Parallel to the kitchen and living room were two suites containing two single beds running along the east and west end of the residence. S/COPELAND was assigned to Suite B. Suite B contained two single beds, two desks, two closets, two sink vanities, and a single half bathroom which contained a toilet and shower. S/COPELAND's bed and closet were identified with a placard labeled as "BA". S/COPELAND's bed and desk were located along the east wall of the suite. North of S/COPELAND's bedroom, RFC observed a foyer leading into the closet and bathroom. RFC created a digital sketch displaying the layout of Room 335, see figure 3.

*(area intentionally left blank)*



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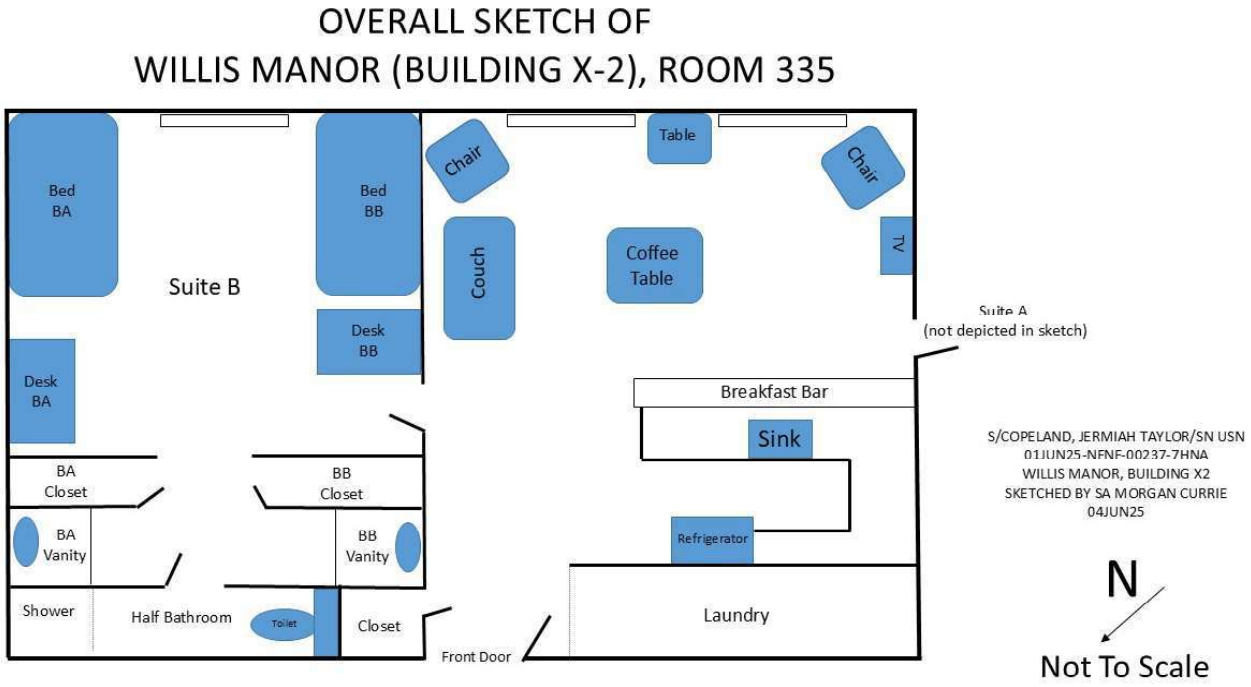



*Figure 3: Digital sketch created by RFC of Room 335.*

3.3. Figures 4-7 are photographs of Room 335 common area which contained a kitchen and living room.




*Figure 4: Photograph of doorway of Room 335 (DSC_0008.jpg—captured during scene documentation on 03Jun25).*



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*Figure 5: Photograph of kitchen inside Room 335 (DSC_0012.jpg—captured during scene documentation on 03Jun25).*



*Figure 6: Photograph of living room, kitchen and Suite A doorway (DSC_0022.jpg—captured during scene documentation on 03Jun25).*

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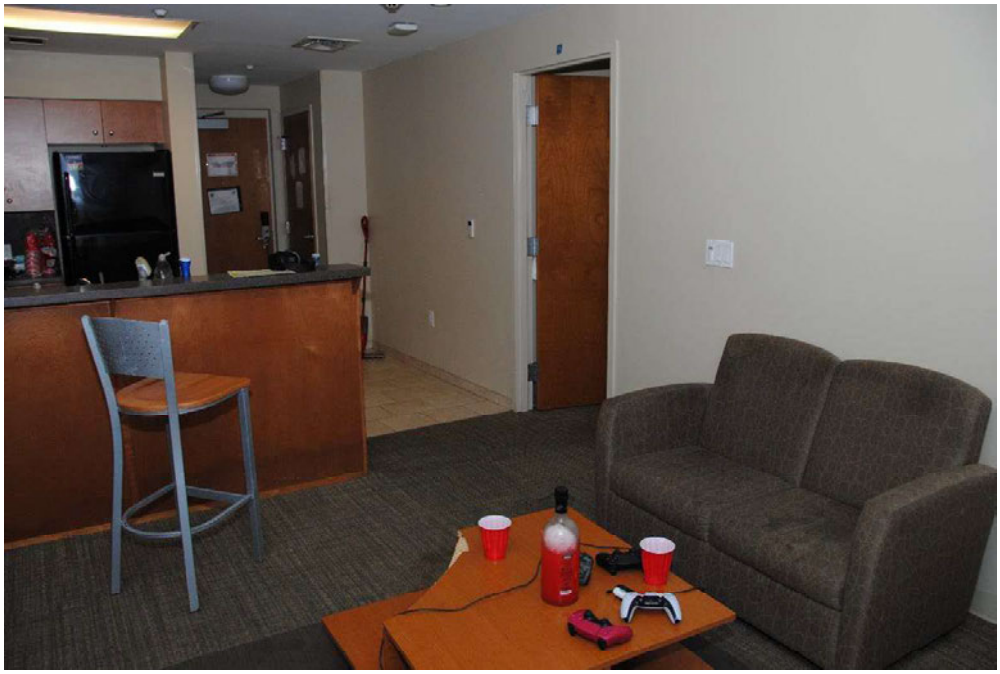


*Figure 7: Photograph of living room, kitchen and Suite B doorway (DSC_0021.jpg—captured during scene documentation on 03Jun25).*

**4. SCENE OBSERVATIONS—ROOM 335, SUITE B**

4.1. RFC entered Suite B, see figures 8-14, and observed two single beds, two desks, two closets, two sink vanities, and a single half bathroom which contained a toilet and shower shared by the assigned suitemates. According to SSA ORTIZ, YN3 Sean MONAGHAN (YN3 MONAGHAN), USN, Helicopter Mine Countermeasures Squadron (HM 12), is the sole suitemate with S/COPELAND. SSA ORTIZ relayed YN3 MONAGHAN's belongings are assigned to bed, sink and closet labeled "BB" while S/COPELAND's belongings are assigned to bed, sink and closet labeled "BA".




*Figure 8: Photograph of Suite B doorway (interior view), including the bed and desk belonging to YN3 MONAGHAN (DSC_0028.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 9: Photograph of beds and desk inside Suite B (DSC_0027.jpg—captured during scene documentation on 03Jun25; text added).*

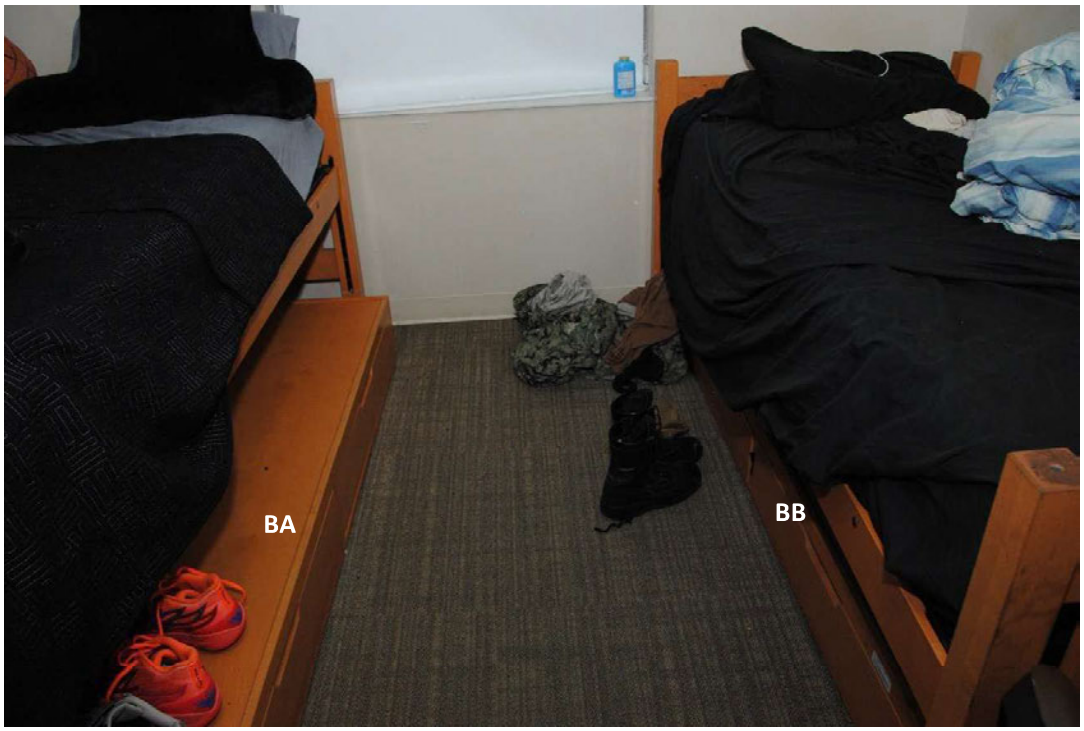



*Figure 10: Photograph of beds inside Suite B (DSC_0033.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 11: Photograph of bed and desk BA inside Suite B (DSC_0024.jpg—cropped, captured during scene documentation on 03Jun25; text added).*




*Figure 12: Photograph of bed and desk BA inside Suite B, and foyer leading into closet and bathroom (DSC_0029.jpg—captured during scene documentation on 03Jun25; text added).*



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*Figure 13: Photograph of closet doors, half bathroom door and bathroom sink vanity (DSC_0060.jpg—captured during scene documentation on 03Jun25; text added).*




*Figure 14: Photograph of closet doors "BB" and "BA" (Left: DSC_0057.jpg—captured during scene documentation on 03Jun25, Right: DSC_0055.jpg—captured during scene documentation on 03Jun25; text added).*



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**5. SCENE OBSERVATIONS—HALF BATHROOM INSIDE SUITE B**

5.1. RFC entered the half bathroom within Suite B and did not identify any visible bloodstain evidence within this area of the residence.

**6. BLUESTAR APPLICATION—SINK VANITY**

6.1. RFC was notified by PA NAROWSKI that she observed a suspected bloodstain on the northeast wall above the vanity sink belonging to S/COPELAND, see figure 15. PA NAROWSKI and the NCISRA Norfolk, VA Major Case Response Team (MCRT) conducted a preliminary test for the presence of blood on the stain using a Hemastix blood reagent test strip, yielding positive results. PA NAROWSKI and the NCISRA Norfolk, VA MCRT documented the suspected bloodstain and seized a swab from the area. These actions are documented under a separate report.

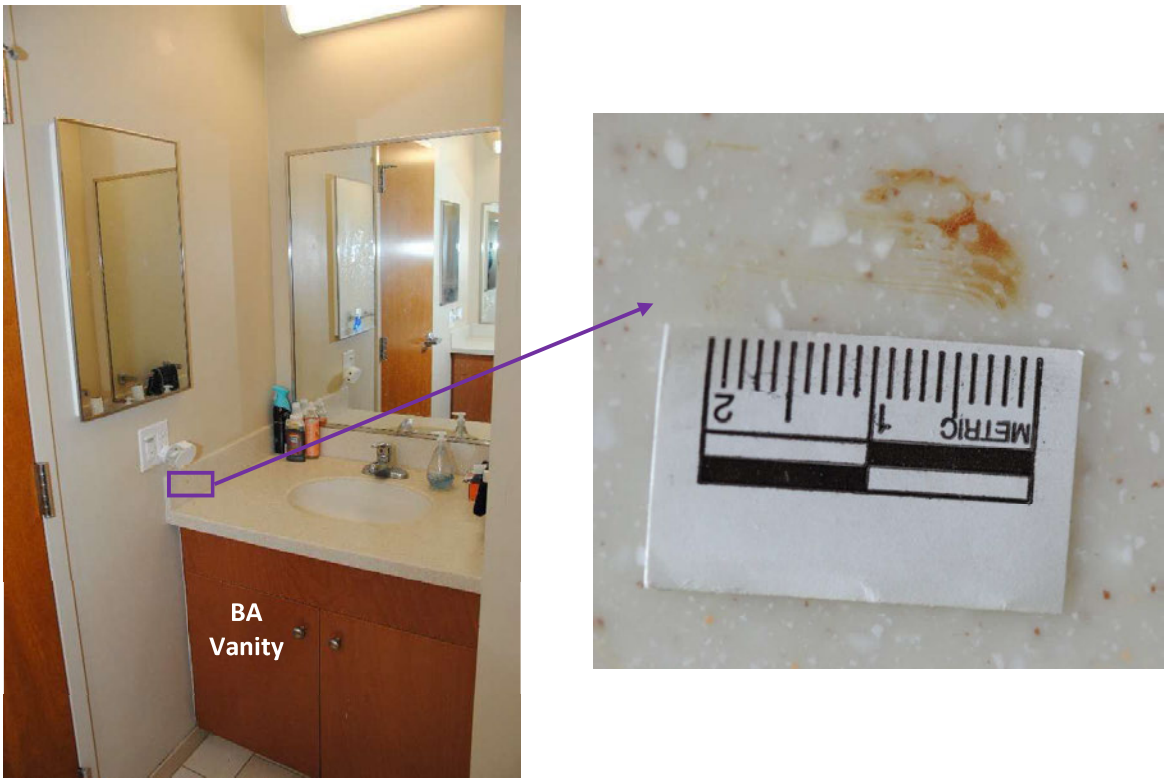



*Figure 15: Photograph of sink vanity "BA" with callout to suspected bloodstain on northeast wall (Left: DSC_0053.jpg—captured during scene documentation on 03Jun25, Right: DSC_0228.jpg—cropped, captured during scene documentation on 03Jun25; text, line, arrow and box added).*

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6.2. Listed on the Bluestar Forensics website, Bluestar is a chemical reagent which reveals the presence of blood in a large or minute/diluted quantity. The reaction occurs when Bluestar interacts with the heme component of blood producing a blue luminescence. False positives can occur when Bluestar comes in contact with household chemicals such as detergents, bleach or copper, per the Bluestar Forensic website, producing a white or faded blue luminescence. Prior to using Bluestar throughout the scene a control sample test was conducted producing a positive reaction.

6.3. RFC then conducted a preliminary test for the presence of blood using a Bluestar forensic kit along the sink vanity and sink bowl belonging to S/COPELAND, yielding positive results. RFC attempted to capture photographs of the Bluestar reaction on the sink bowl prior to the collection of items deemed as forensic value but was unsuccessful. RFC collected a swab from the stain within this area and entered it into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number JQNT4:

Item# NAH9K—One (1) swab taken from inside bathroom sink bowl containing suspected blood after Bluestar application

**7. BLUESTAR APPLICATION—CLOSET BA**

7.1. The NCISRA Norfolk, VA MCRT completed a scene documentation of Room 335 which included photographs, a scene sketch, and notes. Several items of evidence were identified and seized. These actions are documented under a separate report. During the scene documentation, the NCISRA Norfolk, VA MCRT requested assistance from Virginia Department of Emergency Management K9 Kira and Handler Andrew PISKE to identify human remains and/or other items of potential forensic value in the captioned investigation. K9 Kira and Handler PISKE conducted a search of Room 335, Suite B. K9 Kira and Handler PISKE alerted to the closet area labeled “BA”. RFC did not observe biological matter or suspected bloodstains in the closet with the unaided eye and subsequently the NCISRA Norfolk, VA MCRT effected photographic coverage, see figure 16. RFC and the NCISRA Norfolk, VA MCRT conducted a visual search of the belongings inside the closet and did not observe biological matter or suspected bloodstains. The NCISRA Norfolk, VA MCRT removed all belongings from the closet, see figure 17.

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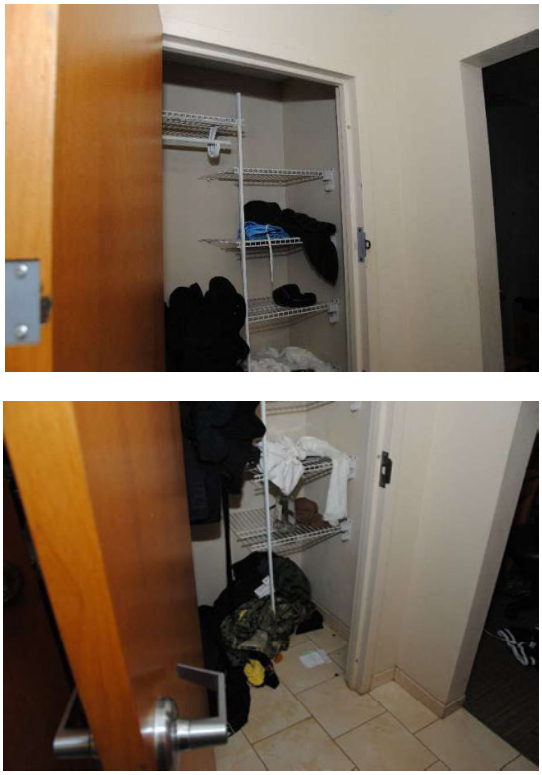


*Figure 16: Photograph of Closet "BA" with S/COPELAND's belongings inside, interior view (Top: DSC_0041.jpg—captured during scene documentation on 03Jun25, Bottom: DSC_0042.jpg—captured during scene documentation on 03Jun25).*

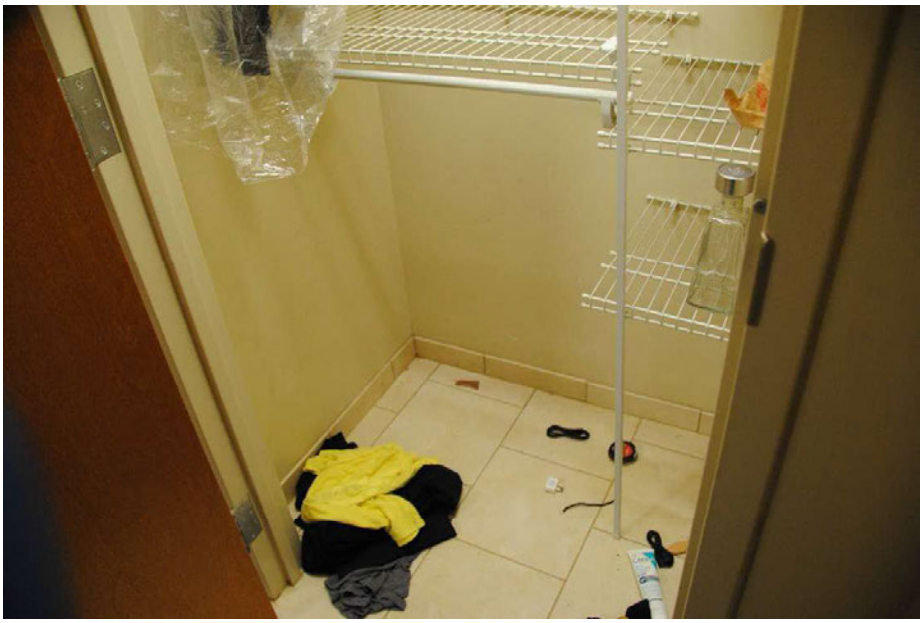


*Figure 17: Photograph of Closet "BA" with belongings removed (DSC_0204.jpg—captured during scene documentation on 04Jun25).*



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7.2. RFC then conducted a preliminary test for the presence of blood using a BLUESTAR forensic kit, yielding positive results. RFC effected photographic coverage, see figure 18, and collected swabs from the stains within this area and entered it into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number JQNT4:

- Item# 0TXF0—Four (4) swabs taken from left rear corner of closet for suspected blood after Bluestar application



*Figure 18: Photograph of Bluestar reaction inside closet "BA" (Top: MLC_0959.nef).*

**8. BLUESTAR APPLICATION—SUITE B BEDROOM**

8.1. RFC conducted a preliminary test for the presence of blood using a BLUESTAR forensic kit along the carpet, adjacent to Closet "BA", into the doorway of Suite B, yielding positive results, see figures 19-21. Subsequently on 10Jun25, the NCISRA Norfolk, VA MCRT collected several items deemed as forensic value to include the carpeted areas which tested positive for the presence of blood using the BLUESTAR forensic kit. These actions are documented under a separate report.

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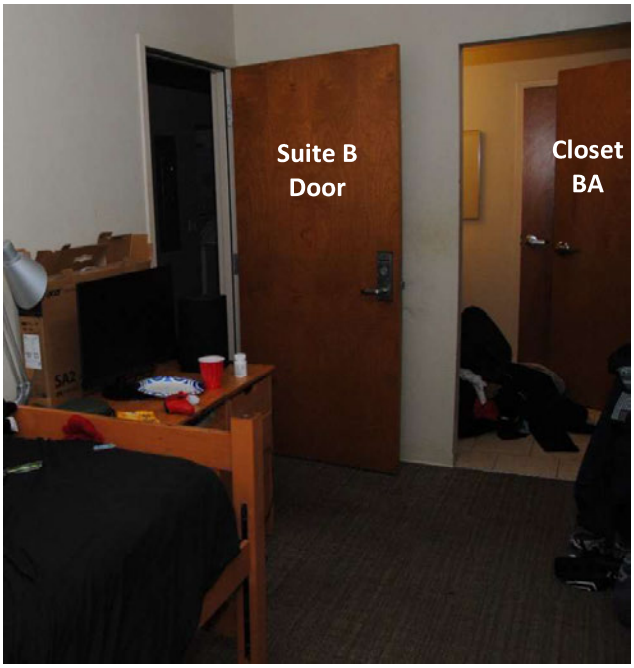



*Figure 19: Photograph of carpeted area between Closet "BA" and doorway of Suite B (DSC_0241.jpg—cropped, captured during scene documentation on 04Jun25; text added).*

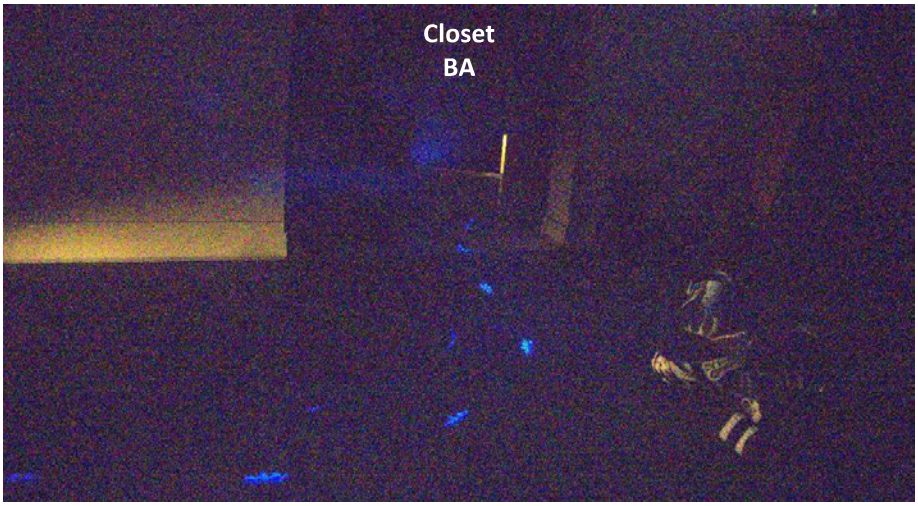



*Figure 20: Photograph of Bluestar reaction from foyer near closet "BA" to Suite B carpeted area (Top: MLC_0962.nef-cropped, brightness increased by 10%).*



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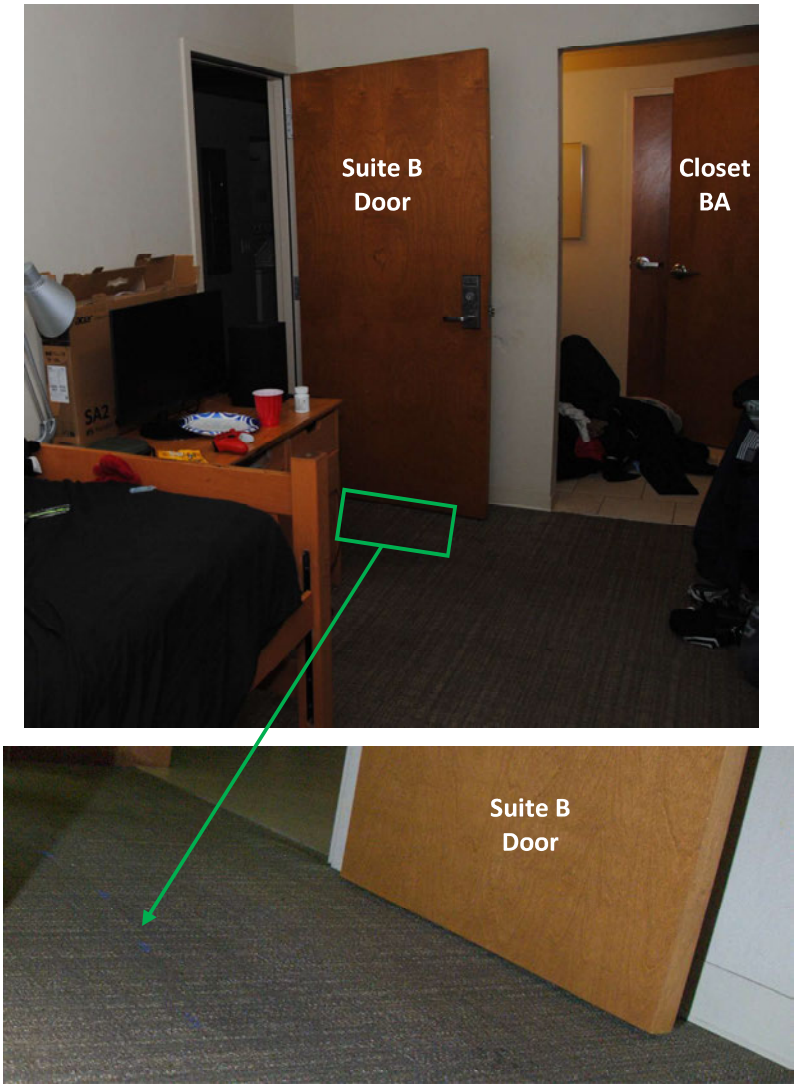



*Figure 21: Photograph of Bluestar reaction on carpeted area inside Suite B (Top: DSC_0241.jpg—cropped, captured during scene documentation on 04Jun25; Bottom: MLC_0965.nef-cropped; text, line, arrow and box added).*

8.2. RFC observed a heavy concentration of Bluestar in the closet, forming a linear trail that gradually faded as it extended between Suite B and the living room. RFC attempted to capture photographs of the BLUESTAR reaction in the living room but was unsuccessful.

**9. PHOTOGRAPHIC DOCUMENTATION**

9.1. On 04Jun25, RFC took a series of photographs utilizing an NCIS issued a Nikon Z 6II camera (SN# 3068881) with a Nikon SB-5000 external flash. A total of eighteen (18) color photographs were exposed and subsequently downloaded onto one (1) Compact Disc-Recordable (CD-R); Enclosure (A) pertains. RFC entered the CD-R into the NCISRA Norfolk, VA Evidence Custody System under Evidence Custody Document Number 27C4G:

Item# 2UEEH: One (1) CD-R Containing (18) Photographs of Bluestar Reaction



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**10. SCENE RELEASE**

10.1. At approximately 0138 hours on 04Jun25, all NCIS personnel locked and secured the residence and departed the scene.

ENCLOSURE(S)

(A) One (1) CD-R Containing (18) Photographs of Bluestar Reaction/04Jun25

Morgan Currie
Special Agent / Forensic Consultant
Naval Criminal Investigative Service (NCIS)
Technical Services Field Office (TSFO)
Office of Forensic Support – Norfolk

Administratively reviewed by: Jeffrey Kierman
Supervisory Special Agent / Forensic Consultant
Naval Criminal Investigative Service (NCIS)
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1. BACKGROUND: On 04Jun25, at approximately 1315 hours, Reporting Agent (RA) Alison FOX, NCISRA Yorktown, was notified by Supervisory Special Agent (SSA) Danielle ORTIZ, NCISRA Norfolk, suspected blood was observed in a stairwell of Willis Manor, Building X2, 9712 Virginia Avenue, Norfolk, VA 23511 located on board Naval Station Norfolk. NCIS conducted an area canvass of Building X2 as part of proactive investigative efforts to locate A.R. [redacted] NCIS visually inspected and focused on the hallway and stairwell closest in proximity to Room 335 located on the third floor, which was the known room of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, a person of interest at the time of the investigation. SSA ORTIZ requested RA FOX respond to the area to document the scene and collect the suspected blood.

2. ARRIVAL AND JURISDICTION: On 04Jun25, at 1330 hours, RA FOX, and Participating Agents (PA) Joy NAROWSKI, NCISRA Yorktown, Dara ELK, NCISRA Portsmouth, and Lauren WATKINS, NCISRA Portsmouth conducted an examination of the stairwell. Willis Manor, Building X2 is located on board Naval Station Norfolk and is located within concurrent jurisdiction with Norfolk Police Department (NPD); however, NCIS maintains primary investigative jurisdiction due to A.R. [redacted] and S/COPELAND both being active-duty Navy service members.

3. SCENE SECURITY AND SEARCH AUTHORIZATION: No scene security was present upon RA FOX's arrival. There is no reasonable expectation of privacy within the stairwell. Therefore, no search authorization was required.

4. EXTERIOR OBSERVATIONS: Willis Manor, Building X2, is a military barracks located on board Naval Station Norfolk. Willis Manor, Building X2, is a five-story building with a parking lot located in front and to the side. The building is located between Maryland Ave and Virginia Ave. Figure [1] is a Google Maps image of Willis Manor, Building X2, depicting its relationship and orientation to the surrounding buildings. The black arrow was added to the image to depict the exit location of stairwell examined.

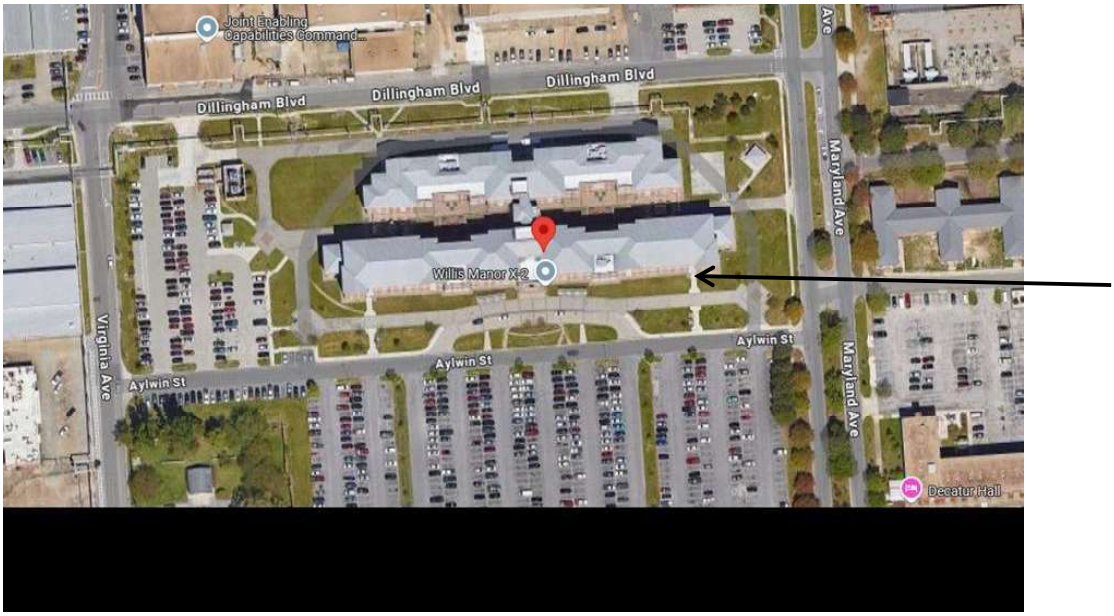



*Figure 1 – Aerial view of Willis Manor, Building X2, on board Naval Station Norfolk (retrieved from Google Maps; 11Jun25).*



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5. INTERIOR OBSERVATIONS: RA FOX responded to Corridor 3006, which is located on the third floor. Barracks Room 335 is located in this corridor, within the same hallway as Stairwell 5. Figures [2], [3], [4], [5], [6], and [7] depict the entry way into Corridor 3006, the door to S/COPELAND's room, and the stairwell entrance point from the third floor, which can be identified by the last exit sign in the corridor. The black arrow was added to Figure [6], which shows the last exit sign in the corridor.




*Figure 2 – Image of Corridor 3006, which houses apartments 330-343 (DSC_6355).*



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*Figure 3 – Image of Corridor 3006, which houses apartments 330-343 (DSC_6356).*

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*Figure 4 – Image of Room 335 inside of Corridor 3006 (DSC_6357).*




*Figure 5 – Image of Room 335 inside of Corridor 3006, with last exit sign visible (DSC_6359*



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*Figure 6 – Image of last exit sign at the entrance to Stairwell 5 (DSC_6361).*

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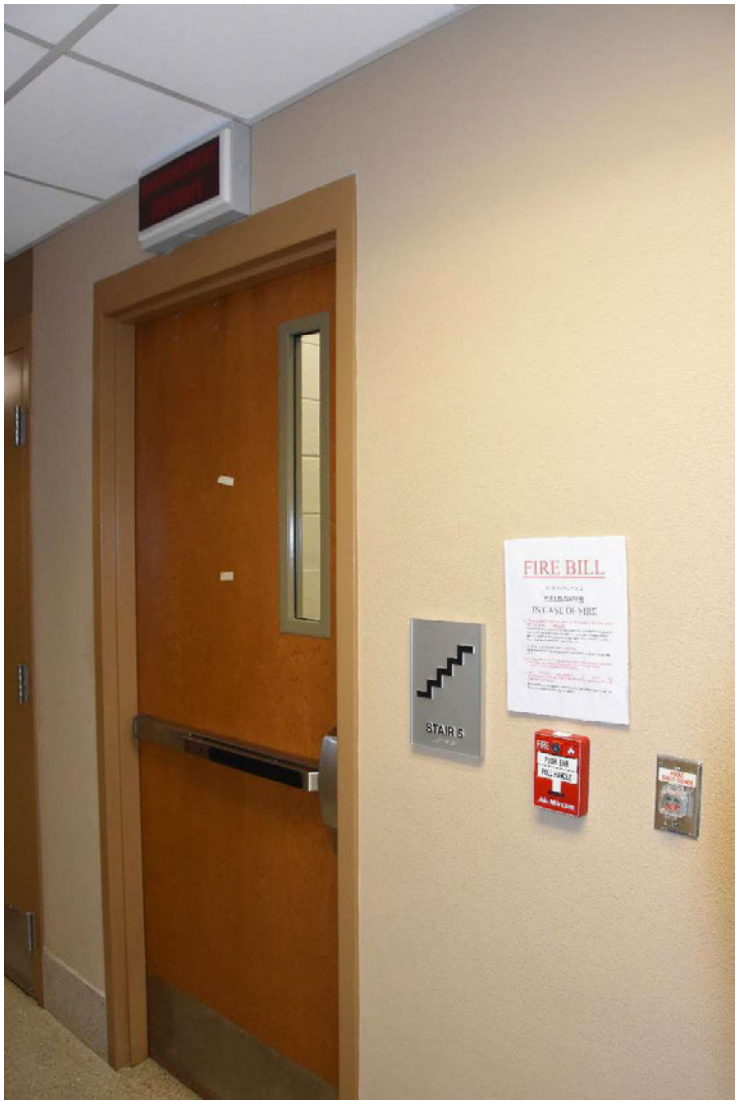



*Figure 7 – Image of door to Stairwell 5 (DSC_6362).*

6. STAIRWELL OBSERVATIONS: Multiple areas of reddish brown staining were observed in the stairwell between levels 1 and 3. These areas were marked with evidence placards and photographed. Figures [8], [9], and [10] depict overall photographs of the stairwell levels as they were found. Figures [11], [12], [13], [14], [15], and [16] depict midrange photographs of reddish brown stains observed in the stairwell. Figures [17], [18], [19], [20], [21], [22], [23], [24], [25], [26], [27], and [28] depict close up photographs of the aforementioned reddish brown stains.

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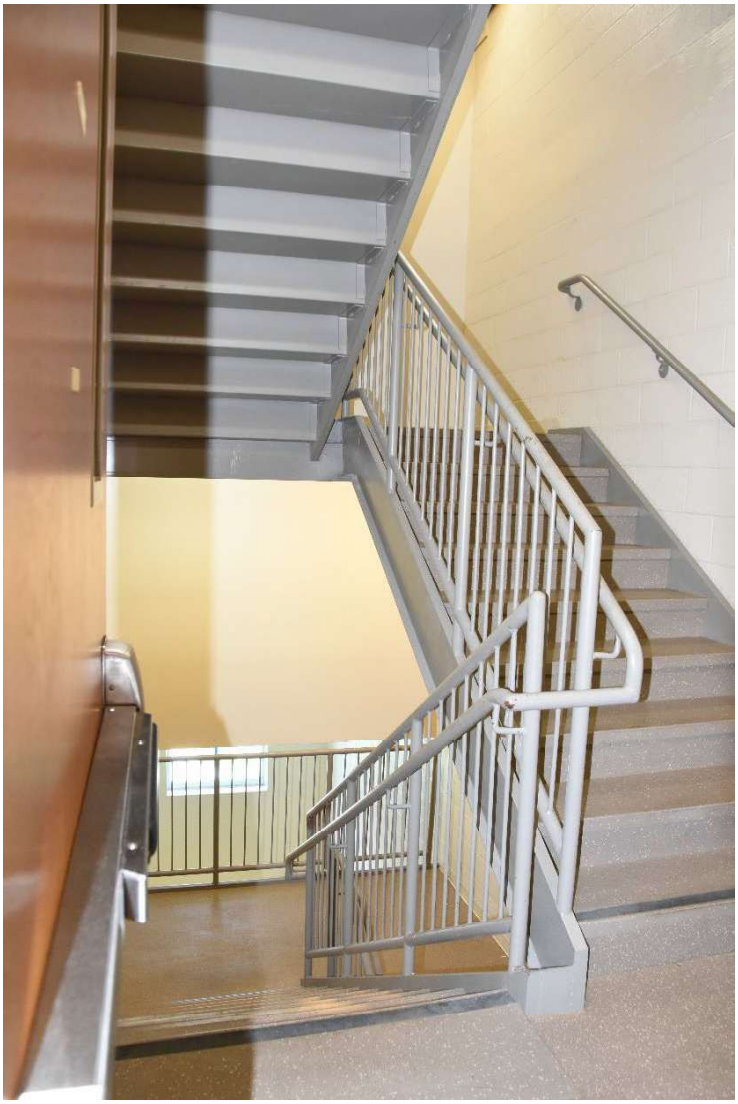


*Figure 8 – Image from door to Stairwell 5 at level 3 (DSC_6363).*

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*Figure 9 – Image of Stairwell 5 in between levels 2 and 3, which depicts the door to the third level (DSC_6365).*

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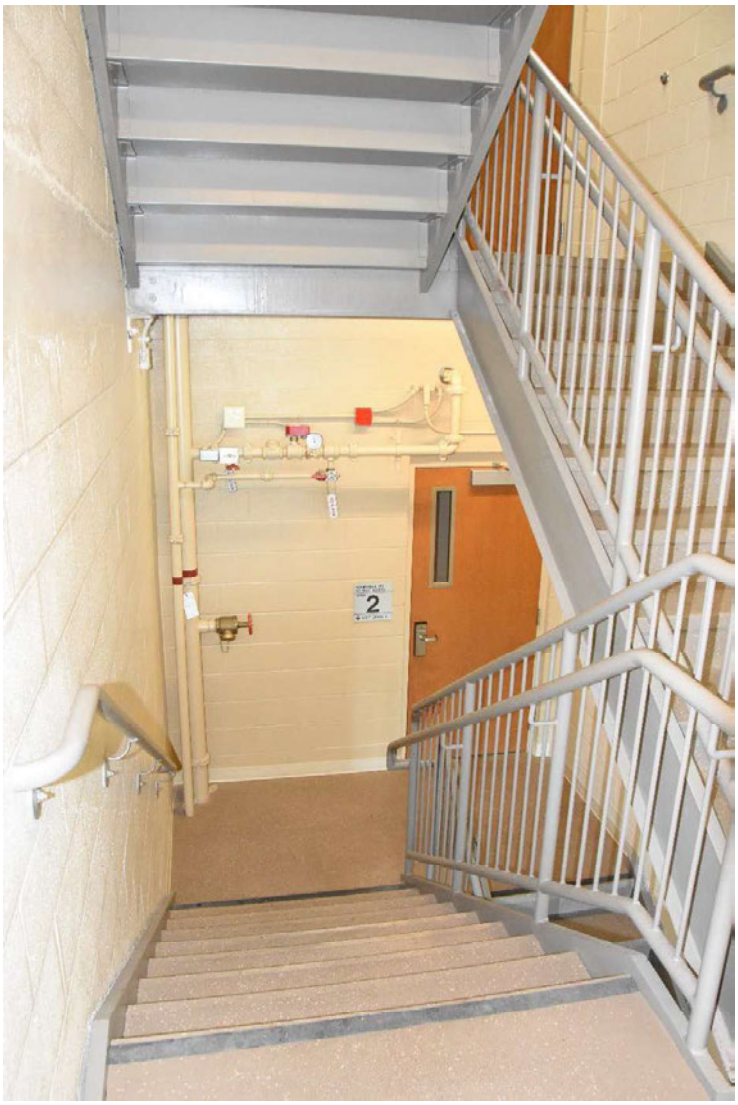



*Figure 10 – Image of Stairwell 5 in between levels 2 and 3, which depicts the door to the second level (DSC_6367).*

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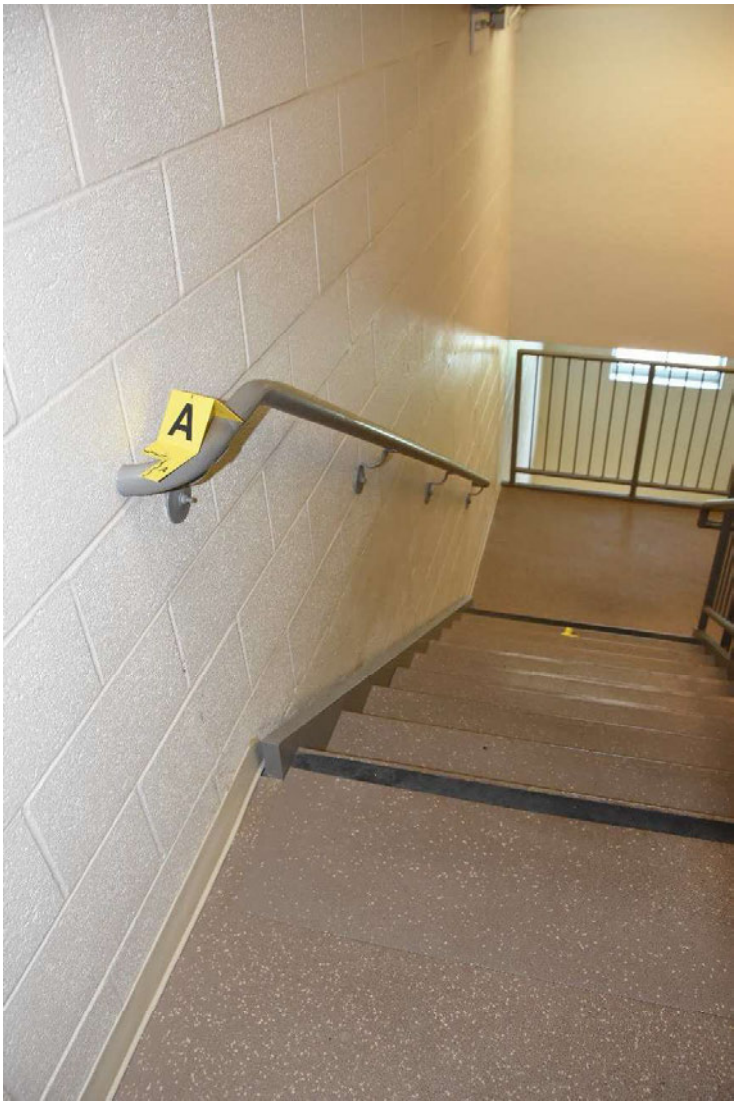



*Figure 11 – Midrange photograph of stain on cement wall, which is located below the railing, marked with placard A (DSC_6369).*

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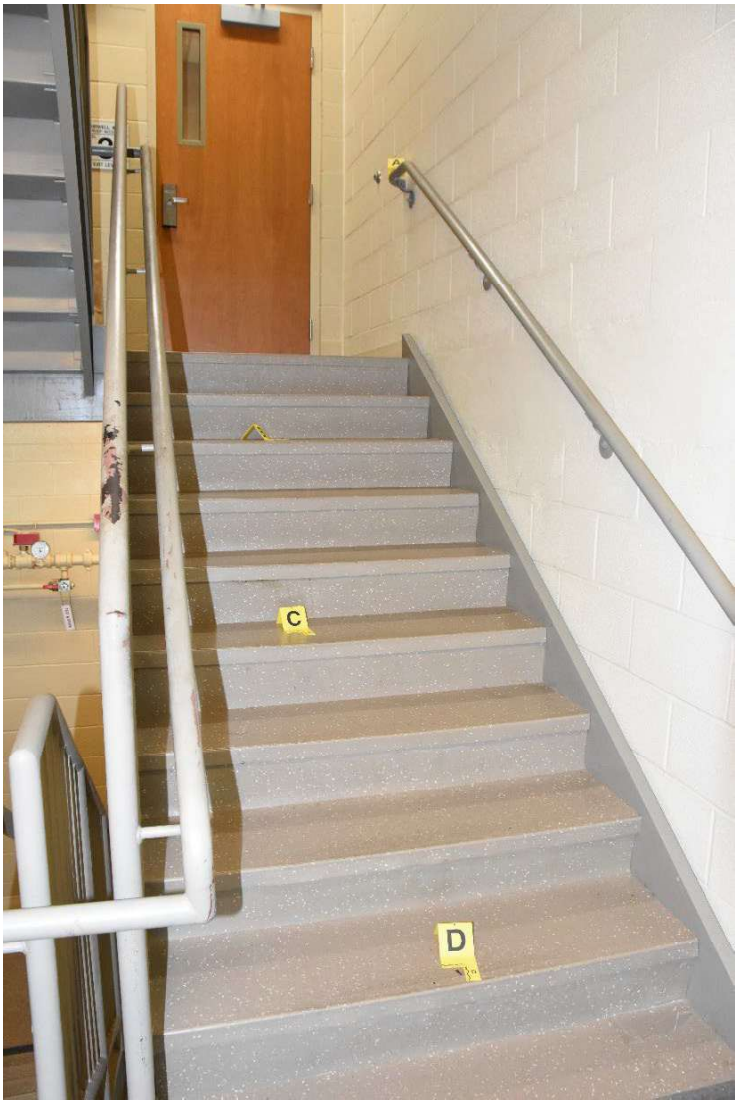



*Figure 12 – Midrange photograph of stains on stairs located between levels 2 and 3, marked with placards B, C, and D (DSC_6370).*

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*Figure 13 – Midrange photograph of stains on cement wall below railing and stairs located between levels 2 and 3, marked with placards E, F, and G (DSC_6400).*

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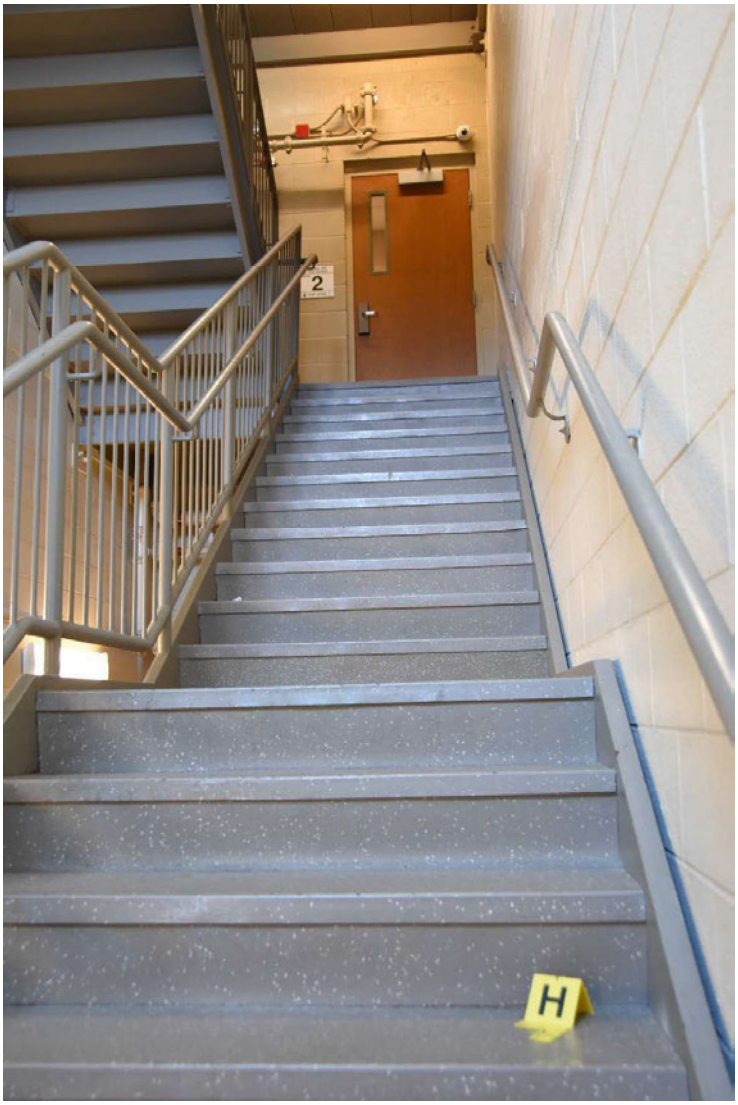



*Figure 14 – Midrange photograph of stain on step between levels 1 and 2, marked with placard H (DSC_6418).*

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*Figure 15 – Midrange photograph of stains on floor and doorframe located on level 2, marked with placards I, J, and K (DSC_6408).*




*Figure 16 – Midrange photograph of stain on the underside of staircase, level 1, marked by the letter L (DSC_6422).*



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*Figure 17 – Close up photograph of reddish brown stain collected from Stairwell 5, level 3 (DSC_6382).*

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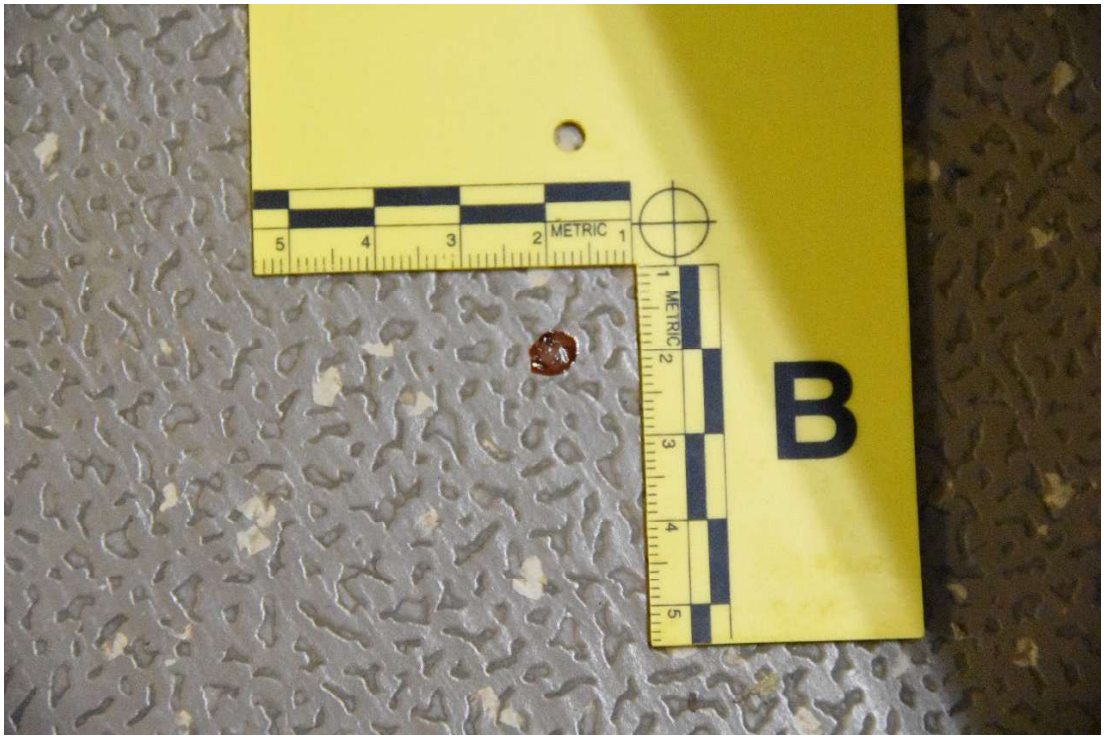



*Figure 18 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6387).*

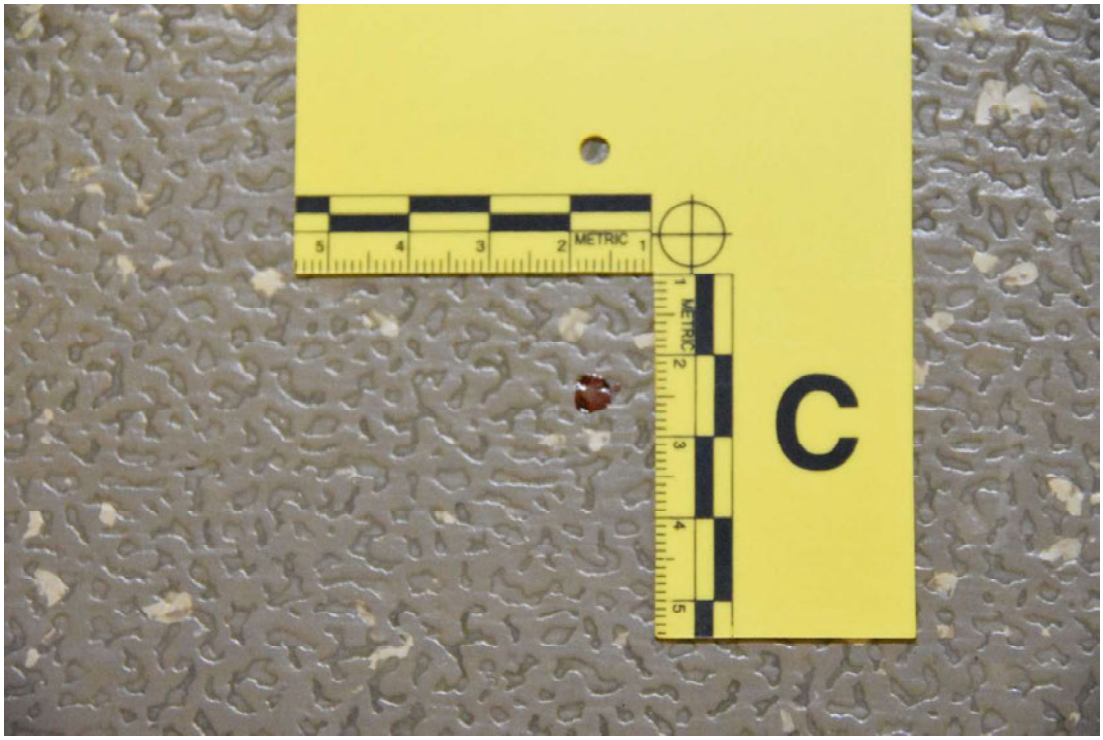



*Figure 19 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6391).*



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*Figure 20 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6396).*

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*Figure 21 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6399).*

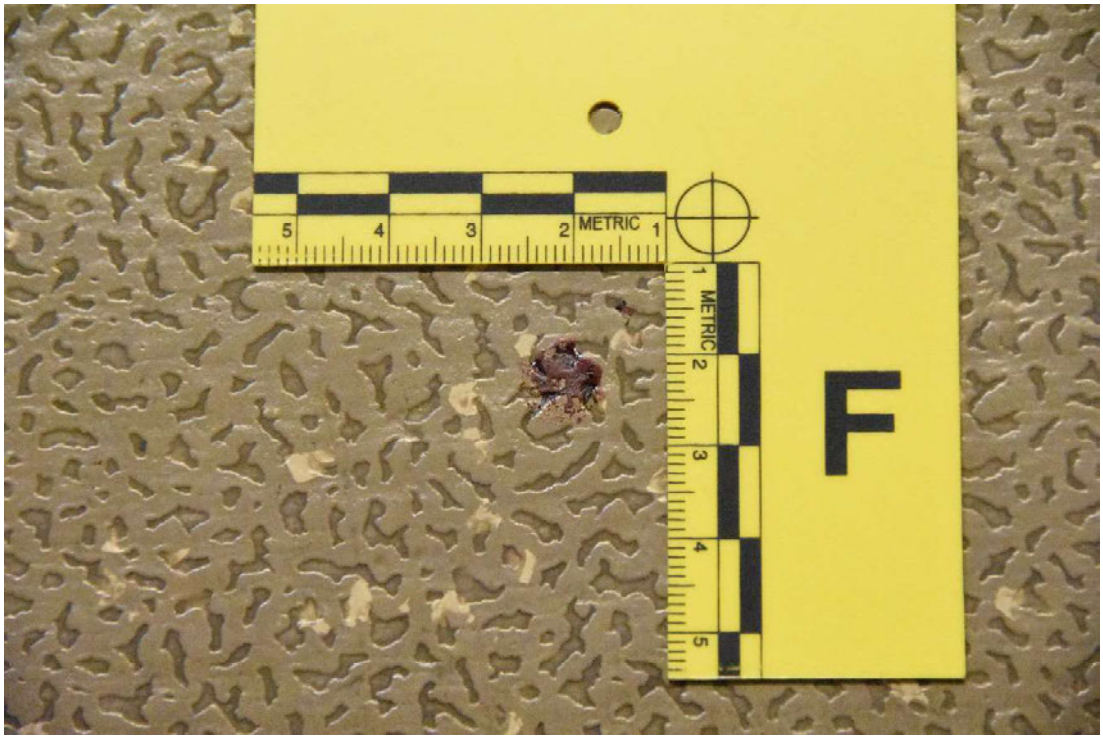



*Figure 22 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6404).*



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*Figure 23 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 2 and 3 (DSC_6406).*




*Figure 24 – Close up photograph of reddish brown stain collected from Stairwell 5, between levels 1 and 2 (DSC_6421).*



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*Figure 25 – Close up photograph of reddish brown stain collected from Stairwell 5 near door, level 2 (DSC_6410).*

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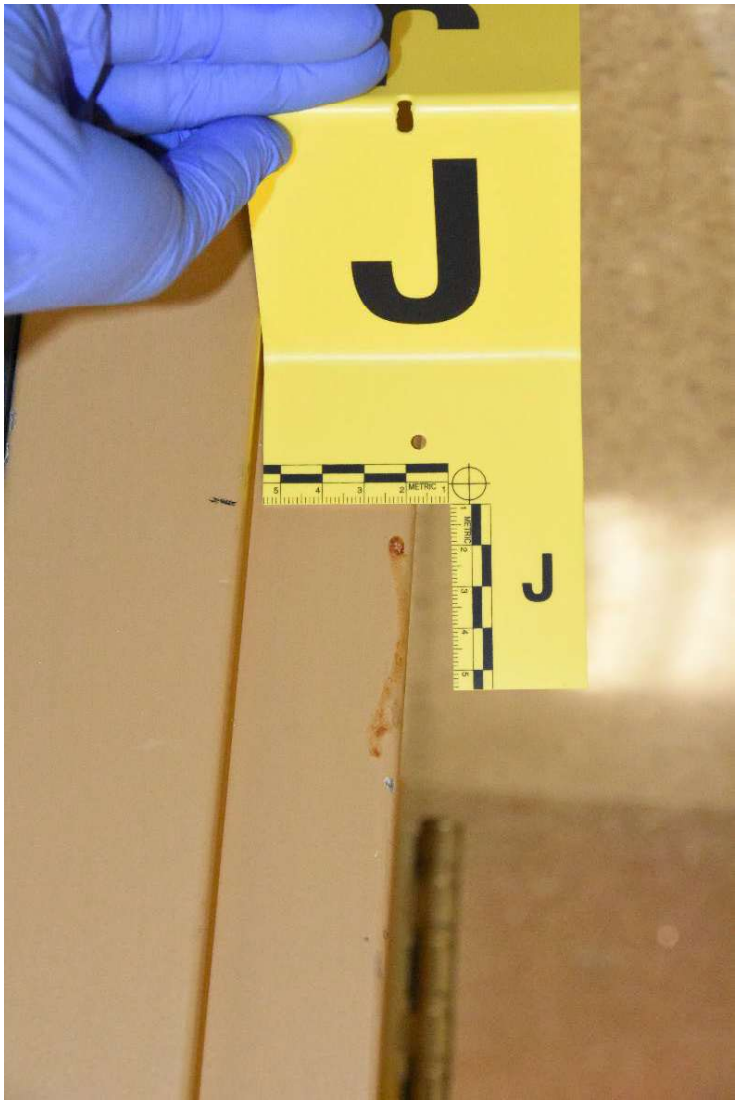



*Figure 26 – Close up photograph of reddish brown stain collected from Stairwell 5 door frame, level 2 (DSC_6413).*

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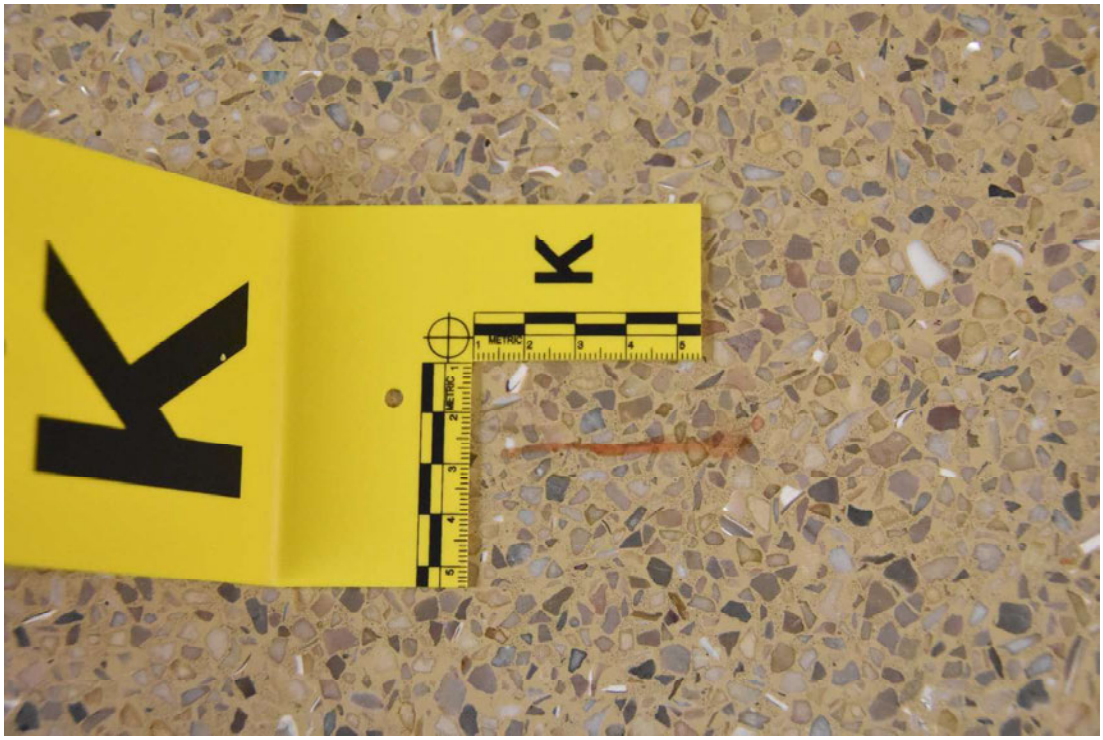



*Figure 27 – Close up photograph of reddish brown stain collected from Stairwell 5 area near door, level 2 (DSC_6416).*

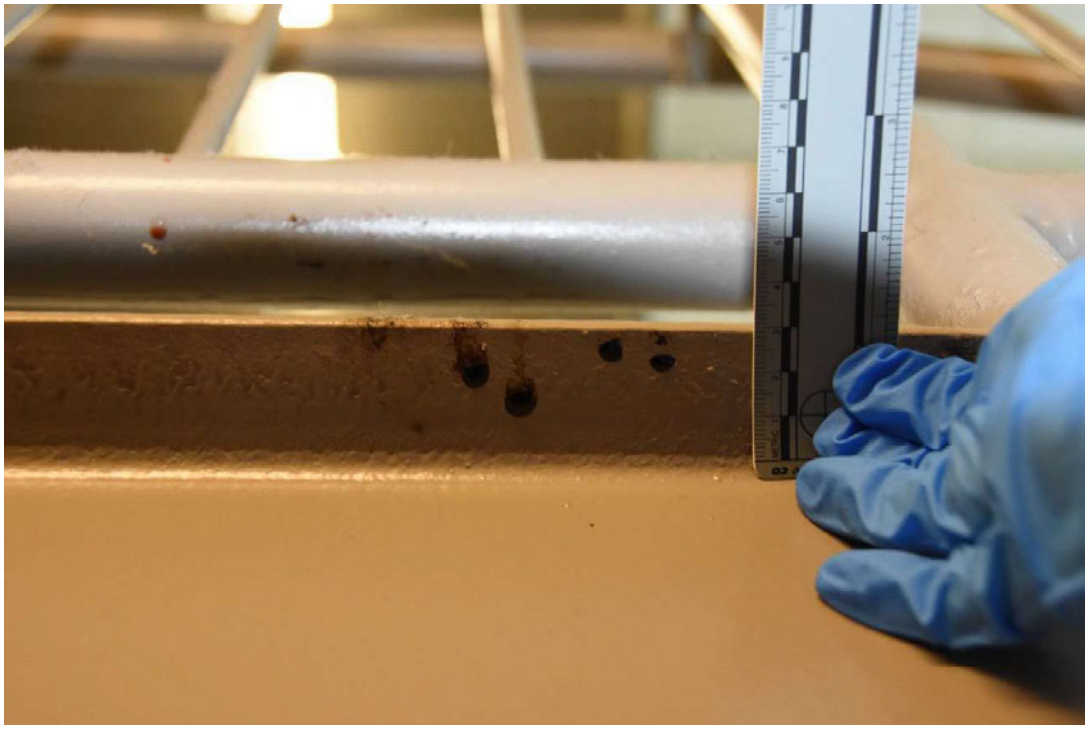


*Figure 28 – Close up photograph of reddish brown stain collected from Stairwell 5, level 1 (DSC_6426).*



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7. SCENE PROCESSING: PA WATKINS completed photographic coverage of the area using a Nikon D7200 camera. A total of (73) digital images were captured, all of which were burned to a DVD-R and entered into the NCISRA Norfolk Consolidated Evidence Facility under Log EDAC7, Item RRDQ6. A copy of the DVD-R is appended as Enclosure (A). Forensic Consultant (FC) Morgan CURRIE completed 3D laser scans of the stairwell at a later date, the results of which will be reported under separate cover. RA FOX collected samples of the reddish brown stains. No presumptive testing was conducted during collection.

8. EVIDENCE SEIZURE: The following items were seized as evidence and entered into the NCISRA Norfolk Consolidated Evidence Facility under Log Number TKNM8:

Item GTRC2 - One swab of reddish/brown stain collected from Stairwell 5, level 3, placard (A)

Item 3F1W2 - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (B)

Item 1L7PW - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (C)

Item JHXR7 - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (D)

Item D6QNN - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (E)

Item MXQ1N - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (F)

Item 5CA0T - One swab of reddish/brown stain collected from Stairwell 5, between levels 2 and 3, placard (G)

Item 1K3RH - One swab of reddish/brown stain collected from Stairwell 5, between levels 1 and 2, placard (H)

Item 2KXCX - One swab of reddish/brown stain collected from Stairwell 5, near door, level 2, placard (I)

Item 134B8 - One swab of reddish/brown stain collected from Stairwell 5 near door, level 2, placard (J)

Item 27UCQ - One swab of reddish/brown stain collected from Stairwell 5 near door, level 2, placard (K)

Item MEFC2 - One swabs of reddish/brown stain collected from Stairwell 5, level 1, placard (L)

Item DRD3B - Two swabs of reddish/brown stain from Stairwell 5, level 3, placard (A)

Item GCL7Y - Two swabs of reddish/brown stain from Stairwell 5, between levels 2 and 3, placard (D)

Item 9K1GU - Two swabs of reddish/brown stain from Stairwell 5, between levels 2 and 3, placard (E)

Item HNRF1 - Two swabs of reddish/brown stain from Stairwell 5, between levels 1 and 2, placard (H)

Item NPRY1 - Two swabs of reddish/brown stain from Stairwell 5, level 1, placard (L)

9. SCENE RELEASE: The scene examination concluded at approximately 1525 hours.

PARTICIPANT(S)
Dara ELK, Special Agent, NCISRA Portsmouth, VA
Joy NAROWSKI, Special Agent, NCISRA Yorktown, VA
Lauren WATKINS, Special Agent, NCISRA Portsmouth, VA

ENCLOSURE(S)
(A) DVD-R: 73 PHOTOGRAPHS/04JUN25



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U.S. ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET, FOREST PARK, GA 30297

**DNA Report**

**USACIL: 25-ATL-00931**
**Request: 0001_0002**

**To** SPECIAL AGENT IN CHARGE
NFFO NCIS NORFOLK FIELD OFFICE
1329 BELLINGER BLVD
BLDG U-40
Norfolk, VA 23511

Date of Report: 10 June 2025
Agency Case Number: 01JUN25-NFNF-00237
Service: DNA

**RESULTS OF EXAMINATION**

The following results are opinions and interpretations formed using accepted scientific and professional practices. Only those exhibits below were examined for this report. Selection of the item(s) and the examination(s) conducted were based on the information available at the time of the request. If the investigative needs change, please contact USACIL at USACILCM@army.mil or 404-469-5150.

1. Blood was identified on Exhibit 6 (closet swabs/SCENE-COPELAND BARRACKS) and Exhibit 9 (swabs placard D/SCENE-stairwell).

2. No blood was identified on the following Exhibits:

Exhibit 5 (swabs placard L/SCENE-stairwell)
Exhibit 7 (swabs placard A/SCENE-stairwell)
Exhibit 8 (swabs placard E/SCENE-stairwell)
Exhibit 10 (swabs placard H/SCENE-stairwell).

3. DNA extraction procedures were performed on the following:

Exhibit 2 (buccal swabs/MANAGBON)
Exhibit 6 (closet swabs/SCENE-COPELAND BARRACKS)
Exhibit 9 (swabs placard D/SCENE-stairwell)
Exhibit 11 (buccal swabs/WILLIAMS)
Exhibit 12 (buccal swabs/COPELAND)
Exhibit 13 (buccal swabs/GORDILLOCRUZ)
Exhibit 14 (buccal swabs/CALISSE)
Exhibit 15.1 (swab of tongue scraper/SCENE - A.R. RESIDENCE)
Exhibit 16 (toothbrush/SCENE - A.R. RESIDENCE)
Exhibit 17.1 (swab of water bottle/SCENE-A.R. RESIDENCE).

4. Based on DNA results from other exhibits/circumstances of the case, no further testing was performed on the swab of tongue scraper/SCENE - A.R. RESIDENCE.

5. The DNA profile from the swab of water bottle believed to be from A.R. originates from an unknown individual that genetically types as female.

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Controlled by: CIDD-CIL
CUI Category: LEI/PRVCY
Limited Dissemination Control: FEDCON
POC: Records Custodian, 404-469-5150



PROSECUTION EXHIBIT 22
1 of 5

6. A DNA mixture was detected from the closet swabs/SCENE-COPELAND BARRACKS.

a. The DNA mixture is interpreted as originating from two individuals.

b. The DNA profile from the swab of water bottle believed to be from A.R. and COPELAND are included as contributors to this mixture.

c. MANAGBON, WILLIAMS, GORDILLOCRUZ and CALISSE are excluded as contributors to this mixture.

7. The DNA profile detected from swabs placard D/SCENE-stairwell matches the DNA profile from the swab of water bottle believed to be from A.R. COPELAND, MANAGBON, WILLIAMS, GORDILLOCRUZ and CALISSE are excluded as contributors to this DNA profile.

8. The DNA profile from the toothbrush/SCENE - A.R. RESIDENCE will not be used for comparison purposes due to the results from other exhibits and/or case circumstances.

9. If necessary, these DNA results may be compared to other potential DNA contributors when suitable standards for comparison and/or elimination are submitted to the laboratory.

10. No DNA profiles were eligible for submission to CODIS (Combined DNA Index System).

**TECHNICAL NOTES**

1. DNA profiles were detected using PCR (polymerase chain reaction) technology on twenty-one autosomal STR (short tandem repeat) loci, two Y-chromosome loci (DYS391, Y-indel) and a gender identification locus from the Applied Biosystems GlobalFiler kit.

2. Match will be used when complete genotypes are obtained at all loci included in the amplification kit, and all of the detected alleles are the same as those in the reference being compared.

Consistent with will be used when genetic information is missing at one or more loci included in the amplification kit (a partial profile), but all of the detected alleles are the same as those in the reference being compared.

**DISPOSITION OF EVIDENCE**

Unless otherwise noted, evidence received in this case will be returned according to laboratory policy. Items may have been altered to take samples required for examination or to recover materials from the item. If recovered evidence was collected and preserved during laboratory examinations, the material is being returned with the item from which it originated.



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USACIL: 25-ATL-00931
Agency Case Number: 01JUN25-NFNF-00237

Request: 0001_0002
Date of Report: 10 June 2025



KERRY MAYNARD
Forensic Biologist
Office: (404) 469-4776
kerry.l.maynard.civ@army.mil



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USACIL: 25-ATL-00931
Agency Case Number: 01JUN25-NFNF-00237

Request: 0001_0002
Date of Report: 10 June 2025

| DNA Exhibit List | | |
|---|---|---|
| **Exhibit #** | **Description** | **ECD/Item** |
| 001 | Buccal swab(s) (CASTLE, E.) | 49CW3 |
| 002 | Buccal swab(s) (MANAGBON, S.) | R17G4 |
| 003 | Buccal swab(s) (CASTLE, E.) | WEJT3 |
| 004 | Buccal swab(s) (CASTLE, E.) | 3N718 |
| 005 | Swab(s) | NPRY1 |
| 006 | Swab(s) | 4DT6A |
| 007 | Swab(s) | DRD3B |
| 008 | Swab(s) | 9K1GU |
| 009 | Swab(s) | GCL7Y |
| 010 | Swab(s) | HNRF1 |
| 011 | Buccal swab(s) (WILLIAMS, D.) | 049PN |
| 012 | Buccal swab(s) (COPELAND, J.) | FE9FH |
| 013 | Buccal swab(s) (GORDILLOCRUZ, I.) | 33N9K |
| 014 | Buccal swab(s) (CALISSE, J.) | 5JKTA |
| 015 | Hygienic item(s) | P0Y8D |
| 015.001 | Swab(s) - tongue scraper | |
| 016 | Hygienic item(s) | 7A4YA |
| 017 | Bottle(s) | KECQ8 |



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USACIL: 25-ATL-00931
Agency Case Number: 01JUN25-NFNF-00237

Request: 0001_0002
Date of Report: 10 June 2025

| | | |
|---|---|---|
| 017.001 | Swab(s) - water bottle | |



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U.S. ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET, FOREST PARK, GA 30297

**DNA Report**

**USACIL: 25-ATL-00931**
**Request: 0004_0006**

**To** SPECIAL AGENT IN CHARGE
NFFO NCIS NORFOLK FIELD OFFICE
1329 BELLINGER BLVD
BLDG U-40
Norfolk, VA 23511

Date of Report: 20 October 2025
Agency Case Number: 01JUN25-NFNF-00237
Service: DNA

**RESULTS OF EXAMINATION**

The following results are opinions and interpretations formed using accepted scientific and professional practices. Only those exhibits below were examined for this report. Selection of the item(s) and the examination(s) conducted were based on the information available at the time of the request. If the investigative needs change, please contact USACIL at USACILCM@army.mil or 404-469-5150.

1. This report references the previous DNA Reports dated 10 June 2025, 05 August 2025 and 15 August 2025.

2. Blood was identified on the following Exhibits:

Exhibit 28 (swab Placard B/SCENE-STAIRWELL)
Exhibit 29 (swab Placard G/SCENE-STAIRWELL)
Exhibit 34 (swab Placard F/SCENE-STAIRWELL)
Exhibit 74 (swabs stain on bottom of couch/SCENE-COPELAND BARRACKS).

3. A chemical indication of blood was identified on Exhibit 59.2 (Monster can/COPELAND); however, no confirmatory test was conducted due to limited sample.

4. A chemical indication of blood was identified on Exhibit 63.1.2 (swab of necklace/A.R. [redacted]); however, the presence of blood could not be confirmed.

5. No blood was identified on the following Exhibits:

Exhibit 59 (backpack/COPELAND)
Exhibit 59.1 (balaclava/COPELAND)
Exhibit 59.4 (lotion/COPELAND)
Exhibit 59.8 (nail clippers/COPELAND)
Exhibit 62 (Bissell cleaner/SCENE-COPELAND KITCHEN)
Exhibit 64 (strings A.R. [redacted]
Exhibit 65 (swabs steering wheel/SCENE-CALISSE VEHICLE)
Exhibit 66 (swabs front passenger door window crank handle/SCENE-CALISSE VEHICLE)
Exhibit 67 (swabs front passenger right side air vent/SCENE-CALISSE VEHICLE)
Exhibit 68 (swabs front passenger door lock/SCENE-CALISSE VEHICLE)

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CUI Category: LEI/PRVCY
Limited Dissemination Control: FEDCON
POC: Records Custodian, 404-469-5150

**EXHIBIT 269**

PROSECUTION EXHIBIT 23
1 of 8

Exhibit 69 (swabs right rear door on driver side/SCENE-CALISSE VEHICLE)
Exhibit 70 (swabs center radio display/SCENE-CALISSE VEHICLE)
Exhibit 71 (swabs right rear door lock/SCENE-CALISSE VEHICLE)
Exhibit 72 (swabs bottom cushion of rear middle seat/SCENE-CALISSE VEHICLE)
Exhibit 73 (swabs front driver side interior surface of sun visor/SCENE-CALISSE VEHICLE)
Exhibit 79 (carpet tile F/SCENE-COPELAND BARRACKS)
Exhibit 80 (carpet tile G/SCENE-COPELAND BARRACKS)
Exhibit 83 (carpet tile J/SCENE-COPELAND BARRACKS)
Exhibit 85 (carpet tile L/SCENE-COPELAND BARRACKS)
Exhibit 87 (carpet tile N/SCENE-COPELAND BARRACKS).

6. No stains indicative of blood were observed on the following Exhibits:

Exhibit 59.3 (deodorant/COPELAND)
Exhibit 59.5 (hair pick/COPELAND)
Exhibit 59.6 (bottle cap/COPELAND)
Exhibit 59.7 (strings/COPELAND)
Exhibit 59.9 (vape/COPELAND)
Exhibit 59.10 (meat and cheese stick/COPELAND)
Exhibit 59.11 (battery/COPELAND)
Exhibit 60 (bathmat/SCENE-COPELAND BARRACKS)
Exhibit 76 (carpet tile C/SCENE-COPELAND BARRACKS)
Exhibit 77 (carpet tile D/SCENE-COPELAND BARRACKS)
Exhibit 78 (carpet tile E/SCENE-COPELAND BARRACKS)
Exhibit 81 (carpet tile H/SCENE-COPELAND BARRACKS)
Exhibit 82 (carpet tile I/SCENE-COPELAND BARRACKS)
Exhibit 84 (carpet tile K/SCENE-COPELAND BARRACKS)
Exhibit 86 (carpet tile M/SCENE-COPELAND BARRACKS).

7. No semen was identified on the following Exhibits:

Exhibit 62 (Bissell cleaner/SCENE-COPELAND KITCHEN)
Exhibit 78 (carpet tile E/SCENE-COPELAND BARRACKS)
Exhibit 85 (carpet tile L/SCENE-COPELAND BARRACKS)
Exhibit 87 (carpet tile N/SCENE-COPELAND BARRACKS).

8. No stains of apparent evidentiary value were observed on the following Exhibits:

Exhibit 76 (carpet tile C/SCENE-COPELAND BARRACKS)
Exhibit 77 (carpet tile D/SCENE-COPELAND BARRACKS)
Exhibit 79 (carpet tile F/SCENE-COPELAND BARRACKS)
Exhibit 80 (carpet tile G/SCENE-COPELAND BARRACKS)
Exhibit 81 (carpet tile H/SCENE-COPELAND BARRACKS)
Exhibit 82 (carpet tile I/SCENE-COPELAND BARRACKS)
Exhibit 83 (carpet tile J/SCENE-COPELAND BARRACKS)
Exhibit 84 (carpet tile K/SCENE-COPELAND BARRACKS)
Exhibit 86 (carpet tile M/SCENE-COPELAND BARRACKS).

9. Collection and/or preservation techniques were conducted on Exhibits 63.2 and 63.3 resulting


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PROSECUTION EXHIBIT 23
2 of 8

in Exhibits 63.2.2 and 63.3.1.

10. DNA extraction procedures were performed on the following:

Exhibit 28 (swab Placard B/SCENE-STAIRWELL)
Exhibit 29 (swab Placard G/SCENE-STAIRWELL)
Exhibit 34 (swab Placard F/SCENE-STAIRWELL)
Exhibit 59.2.1 (swab of Monster can/COPELAND)
Exhibit 63.1.2 (swab of necklace/A.R. )
Exhibit 64 (strings/A.R. )
Exhibit 74 (swabs stain on bottom of couch/SCENE-COPELAND BARRACKS).

11. Based on an insufficient DNA target amount per laboratory protocol, no further testing was performed on the following:

swab of Monster can/COPELAND
swab of necklace/A.R.
stringsA.R. Z.

12. The DNA profile detected from the swabs stain on bottom of couch/SCENE-COPELAND BARRACKS originates from UNKNOWN INDIVIDUAL #1 that genetically types as male. A.R. is excluded as a contributor to this profile.

13. The DNA profiles detected from the swab Placard G/SCENE-STAIRWELL and the swab Placard F/SCENE-STAIRWELL matchA.R.

a. These DNA profiles are at least 1.0 quintillion times more likely if they originated from A.R. than if they originated from an unknown individual.

b. UNKNOWN INDIVIDUAL #1 is excluded as a contributor to the DNA profiles detected.

14. The partial DNA profile detected from the swab Placard B/SCENE-STAIRWELL is consistent with A.R.

a. This DNA profile is at least 1.0 quintillion times more likely if it originated from A.R. than if it originated from an unknown individual.

b. UNKNOWN INDIVIDUAL #1 is excluded as a contributor to the DNA profile detected.

15. UNKNOWN INDIVIDUAL #1 is excluded as a contributor to any previously detected interpretable profiles.

16. MONAGHAN, WILLIAMS, GORDILLOCRUZ, CALISSE, RICH, GILLESPIE and COPELAND are excluded as contributors to these interpretable profiles.

17. Y-STR (Y-chromosome short tandem repeat) analysis was conducted on the swab Placard B/SCENE-STAIRWELL.

18. No Y-STR DNA results were detected from the swab Placard B/SCENE-STAIRWELL due to



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CUI

degraded and/or an insufficient amount of male DNA detected.

19. If necessary, these DNA results may be compared to other potential DNA contributors when suitable standards for comparison and/or elimination are submitted to the laboratory.

20. No DNA profiles were eligible for submission to CODIS (Combined DNA Index System).

**TECHNICAL NOTES**

1. DNA profiles were detected using PCR (polymerase chain reaction) technology on twenty-one autosomal STR (short tandem repeat) loci, two Y-chromosome loci (DYS391, Y-indel) and a gender identification locus from the Applied Biosystems GlobalFiler kit.

2. DNA profiles were detected using PCR (polymerase chain reaction) technology on twenty-seven Y-STR (Y-chromosome short tandem repeat) loci from the Applied Biosystems Yfiler Plus kit.

3. Match will be used when complete genotypes are obtained at all loci included in the amplification kit, and all of the detected alleles are the same as those in the reference being compared.

Consistent with will be used when genetic information is missing at one or more loci included in the amplification kit (a partial profile), but all of the detected alleles are the same as those in the reference being compared.

4. The autosomal STR statistical calculations in this report were generated using STRmix™ software which calculates a fully continuous probabilistic likelihood ratio (LR). Unless otherwise noted, the most conservative LR was reported using the lower bound 99% credible interval from unrelated individuals in the U.S. Caucasian, Black, and Hispanic population groups. The population allele frequencies were obtained from the NIST 1036 U.S. Population Dataset.

A likelihood ratio is a measure of the strength of support that particular findings give to one proposition against a stated alternative, given certain conditioning information. For these reported likelihood ratios, the propositions and conditioning information were based on data from these results and current case circumstances. If any aspects of the case should change or new information is provided regarding these propositions and conditioning information, then the evaluation of these results to include the likelihood ratio may change. This will be the subject of a separate report.

The reported statistical calculation for an association will be capped at 1.0 quintillion. The actual calculated value may be higher, but not less than this number, which is equivalent to the laboratory's minimum statistical threshold.



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USACIL: 25-ATL-00931
Agency Case Number: 01JUN25-NFNF-00237

Request: 0004_0006
Date of Report: 20 October 2025

**DISPOSITION OF EVIDENCE**

Unless otherwise noted, evidence received in this case will be returned according to laboratory policy. Items may have been altered to take samples required for examination or to recover materials from the item. If recovered evidence was collected and preserved during laboratory examinations, the material is being returned with the item from which it originated.



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USACIL: 25-ATL-00931
Agency Case Number: 01JUN25-NFNF-00237

Request: 0004_0006
Date of Report: 20 October 2025

| DNA Exhibit List | | |
|---|---|---|
| **Exhibit #** | **Description** | **ECD/Item** |
| 028 | Swab(s) | 3F1W2 |
| 029 | Swab(s) | 5CA0T |
| 034 | Swab(s) | MXQ1N |
| 059 | Miscellaneous item(s) | WGAM0 |
| 059.001 | Clothing - balaclava mask | |
| 059.002 | Miscellaneous item(s) - Monster energy drink | |
| 059.002.001 | Swab of Monster can | |
| 059.003 | Miscellaneous item(s) - deodorant | |
| 059.004 | Miscellaneous item(s) - lotion | |
| 059.005 | Miscellaneous item(s) - hair pick | |
| 059.006 | Miscellaneous item(s) - bottle cap | |
| 059.007 | Miscellaneous item(s) - string | |
| 059.008 | Miscellaneous item(s) - nail clippers | |
| 059.009 | Miscellaneous item(s) - vape | |
| 059.010 | Miscellaneous item(s) - meat and cheese stick | |
| 059.011 | Miscellaneous item(s) - battery | |
| 060 | Textile material(s) | 2YBG1 |
| 062 | Miscellaneous item(s) | 928WF |



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| | | |
|---|---|---|
| 063 | Jewelry | MUXQ4 |
| 063.001 | Jewelry - necklace/pendant | |
| 063.001.002 | Swab - necklace | |
| 063.002 | Jewelry - earrings | |
| 063.002.002 | Swab - earrings | |
| 063.003 | Jewelry - earring bar | |
| 063.003.001 | Swab - earring bar | |
| 064 | Textile material(s) | P6LTT |
| 065 | Swab(s) | 0H1X0 |
| 066 | Swab(s) | 23D6C |
| 067 | Swab(s) | AYB87 |
| 068 | Swab(s) | C0B4A |
| 069 | Swab(s) | MJ9U1 |
| 070 | Swab(s) | NRX6U |
| 071 | Swab(s) | WMLT8 |
| 072 | Swab(s) | WR14T |
| 073 | Swab(s) | WXKA6 |
| 074 | Swab(s) | EG42R |
| 075 | Textile material(s) | FYRQ5 |
| 076 | Carpet(s) | LY0W1 |



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| | | |
|---|---|---|
| 077 | Carpet(s) | 6EP9G |
| 078 | Carpet(s) | KUP5L |
| 079 | Carpet(s) | 7XDTT |
| 080 | Carpet(s) | NCMH4 |
| 081 | Carpet(s) | Q9TC6 |
| 082 | Carpet(s) | HK2TM |
| 083 | Carpet(s) | RG500 |
| 084 | Carpet(s) | N1A7C |
| 085 | Carpet(s) | W8N7W |
| 086 | Carpet(s) | XJCF9 |
| 087 | Carpet(s) | XBTG9 |



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**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CS3/E-4 USN** | **Affidavit of PSSN IRBIN GORDILLO-CRUZ**<br><br>**3 JUNE 2026** |

I, PSSN Irbin Gordillo-Cruz, do hereby state and declare:

1. I reviewed the attached document entitled GOVERNMENT DISCLOSURE: CONVERSATION WITH PSSN IRBIN GORDILLOCRUZ, USN dtd 17 Feb 26.

2. I read the document in its entirety and certify that the attached RCM 701 Disclosure is accurate. *I was given the opportunity to make changes to the document and did not make* changes.

3. I adopt the attached disclosure as my statement and approve of its use as my statement in the future.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on this 3rd day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

[redacted]

Irbin Gordillo-Cruz

Sworn to and subscribed before me this 3rd day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

[redacted]

CDR Christopher Dempsey, JAGC, USN

17 Feb 26

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: Detailed Defense Counsel

Subj: GOVERNMENT DISCLOSURE: CONVERSATION WITH PSSN IRBIN GORDILLOCRUZ, USN.

Ref: (a) R.C.M. 701 (MCM 2024)
(b) *Brady v. Maryland*, 373 U.S. 83 (1963)
(c) *Giglio v. United States*, 405 U.S. 150 (1972)
(d) JAGINST 5803.1E (20 Jan 15) Rule 3.8

1. On 9 February 2026, CDR Lauren Mayo, JAGC, USN, LCDR Chris Dempsey, JAGC, USN, and LN1 Kathleen Vanetti, USN, spoke to PSSN Irbin Gordillocruz, USN in the office of the CSTC. The following disclosures are provided:

a. PSSN Gordillocruz was picked up at the airport at approximately 0223 by his YN1 on 29May25. PSSN Gordillocruz had just returned from leave.
b. PSSN Gordillocruz clarified that he returned to his barracks at 0250 and his room at 0254 on 29May25 and provided text messages to support that timing. When he entered the common room of the PPV, it was quiet and relatively dark. He thinks the television might have gone into energy saving mode with a screen saver that occasionally flashed brighter when the picture changed, but no other lights were on and he did not recall any music playing.
c. When he opened the door, PSSN Gordillocruz stated that he could see V/A. R. and his roommate, Copeland, sitting on the floor near the couch next to each other. V/A. R. was hunched over with her head hanging down and Copeland looked to be holding her up with his arm around her. V/A.R. was on the side of Copeland, closest to PSSN Gordillocruz. PSSN Gordillocruz thought it was odd that they were sitting on the floor instead of the couch and he asked Copeland if V/A.R. was ok. Copeland responded by telling PSSN Gordillocruz to just go to his room, and waved him off. PSSN Gordillocruz provided this encounter lasted about 10 seconds.
d. PSSN Gordillocruz explained that V/A.R. appeared extremely intoxicated based on how she was being held up. He stated he would be shocked if she was sober. PSSN Gordillocruz explained it looked like she would fall over without Copeland having his arm around her.
e. PSSN Gordillocruz stated that V/A.R. was completely unresponsive during this exchange, did not address him, and did not move. PSSN Gordillocruz provided he had forgotten about this part of the night and had gotten confused when discussing this night in the past. When reviewing his phone records, his memory was refreshed as to what had occurred.
f. PSSN Gordillocruz continued into his bedroom and spoke with a friend from back home over the phone. PSSN Gordillocruz believed he took this call in his bathroom so as not to wake up his roommate. Approximately 30 minutes after returning to the PPV, PSSN Gordillocruz returned to the common room to get some water. He

believed that V/A. R. and Copeland were laying on the couch at that time, the room was still quiet and the television was still producing the same amount of light as when he first entered the PPV. PSSN Gordillocruz could not provide a description of how Copeland and V/A.R. were laying on the couch and provided it was just a "blur." He returned to his bedroom and went to sleep.

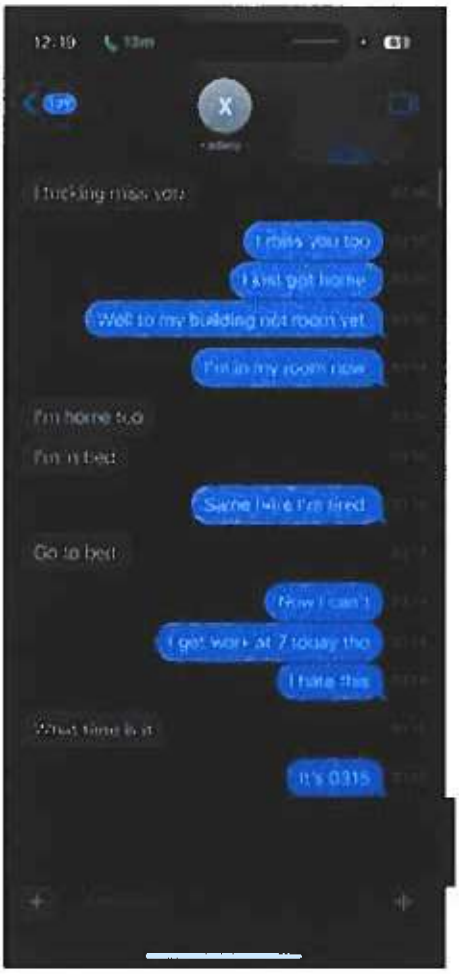
g. After getting a few hours of sleep, PSSN Gordillocruz entered the common room at approximately 0630/0645. His roommate Calisse had already left the barracks room for work. When he opened the door to the common room, he saw V/A. R. lying on her back on the floor and her eyes were closed. He could not be certain that she was completely naked but stated that her breasts were exposed and he did not see clothes from below her knees. Copeland was lying with his head on V/ A. R.'s stomach with his eyes closed. He only took a quick glance, but both appeared to be breathing.
h. The positioning of V/A. R.'s body (as noted in PSSN Gordillocruz's attached sketch) prevented PSSN Gordillocruz from walking out of the room without jumping over V/A. R.'s feet as they were blocking the path to the front door. Neither V/A. R. nor Copeland moved when PSSN Gordillocruz left his bedroom, jumped over her feet, or left the PPV. Gordillocruz circled an area on a different photograph of where their clothes were approximately.
i. PSSN Gordillocruz stated that he did not notice any backpacks or bags in the common room. There was clothing near the couch that PSSN Gordillocruz assumed belonged to V/A. R. and Copeland. There were no signs of injury or blood in the room. The room was light by incoming sunlight and was brighter than when he had returned from leave. PSSN Gordillocruz provided that the TV was still on, but it wasn't playing anything.
j. Upon arriving at work, Calisse asked PSSN Gordillocruz if he had seen the same thing that Calisse had seen when leaving the room. Assuming that Calisse was referring to V/A. R. and Copeland being in a state of undress and asleep on the common room floor, PSSN Gordillocruz agreed because it was not normal for anyone to be in the common room like that. PSSN Gordillocruz stated that he may have mentioned to Calisse that he thought they were breathing, but he does not specifically recall saying it.
k. When PSSN Gordillocruz returned to his PPV around noon, neither V/A. R. nor Copeland were in the common room or Copeland's bedroom. He did not recall seeing Copeland again until Sunday evening when Copeland asked for a ride to the ship because he had been declared UA and needed to check in.
l. Over that weekend, PSSN Gordillocruz recalled the command representatives coming to the PPV looking for Copeland and V/A. R. He reached out to Copeland to see if he knew anything about V/A. R.'s location and Copeland told him that he had texted her but she didn't respond.
m. PSSN Gordillocruz noted that it was not the first time Copeland had brought a woman or other people to the PPV. PSSN Gordillocruz provided that Copeland often played music loud in the barracks room.
n. PSSN Gordillocruz does not know if Copeland had more than one phone. He had not lived in the PPV with Copeland for more than 3 weeks and only had his cell phone number because they ran into each other at a party and exchanged numbers to ensure

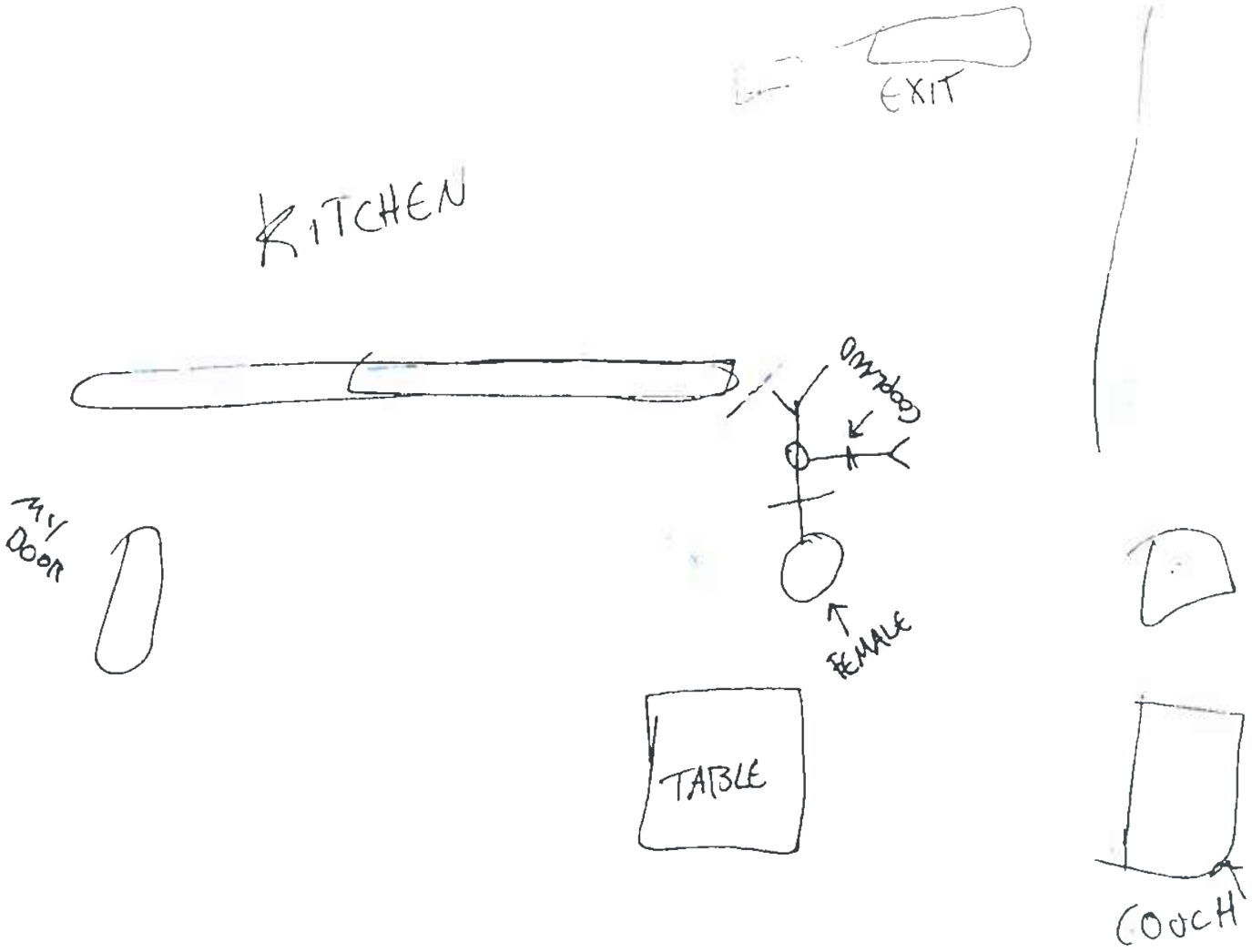
a safe ride home.

2. The preceding is not a verbatim recitation of any conversation and was not written contemporaneously with any conversation. The disclosures from the interview conducted by the Government are to reflect new or different information. To the extent the information is duplicative with already discovered information, it is provided as context. This summary does not constitute a statement adopted or approved by the witness and may not reflect the witness's exact words.

[redacted]

L.A. MAYO


I miss you too
I just got home
Well to my building not room yet
I'm in my room now
I'm home too
I'm in bed
Same here I'm tired
Go to bed
Now I can't
I got work at 7 today tho
I hate this
It's 0315




SJ FEB26
GORDILLOCRUZ

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 09JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII [redacted]

RESULTS OF SECONDARY INTERVIEW OF YN3 SEAN MONAGHAN, USN

1. On 09Jun25, Reporting Agent (RA) and Participating Investigator (PI) Tyler MANN conducted an interview of YN3 Sean MONAGHAN, USN, Helicopter Mine Countermeasures Squadron 12 (HM 12), pursuant to the missing person investigation involving A.R. [redacted]

2. The interview of YN3 MONAGHAN was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. As background, YN3 MONAGHAN is the roommate of CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, who was the last known individual to see A.R. [redacted] before she went missing. It is believed A.R. [redacted] was last seen in the room shared by S/COPELAND and YN3 MONAGHAN.

4. YN3 MONAGHAN relayed on Wednesday, 28May25, he arrived at his barracks room around 1900 from traveling back home to New Jersey. YN3 MONAGHAN stated when he arrived, he did not see anyone in the room. YN3 MONAGHAN continued S/COPELAND got home that night around 2200; however, YN3 MONAGHAN stated he had watch early the next morning, so he was already half asleep. YN3 MONAGHAN relayed he does remember seeing a lighter-skinned female with short hair; however, he did not recognize her, nor did he know who she was. YN3 MONAGHAN stated on Thursday, 29May25, he woke up around 0500 to get ready for work, and he noticed no one was in his room. YN3 MONAGHAN stated he walked out into their common space at approximately 0640 and observed S/COPELAND asleep on the floor of the living room in his underwear with a girl he did not recognize. Of note, YN3 MONAGHAN was shown a picture of A.R. [redacted] by PA; however, he relayed he did not get a good enough look at the individual on the floor to positively identify her as A.R. [redacted]. YN3 MONAGHAN stated he returned from work around 1300, and no one was in the room. YN3 MONAGHAN stated, around 2000, he saw S/COPELAND and asked him if him and the female from that morning had been naked, to which S/COPELAND relayed they had been in their underwear. YN3 MONAGHAN stated he saw S/COPELAND again that night in the common space around 2200 when he went to make food. YN3 MONAGHAN relayed S/COPELAND did sleep in their room that night.

5. YN3 MONAGHAN stated on Friday, 30May25, he woke up around 0600 when



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



S/COPELAND left and then woke up again around 0900 when a representative (NFI) from S/COPELAND's Command came looking for him; however, he was not in the room. YN3 MONAGHAN stated the next time he saw S/COPELAND was when he returned to the room around 2200-2300. YN3 MONAGHAN confirmed S/COPELAND slept in their room that night.

6. YN3 MONAGHAN relayed on Saturday, 31May25, he noticed S/COPELAND left early in the morning again, although he was not sure what time. YN3 MONAGHAN continued he was woken up at approximately 1200, when the Masters-at-Arms (MAs) came looking for S/COPELAND and again, he was not in the room. YN3 MONAGHAN relayed S/COPELAND returned to the room late at night again; however, he was not sure of the exact time.

7. YN3 MONAGHAN relayed on Sunday, 01Jun25, S/COPELAND received a call from his command around 1000, needing him to come in to work. YN3 MONAGHAN stated he was unsure how S/COPELAND got to work that day. YN3 MONAGHAN relayed S/COPELAND returned to the room at approximately 2200-2300.

8. YN3 MONAGHAN stated on Monday, 02Jun25, he was questioned by the "homicide unit" while at work and on Tuesday, 03Jun25, NCIS "raided" their barracks room and took S/COPELAND. YN3 MONAGHAN stated, following the "raid" by NCIS, he asked S/COPELAND what NCIS was looking for, to which S/COPELAND responded, "I don't know, they're tripping." YN3 MONAGHAN relayed on Monday he noticed S/COPELAND was very skittish. YN3 MONAGHAN explained he walked into their room and when he opened the door, S/COPELAND looked startled and stated, "Oh, you scared me."

9. YN3 MONAGHAN stated S/COPELAND does have a car; however, it gets repairs done to it a lot. YN3 MONAGHAN stated S/COPELAND's "crazy ex slashed the tires." YN3 MONAGHAN described the car as being small, rectangular, and black with four doors. YN3 MONAGHAN relayed he drives a 2011 Toyota Camry with a New Jersey license plate number B23SBH. YN3 MONAGHAN stated he has never let S/COPELAND borrow his car nor has he ever given him permission to use his car for any reason. YN3 MONAGHAN revealed he does leave his keys in places S/COPELAND could access them, usually on his desk in their room. YN3 MONAGHAN stated on 03Jun25, he did believe his car had moved parking spots and was so suspicious about the incident he texted his mom.

10. YN3 MONAGHAN relayed he did see S/COPELAND with a rolling suitcase a couple months ago. YN3 MONAGHAN described the suitcase as one that came up to his thigh, black, and had a handle for wheeling around. YN3 MONAGHAN stated S/COPELAND usually kept this suitcase locked in his closet; however, stated he had not seen it in "awhile."

11. YN3 MONAGHAN relayed he has not noticed anything in their room being out of place. YN3 MONAGHAN stated he deep cleaned their room on Monday, 02Jun25, where he noticed the bathmat in front of the toilet had a stain in one



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **09JUN25**

corner, he believed to be blood. YN3 MONAGHAN relayed this was not unusual to him because S/COPELAND had female friends over who would often leave tampons in their bathroom, and blood sometimes got on the floor. YN3 MONAGHAN stated, because he thought nothing of this, he placed the bathmat in the washing machine to be cleaned. YN3 MONAGHAN provided a hand drawn sketch of the bathmat to depict where he observed the blood; Enclosure (B) pertains. YN3 MONAGHAN also provided a Permissive Authorization for Search and Seizure (PASS) to enter his barracks room and collect the bathmat which will be documented under separate cover.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF YN3 SEAN MONAGHAN, USN/09JUN25
(B) HAND DRAWN SKETCH BY YN3 SEAN MONAGHAN, USN, OF STAIN LOCATED ON BATHMAT/09JUN25

REPORTED BY: ASHLEY ULLOM, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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Subj: GOVERNMENT DISCLOSURE: CONVERSATION WITH YN3 SEAN MONAGHAN, USN.

17 Feb 26

From: CDR Lauren Mayo JAGC, USN, Special Trial Counsel
To: Detailed Defense Counsel

Subj: GOVERNMENT DISCLOSURE: CONVERSATION WITH YN3 SEAN MONAGHAN, USN.

Ref: (a) R.C.M. 701 (MCM 2024)
(b) *Brady v. Maryland*, 373 U.S. 83 (1963)
(c) *Giglio v. United States*, 405 U.S. 150 (1972)
(d) JAGINST 5803.1E (20 Jan 15) Rule 3.8

1. On 9 February 2026, CDR Lauren Mayo, JAGC, USN, LCDR Chris Dempsey, JAGC, USN, and LN1 Kathleen Vanetti, USN, spoke to YN3 Sean Monaghan, USN in person. The following disclosures are provided:

a. Prior to Copeland arriving as a roommate at approximately the end of 2024, YN3 Monaghan had the barracks room to himself.
b. YN3 Monaghan stated that on Wednesday, 28 May 25, he returned to the barracks after driving 5 hours back from New Jersey, where he had been on leave. He had gone to bed early as he had watch the next morning. He is typically a heavy sleeper but had heard his roommate Copeland and an unknown female (V/ A. R.) go in and out of the bedroom several times before he fully fell asleep. There was loud rap music being played in the common room.
c. The next morning, 29 May 25, YN3 left his bedroom at around 0545 and saw Copeland and V/ A. R. on the floor right in front of his bedroom door. YN3 believed Copeland was snoring but he heard no noise from V/A.R. V/A. R. was on her side with her face, it appeared, pressed into the couch. Her hair was covering most of her face. Copeland was lying on his side behind V/A. R., also facing the couch, with his face near V/A. R.'s buttocks (sketch attached). YN3 Monaghan described them as almost spooning.
d. Both Copeland and V/A. R. appeared to be naked and YN3 looked away to be respectful. He noticed clothing over the side of the couch and Copeland's black backpack on a bar stool. YN3 did not recall seeing any other bags, or anything that looked like a female's bag, in the room. He said he did not stop to check if they were breathing.
e. YN3 stated that the common room was quiet; there was no music playing or television on. The lights were off and the shades were pulled mostly down. The bedroom door across from the common room (Calisse and Gordillocruz's door) was open, leading YN3 to think they had both already left for work.
f. There was a half-full Buzzball bottle on the counter and other alcohol containers around the room (possibly Vodka bottle and beers). YN3 assumed that Copeland and V/A. R. were passed out from drinking alcohol.
g. When YN3 returned from watch at approximately 1300, he asked Copeland if he and V/A. R. were naked in the common room that morning. Copeland responded that they

were wearing underwear. The common room had been cleaned up with the exception of a sticky spot where the Buzzball had been.

h. When asked about his relationship with Copeland, YN3 stated that he did not have one. He drove Copeland places 2 or 3 times when he needed a ride, but did not socialize with Copeland or the other roommates. YN3 stated that he typically went to work and returned to his room to play video games.
i. Prior to this incident, YN3 Monaghan recalled that Copeland bragged about going UA multiple times and about his ability to call others to make people disappear. YN3 thought that Copeland was trying to portray the image of a gangster.
j. YN3 does not have knowledge of Copeland ever being in YN3's bed. When shown a photo taken on Copeland's phone on the morning of 29May25, YN3 confirmed it appeared to be of his bed.
k. YN3 did not question Copeland about V/A. R.
l. When asked about the air fresheners placed in his bedroom, YN3 Monaghan reported that his Chief had placed one under his bed and one near Copeland's desk when the Chief assisted in cleaning the room. YN3 clarified that his Chief and First Class assisted with his room cleaning because a high-level barracks inspection had been announced that day. YN3 added that Copeland often lit a red Yankee candle on his desk, but could not recall if he had done that that weekend.
m. When asked about the condom wrapper discovered in the bedroom, YN3 Monaghan stated that there was no possibility it was his.
n. YN3 provided that he did not let Copeland borrow his car the weekend of V/ A.R.'s disappearance and YN3 also did not leave the barracks room. When he did return to his car, he was certain it had been parked in a different spot from where he left it. YN3 Monaghan believed he had just confused himself and was paranoid. YN3 left his keys out in the open and it's possible Copeland took his car. YN3 did not notice anything off about his car when he did later drive it.
o. YN3 Monaghan stated that he distinctly remembers the sound of suitcase wheels rolling out of the bedroom, and the door closing, in the early a.m. hours during the time frame of the investigation but could not specifically recall if it was the day before, or just after, the room inspection.
p. Over the weekend that he was UA, YN3 described Copeland as wearing the same clothing each day, which was unusual for him. He described it as a black hoodie with a yellow graphic on the hood that he had up. YN3 described him as skittish and constantly paranoid. The previously mentioned suggestion from Copeland to YN3 to get out and be more social occurred sometime prior to the weekend V/A.R. went missing.
q. The previously mentioned time that Copeland asked YN3 for a ride to the gate at 0400 may not have been during that weekend.
r. YN3 noted that around the time of NCIS's search of the room, the other two roommates mentioned that the night V/ A. R. was there, they had heard weird noises in the common room, like crying and banging. YN3 did not personally hear that.
s. Copeland would sleep with two phones in his bed at night.
t. [redacted]

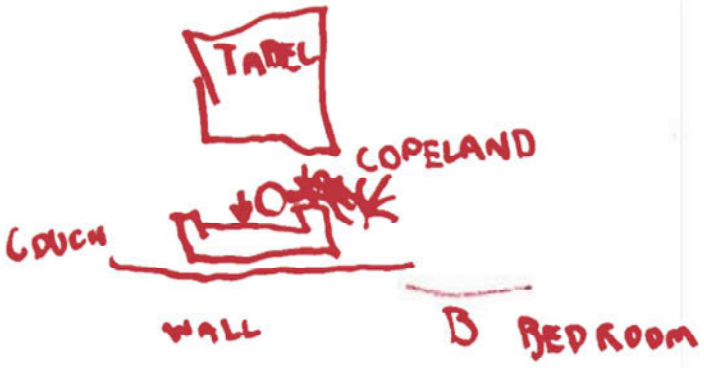
u. [redacted]

2. The preceding is not a verbatim recitation of any conversation and was not written contemporaneously with any conversation. The disclosures from the interview conducted by the Government are to reflect new or different information. To the extent the information is duplicative with already discovered information, it is provided as context. This summary does not constitute a statement adopted or approved by the witness and may not reflect the witness's exact words.

[redacted]

L.A. MAYO[redacted]

VN3 MONAGHAN SEAN
FEB9 2026



**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CS3/E-4 USN** | **Affidavit of AN JOHN CALISSE**<br><br>**3 JUNE 2026** |

I, AN John Calisse, do hereby state and declare:

1. I reviewed the attached documents entitled GOVERNMENT DISCLOSURE: CONVERSATION WITH AA JOHN CALISSE, USN dated 17 Feb 26 and GOVERNMENT DISCLOSURE: CONVERSATION WITH AN JOHN CALISSE USN dtd 20 May 26.

2. I read both documents in their entirety and certify that the attached RCM 701 Disclosures are accurate. I was given the opportunity to make changes to each document and did so as annotated on the document.

3. I adopt the attached disclosures, as amended, as my statements and approve of their use as my statements in the future.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on this 3rd day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

[redacted]

John Calisse

Sworn to and subscribed before me this 3rd day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

[redacted]

LCDR Christopher Dempsey, JAGC, USN

17 Feb 26

From: CDR Lauren Mayo, Special Trial Counsel
To: Detailed Defense Counsel

Subj: GOVERNMENT DISCLOSURE: CONVERSATION WITH AA JOHN CALISSE, USN

Ref: (a) R.C.M. 701 (MCM 2024)
(b) *Brady v. Maryland*, 373 U.S. 83 (1963)
(c) *Giglio v. United States*, 405 U.S. 150 (1972)
(d) JAGINST 5803.1E (20 Jan 15) Rule 3.8

1. On 6 February 2026, CDR Lauren Mayo, JAGC, USN, LCDR Christopher Dempsey, JAGC, USN, and LN2 Nicole Orsillo, USN, spoke in person with AA John Calisse, USN. The following disclosures are provided:

2. On 28 May 2025, AA Calisse remembered seeing CSSN Copeland briefly in their shared barracks room and seeing a woman, he now believes to be V/A.R., with CSSN Copeland, although he did not know who V/A.R. was at the time. Sometime between 1800 and 2000, CSSN Copeland asked AA Calisse if he could borrow AA Calisse's car. AA Calisse said he only saw V/A.R. and CSSN Copeland because CSSN Copeland returned the car keys to him. After he got his car keys back, AA Calisse did not leave his bedroom until the next morning when he left for work. AA Calisse said when he is at the barracks, he typically stays in his room most of the time and spends that time talking to his family back home in Haiti. He utilizes text, phone calls, and video chat to communicate with his family. AA Calisse had a roommate, PSSA GordilloCruz, and when PSSA GordilloCruz is not in the room, AA Calisse said he uses speaker phone to talk to his family. On the night of 28 May 2025, AA Calisse believes PSSA GordilloCruz was on leave. AA Calisse goes to bed on the early side every night because he gets up early for work. He estimated that he went to bed around 2000 that night.

AA Calisse stated he remembered PSSA GordilloCruz returning early in the morning on 29 May 2025 and believed it was between 0200-0300. When PSSA GordilloCruz returned to the barracks, AA Calisse said he heard loud music playing in the common space in their barracks room, and believed he heard singing, but could not say for certain. AA Calisse was not sure if the light was on in the common area. He believes he fell back to sleep about a minute or two after PSSA GordilloCruz returned. He does not remember what time he initially fell asleep, but thinks it was early because he had to be up for work around 0500 and left for work around 0545.

When AA Calisse walked out of his room to leave for work, he noticed in the common area [redacted] and CSSN Copeland lying in the middle of the floor. AA Calisse said he had to walk on the furniture because V/A.R. and CSSN Copeland were blocking the walkway. AA Calisse noticed CSSN Copeland move his head a little bit when AA Calisse opened his bedroom door but said V/A.R. did not move at all. AA Calisse did notice V/A.R. lying on her back and said she either had a bra or T-shirt on and said it was pulled up, exposing her breasts. Her pants were pulled down, one pant leg was around her ankle, and her legs were

splayed open with her genitals exposed. CSSN Copeland was lying with his head on V/A. R. 's inner thigh. AA Calisse said he did not think much of it because he is from a place where everyone minds their own business. AA Calisse did not notice any injuries to V/A. R. 's body but said it was dark in the common area.

AA Calisse added that when opening his door it was fairly loud and he thought it was weird that V/A. R. did not react. AA Calisse was presented with a picture of the common area of his barracks room, and he labeled the photo noting the area where he remembered V/A. R. and CSSN Copeland lying. He remembers them lying close to his bedroom door.

That morning at work, AA Calisse remembered talking to PSSA GordilloCruz about CSSN Copeland and V/A. R. lying naked on the floor. He stated both agreed it was disrespectful.

When asked about the general noise level in the barracks room, AA Calisse described that in the past neighbors on the floor complained about how loud the music in their suite frequently was. AA Calisse said CSSN Copeland would regularly play music loudly in the common area.

CSSN Copeland and AA Calisse were not really friends. However, AA Calisse said he would let CSSN Copeland use his car to buy food, and he would occasionally drive CSSN Copeland to work.

Prior to CSSN Copeland's incarceration, they lived together for about three or four months . AA Calisse has not spoken to CSSN Copeland since he has been placed in confinement.

On 1 June 2025, AA Calisse said he was out with another friend buying things for their upcoming underway, and CSSN Copeland asked AA Calisse for a ride to work. When AA Calisse returned to the barracks, he and PSSA GordilloCruz were approached by MAs who were looking for CSSN Copeland. CSSN Copeland told AA Calisse the MAs were looking for him because he did not go to work and told AA Calisse he did not have a ride to work. AA Calisse offered CSSN Copeland a ride to work.

AA Calisse, PSSA GordilloCruz, and CSSN Copeland drove together to CSSN Copeland's command so he could get out of an unauthorized absence status. When CSSN Copeland returned to AA Calisse's car, the three of them went to get food but did not talk about anything in particular. AA Calisse stated he used to give CSSN Copeland rides to work and believes before this incident CSSN Copeland never missed work.

On Friday, 29 May 2025, CSSN Copeland did not borrow AA Calisse's car. On Saturday, 30 May 2025, CSSN Copeland asked to borrow AA Calisse's car, and AA Calisse agreed, but CSSN Copeland never got the keys. On the evening of Sunday, 1 June 2025, CSSN Copeland asked AA Calisse if he could borrow his car again, and this time CSSN Copeland took his keys from AA Calisse. AA Calisse did not see CSSN Copeland leave. AA Calisse then went to bed. The following morning, AA Calisse did not see his keys in the barracks room, and CSSN Copeland returned around 0600 with breakfast. AA Calisse was frustrated because CSSN Copeland knew AA Calisse had to be at work early. CSSN Copeland blamed gate traffic for being late returning the jeep.

There was another roommate in AA Calisse's suite, YN3 Monaghan. YN3 Monaghan and CSSN Copeland shared a room in the suite. AA Calisse said he and YN3 Monaghan did not communicate prior to the incident. After [redacted] went missing, AA Calisse asked YN3 Monaghan what was going on. [redacted] JRC

AA Calisse reiterated music is regularly played loudly in their barracks suite, and when [redacted] was over, he thought he heard CSSN Copeland and [redacted] singing and could not answer for sure if they were actually yelling at each other. He thought CSSN Copeland had to work the morning CSSN Copeland and [redacted] were lying on the floor but did not know his schedule or if he had the day off. AA Calisse did not believe he had plans to drive CSSN Copeland to work that morning. Most of the time, AA Calisse said CSSN Copeland left for work earlier than he did because he worked in Portsmouth, VA, and had to be at work around 0400. He was not sure how CSSN Copeland usually got to work.

[redacted]

When he was leaving for work the morning [redacted] was over, AA Calisse did not notice any odd personal items or items that belonged to people other than the people who lived there.

AA Calisse answered "no" to all Giglio questions.

2. The preceding is not a verbatim recitation of any conversation and was not written contemporaneously with any conversation. The disclosures from the interview conducted by the Government are to reflect new or different information. To the extent the information is duplicative with already discovered information, it is provided as context. This summary does not constitute a statement adopted or approved by the witness and may not reflect the witness's exact words.

[redacted]

L.A. MAYO


CK
OLAK 1

20 May 26

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: Detailed Defense Counsel

Subj: GOVERNMENT DISCLOSURE: CONVERSATION WITH AN JOHN CALISSE USN

Ref: (a) R.C.M. 701 (MCM 2024)
(b) *Brady v. Maryland*, 373 U.S. 83 (1963)
(c) *Giglio v. United States*, 405 U.S. 150 (1972)
(d) JAGINST 5803.1E (20 Jan 15) Rule 3.8

1. On 13 May 2026, LCDR Christopher Dempsey, JAGC, USN, CDR Lauren Mayo, JAGC, USN, and Ms. Christine Jimenez, Civ, interviewed AN John Calisse, USN. The following disclosures are provided:

a) AN Calisse stated he can barely sleep now and is always thinking about the situation. He has been diagnosed with PTSD, depression, and anxiety. He stated he barely goes outside and was really scared because he had never been in a situation like this before. He also had to buy a new car as a result of the seizure of his Jeep. He is still paying the loan for the Jeep.

b) AN Calisse stated he no longer trusts anyone, civilian or military. When he goes home, he stays inside because he does not want to bother anyone.

c) AN Calisse stated he spoke with NCIS and told them they could come to his residence. However, he stated the way they went about it was upsetting because he was sleeping when they arrived banging on the door with guns drawn and was told to come outside walking backwards. AN Calisse didn't understand what was going on and was handcuffed against the wall. He does not recall how long he was handcuffed but believes it was more than ten minutes.

d) AN Calisse stated he thinks about whether A.R. was dead or not because he could not figure it out. He explained that he normally does not get involved in other people's situations. Calisse said he did not hear her scream and feels guilty he did not intervene.

e) AN Calisse stated he can't go to sleep but feels tired. He was given medication for sleeping, but it does not help. He stated he stays awake until approximately 0100 to 0200, and he used to go to bed at around 8:00 p.m.

f) AN Calisse stated that prior to this incident, he planned to serve for twenty years in the military. He stated he does not think about plans anymore and does not intend to stay in.

g) AN Calisse stated that since this event he has nightmares when he sleeps but cannot recall them when he wakes up. He currently lives in Hampton and does not have any roommates.

h) AN Calisse stated that at first, therapy was difficult because thinking too much would cause migraines and make his head spin. He stated his therapist has helped him with that.

i) AN Calisse stated that when he lost his father in June, he could not attend the funeral. His command would not let him attend the funeral in Haiti. He also stated he has not been able to see his wife as well.

2. The preceding is not a verbatim recitation of any conversation and was not written contemporaneously with any conversation. The disclosures from the interview conducted by the Government are to reflect new or different information. To the extent the information is duplicative with already discovered information, it is provided as context. This summary does not constitute a statement adopted or approved by the witness and may not reflect the witness's exact words.

[redacted]

L. A. MAYO



**TIMELINE ANALYSIS 29MAY25**

1. SDFE DAVISON conducted a timeline analysis of the iPhone 15 Pro Max belonging to S/COPELAND for all events occurring on 29May25, between 1:50:16 AM and 1:12:01 PM. A timeline analysis of all device events is an extremely complex process, and a digital forensic examiner must report all pertinent data and user activity. However, a digital forensic examiner cannot report all data which occurs on the device since a report will not be represented in a clear and concise manner. The iPhone 15 Pro Max belonging to S/COPELAND recorded over 15,000 pieces of data for all events occurring on the device on 29May25, between 1:50:16 AM and 1:12:01 PM. All 15,000 pieces of data are available upon request. SDFE DAVISON located and extracted 1,371 pieces of data during the timeline analysis of the iPhone 15 Pro Max belonging to S/COPELAND. SDFE DAVISON saved the data to a folder named "(d) 29May25 Timeline" on the FINDINGS MEDIA. The folder contains a Microsoft Excel spreadsheet named "29May25 Timeline Items.xlsx" and an Adobe Acrobat file named "report.pdf." Axiom created the Adobe Acrobat file and the Microsoft Excel spreadsheet based on items tagged by SDFE DAVISON. SDFE DAVISON edited the Microsoft Excel to assist in viewing purposes of this report. SDFE DAVISON also created a color legend to assist in identifying different types of data in the report. SDFE DAVISON took the following screenshot as display in the Microsoft Excel spreadsheet.

| Color Legend | | | | |
|---|---|---|---|---|
| DEVICE STATES | | | | |
| USER INTERACTION/AUTOMATIC BY USER ACTIONS | | | NO USER INTERACTION | |
| Biome Keybag Lock States | Unlocked | | KnowledgeC Device Lock States | Locked |
| KnowledgeC Device Lock States | Unlocked | | Biome Keybag Lock States | Locked |
| KnowledgeC Screen Backlight States | Screen on | | KnowledgeC Screen Backlight States | Screen off |
| KnowledgeC Application Usage | | | PowerLog Application State | Suspended |
| Biome Application Focus | | | PowerLog Application State | Background |
| KnowledgeC Notification Usage | | | | |
| PowerLog App Usage | Focus Seconds | | | |
| PowerLog Application State | Active | | | |
| PowerLog Camera State | On | | | |
| | | | | |
| Apple Heath Data | | | GEOLOCATION AUTOMATIC AND USER INTERACTION | |
| Apple Health Distance | | | Apple Maps - Biome App Intents | |
| Apple Health Steps | | | Cached Locations | |
| | | | Biome Application Intents | PlaceCardTap |
| | | | | |
| AUTOMATIC NOTIFICATIONS DISPLAYED ON USER SCREEN | | | COMMUNICATIONS AUTOMATIC USER INTERACTION | |
| User Notification Events | | | Communication | |
| | | | Email & Calendar | |
| OPERATING SYSTEM AUTOMATIC | | | Social Networking | |
| File system | Folder | | InteractionC Interactions | |
| File | .plist | | Application Usage | InteractionC Contacts |
| | | | | |
| MULTIMEDIA USER INTERACTION AND AUTOMATIC | | | BATTERY LIFE | CHARGING |
| Media | Audio | | PowerLog Battery Level | UNPLUGGED |
| Media | Videos | | Biome Device Plugged-in States | PLUGGED IN |
| File | .MP4 | | PowerLog Battery Level | PLUGGED IN |
| File | .MOV | | | |
| File | CachedMedia - Pornography | | | |
| Media | Pictures | | | |
| Media | iOS Snapshots | | | |
| File | .ktx | | | |
| File | .png | | | |
| File | .jpg | | | |

Click to Review Adobe Report

2. The examination of all timeline events for 29May25, revealed the device was located near Willis Manor X-2, Norfolk, VA, based on Geolocation data. The device appeared to remain in the area of Willis Manor X-2 until the completion of the timeline analysis at approximately 1:15 PM. SDFE DAVISON tagged four geolocation points between 1:59:12 AM, and 11:00:08 AM, as a part of the timeline analysis; however, the iPhone 15 Pro Max belonging to S/COPELAND recorded 4,021 geolocation points with the overwhelming majority near Willis Manor X-2. The examination revealed the 3,921 Cached Locations recorded on the iPhone 15 Pro Max belonging to S/COPELAND were near Willis Manor X-2. SDFE DAVISON took the following screenshots as displayed in Axiom.

## LOCATION & TRAVEL 4,021

| | |
|---|---|
| Apple Maps - Biome App Intents | 4 |
| Apple Maps Searches | 1 |
| Cached Locations | 3,921 |
| iOS Maps | 95 |




OPEN LOCATION IN

Latitude **36.9503**

Longitude **-76.3207**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.950343976077** |
| Longitude | **-76.3206553362767** |
| Accuracy (m) | **34.0** |
| Altitude (m) | **9.77582987751294** |
| Altitude Accuracy (m) | **2.0** |
| Timestamp Date/Time | **5/29/2025 1:50:02.371 AM** |
| Artifact type | Cached Locations |
| Item ID | 216460 |




OPEN LOCATION IN

Latitude **36.9503**

Longitude **-76.3207**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.9502864940436** |
| Longitude | **-76.3206915547234** |
| Accuracy (m) | **9.11408852641023** |
| Altitude (m) | **12.430949600935** |
| Altitude Accuracy (m) | **14.9376034579561** |
| Timestamp Date/Time | **5/29/2025 4:30:09.809 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 219323 |




OPEN LOCATION IN

Latitude **36.9503**

Longitude **-76.3208**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.9502968178737** |
| Longitude | **-76.320750299786** |
| Accuracy (m) | **34.0** |
| Altitude (m) | **8.86128206650536** |
| Altitude Accuracy (m) | **30.0** |
| Timestamp Date/Time | **5/29/2025 7:39:31.382 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 220961 |




OPEN LOCATION IN

Latitude **36.9503**

Longitude **-76.3208**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.95028305** |
| Longitude | **-76.32083129** |
| Accuracy (m) | **61.3333333333333** |
| Altitude (m) | **9.5** |
| Altitude Accuracy (m) | **30.0** |
| Timestamp Date/Time | **5/29/2025 11:37:24.629 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 224124 |

### EVIDENCE INFORMATION




**DETAILS**

**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | **36.9505033767241** |
| Longitude | **-76.3206946800023** |
| Accuracy (m) | **4.77564262405049** |
| Altitude (m) | **4.181760574691** |
| Altitude Accuracy (m) | **3.72365749040249** |
| Direction | **6.53360010720073** |
| Speed (m/s) | **1.52183753836007** |
| Timestamp Date/Time | **5/29/2025 1:11:42.999 PM** |
| Artifact type | Cached Locations |
| Item ID | 226421 |

**29MAY25 1:50 AM to 7:28 AM**

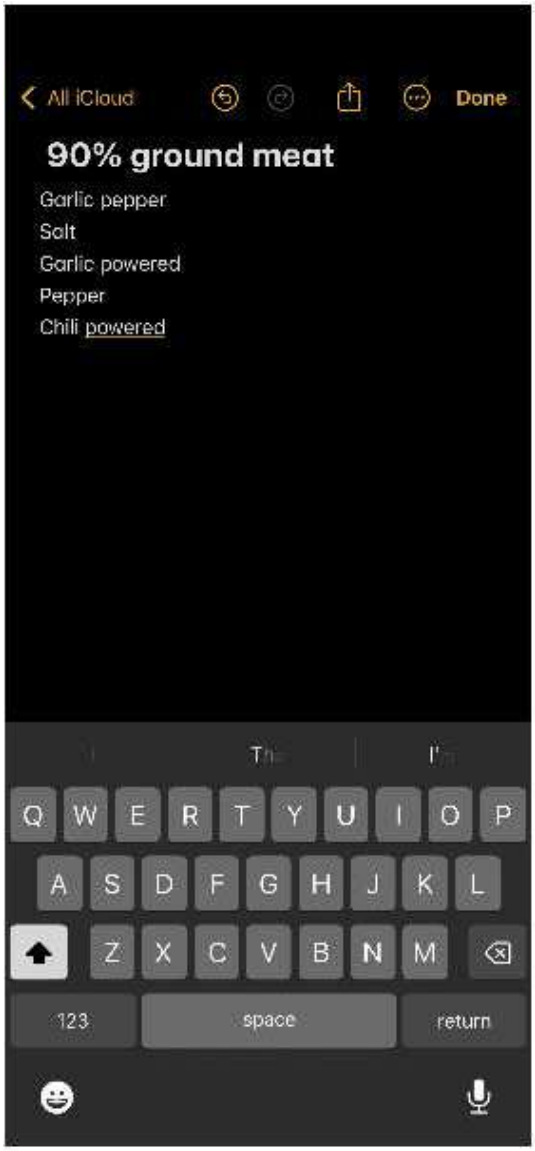
1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in a locked state between 1:50:28 AM and 7:28:08 AM. The iPhone 15 Pro Max belonging to S/COPELAND was in an unlocked state for 2 minutes and 16 seconds during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND had limited interaction with the device. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple Notes App at 2:01 AM, and reviewed a note titled “90% ground meat.” The user of the iPhone 15 Pro Max belonging to S/COPELAND previously created the note on 29May25, at 1:46:57 AM. The user then brought to focus the Cash App for two seconds at 2:02 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then brought to focus Snapchat for three seconds at 2:02:10 AM. Between 3:28:50 AM and 3:29:12 AM, the user of the iPhone 15 Pro Max

belonging to S/COPELAND brought the Snapchat App back to focus and responded to a message from the Snapchat user name “luv.layna22” at 3:29:05 AM. SDFE DAVISON took the following screenshot as displayed in Microsoft Excel.

**LOCKED/UNLOCKED STATES**

| 1 | State | Start Date/Time | End Date/Time | Recorded Date/Time | Duration |
|---|---|---|---|---|---|
| 54 | Unlocked | 5/29/2025 1:50:04 AM | 5/29/2025 1:50:28 AM | 5/29/2025 1:50:28.166 AM | 0:00:24 |
| 55 | Locked | 5/29/2025 1:50:28 AM | 5/29/2025 2:01:16 AM | 5/29/2025 2:01:20.094 AM | 0:10:48 |
| 56 | Unlocked | 5/29/2025 2:01:16 AM | 5/29/2025 2:02:20 AM | 5/29/2025 2:02:22.953 AM | 0:01:04 |
| 57 | Locked | 5/29/2025 2:02:20 AM | 5/29/2025 2:43:16 AM | 5/29/2025 2:43:19.032 AM | 0:40:56 |
| 58 | Unlocked | 5/29/2025 2:43:16 AM | 5/29/2025 2:43:28 AM | 5/29/2025 2:43:29.912 AM | 0:00:12 |
| 59 | Locked | 5/29/2025 2:43:28 AM | 5/29/2025 3:28:48 AM | 5/29/2025 3:28:49.491 AM | 0:45:20 |
| 60 | Unlocked | 5/29/2025 3:28:48 AM | 5/29/2025 3:29:24 AM | 5/29/2025 3:29:24.149 AM | 0:00:36 |
| 61 | Locked | 5/29/2025 3:29:24 AM | 5/29/2025 7:28:08 AM | 5/29/2025 7:28:09.503 AM | 3:58:44 |

**APPLE NOTES**


All iCloud
Done
90% ground meat
Garlic pepper
Salt
Garlic powered
Pepper
Chili powered
Q W E R T Y U I O P
A S D F G H J K L
Z X C V B N M
123
space
return

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Title | **90% ground meat** |
| Folder | **iCloud / Notes** |
| Created Date/Time | **5/29/2025 1:46:57.039 AM** |
| Last Modified Date/Time | **5/29/2025 1:48:04.813 AM** |
| Body | **90% ground meat**<br>**Garlic pepper**<br>**Salt**<br>**Garlic powered**<br>**Pepper**<br>**Chili powered** |
| Summary | **Garlic pepper** |
| Encrypted | **No** |
| Note ID | **B6F7C8B8-3F04-449C-BA95-A022A0B964A1** |
| Artifact type | Apple Notes |
| Item ID | 483158 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip<br>\private\var\mobile\Containers\Shared<br>\AppGroup\7123E3B3-E361-4690-9658-<br>E38643420C6C\NoteStore.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZICNOTEDATA(Z_PK: 35)<br>Table: ZICCLOUDSYNCINGOBJECT(Z_PK: 1)<br>Table: ZICCLOUDSYNCINGOBJECT(Z_PK: 88) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**CASH APP**



**DETAILS**

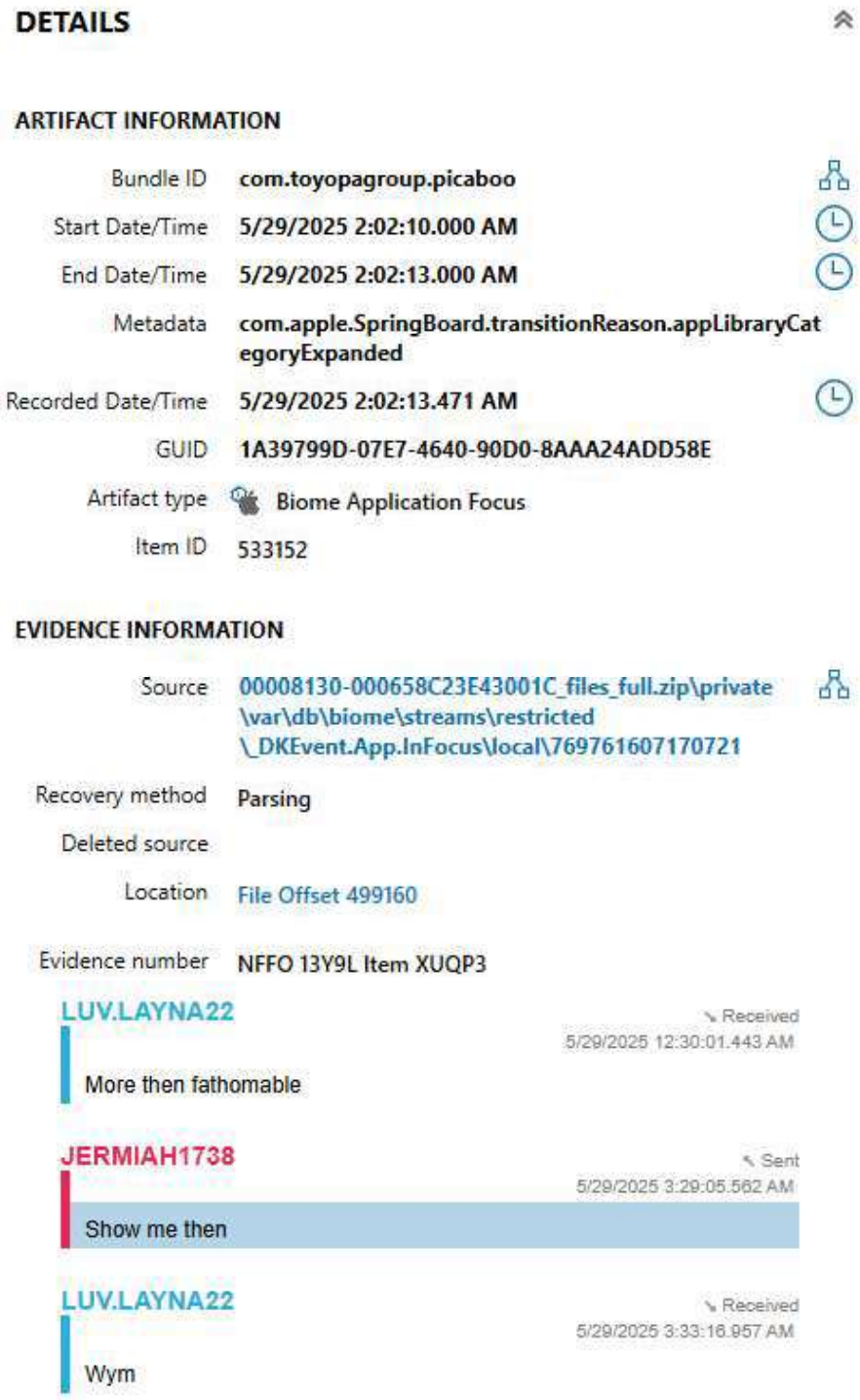
**ARTIFACT INFORMATION**

| | |
|---|---|
| Bundle ID | com.squareup.cash |
| Start Date/Time | 5/29/2025 2:02:06.000 AM |
| End Date/Time | 5/29/2025 2:02:08.000 AM |
| Metadata | com.apple.SpringBoard.transitionReason.appLibraryCategory |
| Recorded Date/Time | 5/29/2025 2:02:08.410 AM |
| GUID | 1A973736-CDDE-449C-89D7-40876A760787 |
| Artifact type | Biome Application Focus |
| Item ID | 533150 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\db\biome\streams\restricted_DKEvent.App.InFocus\local\769761607170721 |

**SNAPCHAT**




2. The user of the iPhone 15 Pro Max belonging to S/COPELAND was wearing the Apple Watch SE (2nd generation) Cellular - 40mm as noted by the recorded Heart Rates in the Apple Health Data. On 29May25, between 1:48:01 AM and 3:07:06 AM, the individual wearing the

Apple Watch paired with the iPhone 15 Pro Max belonging to S/COPELAND had 13 Heart Rate events recorded. The individual's lowest heart rate was recorded at 61 Beats Per Minute (BPM) at 1:48:01 AM, while the individual's highest heart rate was recorded at 130 BPM at 3:07:06 AM. The individual then stopped wearing the Apple Watch SE sometime before 4:00 AM. The exact time the individual stopped wearing the Apple Watch SE is unknown as the Apple Health database records worn times once per hour on the hour.

| Tags | Floors/ Distance (meters)/ Beats Per Minute/ Steps Taken | Start Date Time/ Taken Time | End Date Time | Heart Rate Context/ Duration (Minutes) |
|---|---|---|---|---|
| Health Distance | 87.4 | 5/29/2025 1:40:35.545 AM | 5/29/2025 1:49:28.376 AM | 8.88 |
| Steps | 106 | 5/29/2025 1:40:35.545 AM | 5/29/2025 1:49:28.376 AM | 8.88 |
| Heart Rate | 61 | 5/29/2025 1:48:01.000 AM | | Background |
| Health Distance | 17.06 | 5/29/2025 1:48:18.027 AM | 5/29/2025 1:48:25.711 AM | 0.13 |
| Steps | 23 | 5/29/2025 1:48:18.027 AM | 5/29/2025 1:48:25.711 AM | 0.13 |
| Heart Rate | 125 | 5/29/2025 1:52:58.000 AM | | Background |
| Heart Rate | 128 | 5/29/2025 1:58:22.000 AM | | Sedentary |
| Health Distance | 100.09 | 5/29/2025 1:59:09.999 AM | 5/29/2025 2:08:20.690 AM | 9.18 |
| Steps | 130 | 5/29/2025 1:59:09.999 AM | 5/29/2025 2:08:20.690 AM | 9.18 |
| Health Distance | 98.94 | 5/29/2025 2:01:14.846 AM | 5/29/2025 2:08:22.464 AM | 7.13 |
| Steps | 144 | 5/29/2025 2:01:14.846 AM | 5/29/2025 2:08:22.464 AM | 7.13 |
| Heart Rate | 125 | 5/29/2025 2:09:31.000 AM | | Background |
| Health Distance | 35.34 | 5/29/2025 2:09:42.668 AM | 5/29/2025 2:16:55.754 AM | 7.22 |
| Steps | 48 | 5/29/2025 2:09:42.668 AM | 5/29/2025 2:16:55.754 AM | 7.22 |
| Health Distance | 44.57 | 5/29/2025 2:13:11.817 AM | 5/29/2025 2:22:35.325 AM | 9.39 |
| Steps | 69 | 5/29/2025 2:13:11.817 AM | 5/29/2025 2:22:35.325 AM | 9.39 |
| Heart Rate | 122 | 5/29/2025 2:15:46.000 AM | | Sedentary |
| Health Distance | 46.35 | 5/29/2025 2:20:00.199 AM | 5/29/2025 2:28:50.683 AM | 8.84 |
| Steps | 60 | 5/29/2025 2:20:00.199 AM | 5/29/2025 2:28:50.683 AM | 8.84 |
| Heart Rate | 126 | 5/29/2025 2:21:30.000 AM | | Sedentary |
| Health Distance | 18.64 | 5/29/2025 2:24:12.676 AM | 5/29/2025 2:33:51.863 AM | 9.65 |
| Steps | 26 | 5/29/2025 2:24:12.676 AM | 5/29/2025 2:33:51.863 AM | 9.65 |
| Heart Rate | 129 | 5/29/2025 2:28:04.000 AM | | Sedentary |
| Heart Rate | 128 | 5/29/2025 2:30:23.000 AM | | Background |
| Health Distance | 105.5 | 5/29/2025 2:33:48.096 AM | 5/29/2025 2:43:32.126 AM | 9.73 |
| Steps | 119 | 5/29/2025 2:33:48.096 AM | 5/29/2025 2:43:32.126 AM | 9.73 |
| Heart Rate | 69 | 5/29/2025 2:37:32.000 AM | | Background |
| Health Distance | 64.63 | 5/29/2025 2:39:09.393 AM | 5/29/2025 2:47:46.720 AM | 8.62 |
| Steps | 95 | 5/29/2025 2:39:09.393 AM | 5/29/2025 2:47:46.720 AM | 8.62 |
| Health Distance | 44.08 | 5/29/2025 2:45:17.221 AM | 5/29/2025 2:51:44.090 AM | 6.45 |
| Steps | 51 | 5/29/2025 2:45:17.221 AM | 5/29/2025 2:51:44.090 AM | 6.45 |
| Heart Rate | 75 | 5/29/2025 2:53:19.000 AM | | Background |
| Heart Rate | 78 | 5/29/2025 2:56:24.000 AM | | Background |
| Health Distance | 23.69 | 5/29/2025 2:56:54.043 AM | 5/29/2025 2:57:19.656 AM | 0.43 |
| Steps | 32 | 5/29/2025 2:56:54.043 AM | 5/29/2025 2:57:19.656 AM | 0.43 |
| Heart Rate | 67 | 5/29/2025 3:02:17.000 AM | | Background |
| Heart Rate | 130 | 5/29/2025 3:07:06.000 AM | | Background |
| Health Distance | 39.14 | 5/29/2025 3:26:18.770 AM | 5/29/2025 3:28:11.462 AM | 1.88 |
| Steps | 58 | 5/29/2025 3:26:18.770 AM | 5/29/2025 3:28:11.462 AM | 1.88 |

| 1 | Watch Worn Start Time | Hours Worn | Last Watch Worn Hour Time | Hours Off Before Next Worn Start Time |
|---|---|---|---|---|
| 2 | 12-May-25 4:00:00 AM | 29 | 13-May-25 9:00:00 AM | 21 |
| 3 | 14-May-25 6:00:00 AM | 58 | 16-May-25 6:00:00 PM | 24 |
| 4 | 17-May-25 6:00:00 PM | 10 | 18-May-25 2:00:00 AM | 2 |
| 5 | 18-May-25 4:00:00 AM | 6 | 18-May-25 10:00:00 AM | 18 |
| 6 | 19-May-25 4:00:00 AM | 46 | 21-May-25 2:00:00 AM | 2 |
| 7 | 21-May-25 4:00:00 AM | 36 | 22-May-25 6:00:00 PM | 7 |
| 8 | 22-May-25 11:00:00 PM | 96 | 26-May-25 11:00:00 PM | 20 |
| 9 | 27-May-25 7:00:00 PM | 33 | 29-May-25 4:00:00 AM | 7 |
| 10 | 29-May-25 11:00:00 AM | 1 | 29-May-25 12:00:00 PM | |

Click to Review Health Data Report

3. Between 2:11:02 AM and 5:33:52 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming communication announcements from Instagram, Snapchat, Facebook, Telegram, and Gmail. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond or check any of the communications other than responding to the Snapchat user name "luv.layna22" identified above.

4. Between 5:40:10 AM and 7:19:03 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming communication attempts from phone calls and text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any of the attempted communications as the device was still in a locked state. The user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device at 7:28:08 AM. SDFE DAVISON took a screenshot from the report as a representative sample. SDFE DAVISON attached the full report in the link below.

| Sender / Partners | Sender Name /Partner Name | Direction | Type /Call Type | Message Sent Date/Time Call Date/Time | Message /Call Duration | Status /Call Status | Message Read Date/Time Call End Date/Time |
|---|---|---|---|---|---|---|---|
| +12029266007 | TAYLOR KIARRA | Incoming | Phone | 5/29/2025 6:58:29.655 AM | 00:00:00 | Unanswered | 5/29/2025 6:58:29.655 AM |
| +12029266007 | TAYLOR KIARRA | Incoming | Phone | 5/29/2025 6:58:35.059 AM | 00:00:00 | Unanswered | 5/29/2025 6:58:35.059 AM |
| +17574077602 | CS2 Bryant | | iMessage | 5/29/2025 7:03:32.000 AM | Where you at? | Received | |
| +12106028519 | Aaliyah De La Cruz | | iMessage | 5/29/2025 7:07:13.000 AM | Copland are you okay | Received and Read | 6/2/2025 5:30:15.000 AM |
| +12106028519 | Aaliyah De La Cruz | | iMessage | 5/29/2025 7:07:16.000 AM | Where are you | Received and Read | 6/2/2025 5:30:15.000 AM |
| +19105499482 | WIRELESS CALLER | Incoming | Phone | 5/29/2025 7:14:30.913 AM | 00:00:00 | Unanswered | 5/29/2025 7:14:30.913 AM |
| +19105499482 | | Incoming | FaceTime Audio | 5/29/2025 7:14:50.488 AM | 00:00:00 | Unanswered | 5/29/2025 7:14:50.488 AM |
| +19105499482 | | | iMessage | 5/29/2025 7:18:56.000 AM | Hey bro | Received and Read | 5/29/2025 7:40:44.000 AM |
| +19105499482 | | | iMessage | 5/29/2025 7:19:03.000 AM | Look I need you to reply | Received and Read | 5/29/2025 7:40:44.000 AM |

Click to Review Incoming Communication Attempts

**29MAY25 7:28 AM to 11:50 AM**

1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in an unlocked state between 7:28:08 AM and 11:50:56 AM. The iPhone 15 Pro Max belonging to S/COPELAND was in a locked state for 47 minutes and 44 seconds during this timeframe. The longest period the device was in a locked state was between 11:35:00 AM and 11:50:56 AM, for a total of 15 Minutes and 56 seconds. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the apps Apple iMessage, TikTok, Twitter, Snapchat, and Apple Photos during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND primarily used the Apple Photos App between 7:55:12 AM and 11:31:47 AM. SDFE DAVISON took the following screenshot as displayed in Microsoft Excel.

| | State | Start Date/Time | End Date/Time | Recorded Date/Time | Duration |
|---|---|---|---|---|---|
| 62 | Unlocked | 5/29/2025 7:28:08 AM | 5/29/2025 7:28:48 AM | 5/29/2025 7:28:48.689 AM | 0:00:40 |
| 63 | Locked | 5/29/2025 7:28:48 AM | 5/29/2025 7:38:48 AM | 5/29/2025 7:38:48.983 AM | 0:10:00 |
| 64 | Unlocked | 5/29/2025 7:38:48 AM | 5/29/2025 7:39:20 AM | 5/29/2025 7:39:22.948 AM | 0:00:32 |
| 65 | Locked | 5/29/2025 7:39:20 AM | 5/29/2025 7:39:56 AM | 5/29/2025 7:39:58.967 AM | 0:00:36 |
| 66 | Unlocked | 5/29/2025 7:39:56 AM | 5/29/2025 8:53:00 AM | 5/29/2025 8:53:01.571 AM | 1:13:04 |
| 67 | Locked | 5/29/2025 8:53:00 AM | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:15.919 AM | 0:05:12 |
| 68 | Unlocked | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:28 AM | 5/29/2025 8:58:29.715 AM | 0:00:16 |
| 69 | Locked | 5/29/2025 8:58:28 AM | 5/29/2025 9:01:44 AM | 5/29/2025 9:01:46.177 AM | 0:03:16 |
| 70 | Unlocked | 5/29/2025 9:01:44 AM | 5/29/2025 9:23:48 AM | 5/29/2025 9:23:48.270 AM | 0:22:04 |
| 71 | Locked | 5/29/2025 9:23:48 AM | 5/29/2025 9:33:44 AM | 5/29/2025 9:33:47.227 AM | 0:09:56 |
| 72 | Unlocked | 5/29/2025 9:33:44 AM | 5/29/2025 11:31:56 AM | 5/29/2025 11:31:59.616 AM | 1:58:12 |
| 73 | Locked | 5/29/2025 11:31:56 AM | 5/29/2025 11:34:44 AM | 5/29/2025 11:34:44.117 AM | 0:02:48 |
| 74 | Unlocked | 5/29/2025 11:34:44 AM | 5/29/2025 11:35:00 AM | 5/29/2025 11:35:00.897 AM | 0:00:16 |
| 75 | Locked | 5/29/2025 11:35:00 AM | 5/29/2025 11:50:56 AM | 5/29/2025 11:50:59.410 AM | 0:15:56 |

2. The examination revealed that on 29May25, at 7:28:08 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device by either the phone's facial biometrics or the PIN. The user then began to use the Apple iMessage App at 7:28:10 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any previous text messages received and stopped using the Apple iMessage App at 7:28:38 AM. At 7:28:38 AM, the device then displayed two user notification events of previously received text messages from Aaliyah De La Cruz and CS2 Bryant. Between 7:28:48 AM and 7:38:48 AM, the phone was then placed back into a locked state. SDFE DAVISON took the following screenshots as displayed in Axiom.

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 7:28:10.000 AM** |
| End Date/Time | **5/29/2025 7:28:38.000 AM** |
| Recorded Date/Time | **5/29/2025 7:28:38.887 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175532 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

### ARTIFACT INFORMATION

| | |
|---|---|
| Title | **Aaliyah De La Cruz** |
| Body | **Copland are you okay** |
| Recorded Date/Time | **5/29/2025 7:07:13.292 AM** |
| Notification Date/Time | **5/29/2025 7:28:38.791 AM** |
| GUID | **6C86CB36-176D-4904-B934-3C0E09037575** |
| Bundle ID | **com.apple.MobileSMS** |
| Optional Text | [redacted] |
| UUID | **F19CDB38-B76F-4131-9BEB-C9E87F12DF53:ABPerson** |
| User ID | [redacted] |
| Artifact type | User Notification Events |
| Item ID | 640884 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\DuetExpertCenter\streams\userNotificationEvents\local\768225069972772 |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Title | **CS2 Bryant** |
| Body | **Where you at?** |
| Recorded Date/Time | **5/29/2025 7:03:32.287 AM** |
| Notification Date/Time | **5/29/2025 7:28:38.797 AM** |
| GUID | **97EA1B35-E7EE-493D-9FCB-E1309E993A87** |
| Bundle ID | **com.apple.MobileSMS** |
| Optional Text | [redacted] |
| UUID | **F245F867-BB87-4A61-B0F1-AAD5FFE52CF3:ABPerson** |
| User ID | [redacted] |
| Artifact type | **User Notification Events** |
| Item ID | 640885 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\DuetExpertCenter \streams\userNotificationEvents\local \768225069972772 |
| Recovery method | Parsing |

3. Between 7:38:48 AM and 7:39:20 AM, the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device and used the Apple iMessage App between 7:38:49 AM and 7:39:13 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to any previous text messages received. The device was then again placed in a locked state between 7:39:20 AM and 7:39:59 AM. SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 7:38:49.000 AM** |
| End Date/Time | **5/29/2025 7:39:13.000 AM** |
| Recorded Date/Time | **5/29/2025 7:39:13.187 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175530** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |
| Deleted source | |

4. The user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device at 7:39:56 AM, and the device remained in an unlocked state for 1 hour, 13 minutes, and 4 seconds until going into a locked state at 8:53:00 AM. Between 7:39:59 AM and 7:41:08 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was active on the Apple iMessage App and read incoming messages from phone number 910-549-9482 at 7:40:44 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not respond to the text messages. The health database recorded health steps and distance events at 7:39:51 AM. A cached locations record event logged at 7:41:03 AM, placed iPhone 15 Pro Max belonging to S/COPELAND near Willis Manor X-2. The user momentarily switched to the TikTok App before utilizing the Twitter App between 7:41:56 AM and 7:52:55 AM. SDFE DAVISON took the following screenshots.

| Message Read Date/Time | | Communication | Sender | Recipient(s) | Message |
|---|---|---|---|---|---|
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | It's important |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Need you to pick up |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Yo |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Yo |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Very important |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Hey bro |
| 5/29/2025 7:40:44.000 AM | User communication | iOS iMessage/SMS/MMS | [redacted] | ["Local User <NFFO 13Y9L Item XUQP3... | Look I need you to reply |

| | | | | |
|---|---|---|---|---|
| Health Distance | 4.61 | 5/29/2025 7:39:51.086 AM | 5/29/2025 7:39:56.206 AM | 0.09 |
| Steps | 7 | 5/29/2025 7:39:51.086 AM | 5/29/2025 7:39:56.206 AM | 0.09 |




OPEN LOCATION IN

Latitude **36.9505**

Longitude **-76.3207**

## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.9505476733097** |
| Longitude | **-76.3206907320705** |
| Accuracy (m) | **8.93342872222436** |
| Altitude (m) | **4.20221134554595** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **4.818969813508e-16** |
| Speed (m/s) | **0.801326930522912** |
| Timestamp Date/Time | **5/29/2025 7:41:03.998 AM** |
| Artifact type | Cached Locations |
| Item ID | 221135 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.atebits.Tweetie2** |
| Start Date/Time | **5/29/2025 7:41:56.000 AM** |
| End Date/Time | **5/29/2025 7:52:55.000 AM** |
| Recorded Date/Time | **5/29/2025 7:52:55.241 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175490** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

5. Between 7:41:56 AM and 7:52:55 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND used the Twitter App. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was using the Twitter App, the device received two incoming FaceTime audio calls and one cellular phone call from the phone number [redacted] The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the phone calls while on the Twitter App. At 7:53:04 AM, the user then switched to the Snapchat App and appears to switch between the use of the iPhone's back camera to the front camera in the Snapchat App at 7:53:17 AM. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to take two pictures while using Snapchat based on the camera being active and the .jpg file extension. Snapchat saved the images named A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg and A5BD5969-9F93-4394-BD12-5A4FB27937C3.jpg. The user of the iPhone 15 Pro Max belonging to S/COPELAND then replied to Snapchat user name "luv.layna22" at 7:53:55 AM. This reply was the last communication sent by the iPhone 15 Pro Max belonging to S/COPELAND until 12:44:35 PM when the user called the phone number (360) 521-1599. The user then switched back to the Twitter App between 7:54:14 AM and 7:55:10 AM. SDFE DAVISON took the following screenshots as displayed in Axiom and the 29May25 Timeline Excel spreadsheet.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.atebits.Tweetie2** |
| Start Date/Time | **5/29/2025 7:41:56.000 AM** |
| End Date/Time | **5/29/2025 7:52:55.000 AM** |
| Recorded Date/Time | **5/29/2025 7:52:55.241 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175490** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

## TWITTER FEED

| | |
|---|---|
| ceceswetdreams | âœ¨ Bratty Goddess âœ¨AQUARIUS â™ˆ¸ Booking ðŸ“§ bookyoulovecece@gmail.com â€¼¸ HIGHLIGHTS TABâ€¼¸ ðŸ†URBAN X 2024 WINNER 4 MOST AMAZING ASSðŸ† DM fee is $30 ðŸ‘ |
| justdarren43 | For a spicy shout out, hit the follow button and DM me! For my content, linkâ€™s below! |
| itsmeganluxy | brazilian ðŸ‡§ðŸ‡· | dm for my menu ðŸ‘‡ | GET ALL MY FULL UNCENSORED CONTENT HERE: https://t.co/L1m7PqBdOC |
| spoileddbratty | Brat. Findom. Princess treatment onlyðŸ‘ |
| milfinainteasy | 26 â™¸ I RESPOND ON LINKS BELOW â™¸ MDNI ðŸ“ž |
| OnlyTuMami | Adult content creatorðŸŽ¥ðŸ“ž/ I'm your favorite latin girl @TumamiOnly ðŸ”¥ My OF is more funðŸ“œCLICK THE LINK BELLOW!ðŸ“ˆðŸ‘‡â¬‡¸ |
| bbyfrmvenus | your virtual girlfriend. Instagram @ 333venus_ |
| ShyHotWifeCpl | NSFW 21+ Only! MILF Hotwife. All real amateur content. Just a husband and wife that like to share. |
| violetsaucy | (21+ ONLY) OFFICIAL ACCOUNT â€¼¸ â™¸ Anime Enthusiast â™¸ Thicc Waifu â™¸ @Fleshlight Girl â™¸ YouTuber â™¸ Gamer â™¸ @Vixen Angel â™¸ Agent: @ocmodeling â™¸ PR: @therubpr |
| stephaniehxox | just a girl who likes to get freaky ðŸ˜ˆ FREE access to my VIP OF ðŸ‘‰ðŸ¼ðŸ˜³ |
| stephbabyyxo | come and see what iâ€™m all about ðŸ˜ˆ i made my VIP OF free through this link ðŸ‘‰ðŸ¼ðŸ˜› |
| softdahliaxoxo | the upgrade you didnâ€™t know you needed ðŸ˜ˆ FREE access to my VIP OF ðŸ‘‰ðŸ¼ðŸ¥µ |
| thejazjizzes | your online anime gf serving milkers ðŸ˜ˆ link to my FREE uncensored content ðŸ‘‰ðŸ¼ðŸ˜³ |
| sexylexxxyp | puerto rican baddie serving more than just body ðŸ˜ˆ it doesnâ€™t get freakier than my VIP OF so i made it free here ðŸ‘‰ðŸ¼ðŸ˜³ |
| imsammorgan | the fun side of your fantasies ðŸ˜ˆ come play with me i just made a free OF ðŸ‘‰ðŸ¼ðŸ˜› |
| onlymimirose | your new british obsession ðŸ¥µ FREE film partner application and link to my VIP OF ðŸ˜³ðŸ‘‰ðŸ¼ |
| thejennaleexx | you probably know me from instagram || model ðŸ‘‡ FREE link to my VIP OF ðŸ‘‰ðŸ¼ðŸ˜³ |
| itskateholland | your new gamer gf ðŸ˜ back uppp: @thekateholland ðŸ™ˆ come see why iâ€™m top 0% ðŸ˜ˆ apply to be my film partner here ðŸ‘‰ðŸ¼ |
| alexisreidxo | come and take a walk on the wild side ðŸ˜› i made my VIP OF free exclusively through this link ðŸ‘‰ðŸ¼ðŸ˜³ |
| celinedijon | Your favourite trans creator âœ¨ 18+ ONLY âœ¨ 0.1% âœ¨ Talk to me on my FREE PAGE, âœ¨ I only respond on OF (I am not on any dating sites) NO COLLABS ðŸ«¶ |
| sexytabbyxo | it gets even better than this ðŸ˜ˆ i only respond on OF ðŸ¥µ film partner applications ðŸ‘‰ðŸ¼ |
| thekennedykay | iâ€™m more than your average girl next door ðŸ˜ˆ find out why the neighbors love me ðŸ˜›ðŸ¥µ apply to film with me hereðŸ‘‰ðŸ¼ðŸ˜³ |

## SNAPCHAT

### ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 7:53:04.000 AM** |
| End Date/Time | **5/29/2025 7:54:11.000 AM** |
| Recorded Date/Time | **5/29/2025 7:54:11.978 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175482 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

### ARTIFACT INFORMATION

| | |
|---|---|
| State | **On** |
| Camera Type | **Back** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:20.925 PM** |
| Baseband Date/Time | **5/29/2025 7:53:15.337 AM** |
| Display Date/Time | **5/29/2025 7:53:15.582 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205653 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Off** |
| Camera Type | **Back** |
| Monotonic Date/Time | **1/23/1970 10:14:23.117 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.529 AM** |
| Display Date/Time | **5/29/2025 7:53:17.773 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205654 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:23.244 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.656 AM** |
| Display Date/Time | **5/29/2025 7:53:17.900 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205655 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Off** |
| Camera Type | **Back** |
| Monotonic Date/Time | **1/23/1970 10:14:23.117 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.529 AM** |
| Display Date/Time | **5/29/2025 7:53:17.773 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205654 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 10:14:23.244 PM** |
| Baseband Date/Time | **5/29/2025 7:53:17.656 AM** |
| Display Date/Time | **5/29/2025 7:53:17.900 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205655 |

**EVIDENCE INFORMATION**

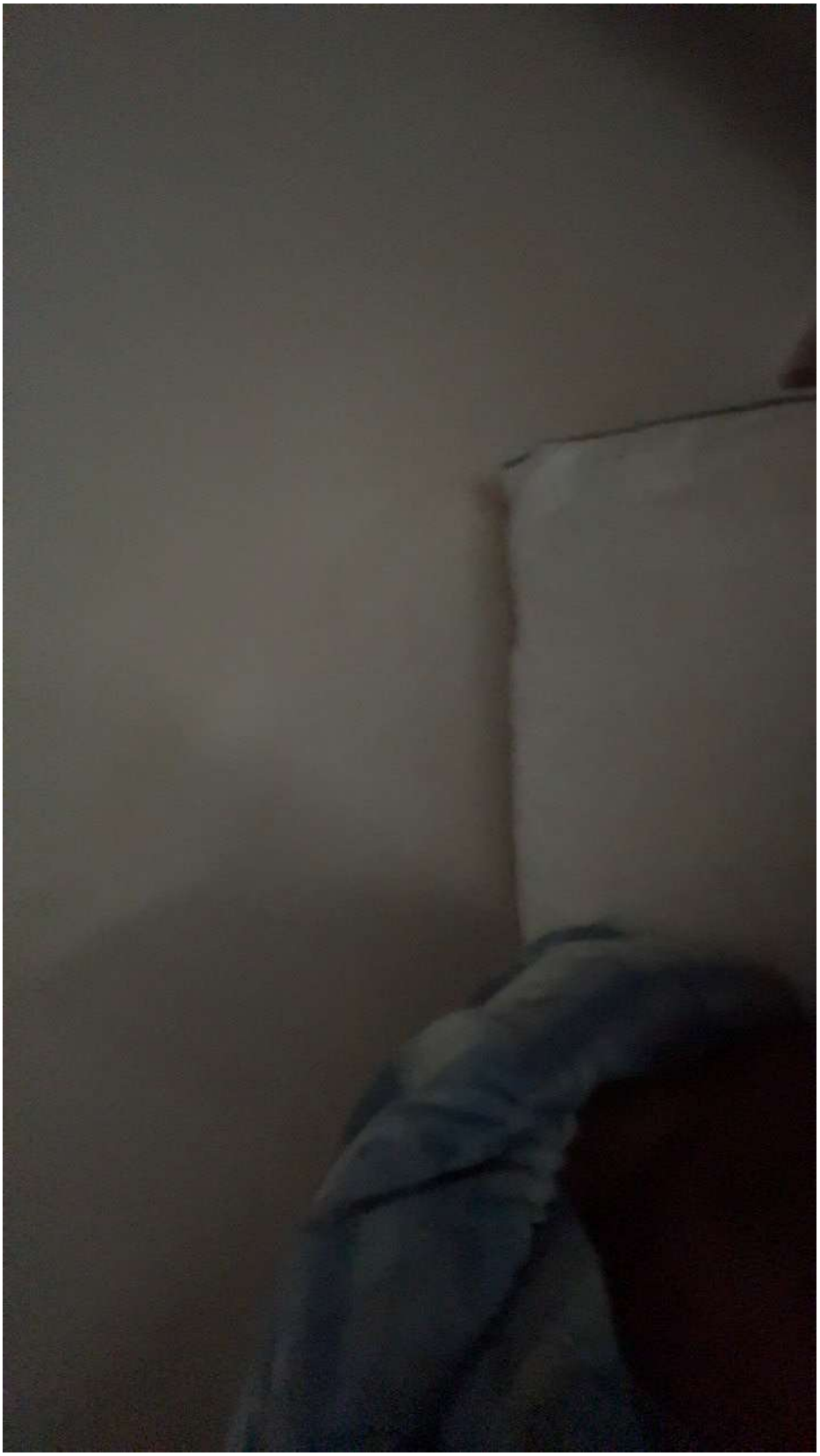
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 7:53:18.000 AM** |
| Last Accessed Date/Time | **5/29/2025 7:53:18.000 AM** |
| Last Modified Date/Time | **5/29/2025 7:53:18.000 AM** |
| Size (Bytes) | **108,236** |
| Skin Tone Percentage | **0.0** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **fca9400f5fd3fe43748562852f08cf60** |
| SHA1 Hash | **b8e36c1919ebd6a43a90703453c5f0aeb92a5ff8** |
| Artifact type | **Pictures** |
| Item ID | 782390 |

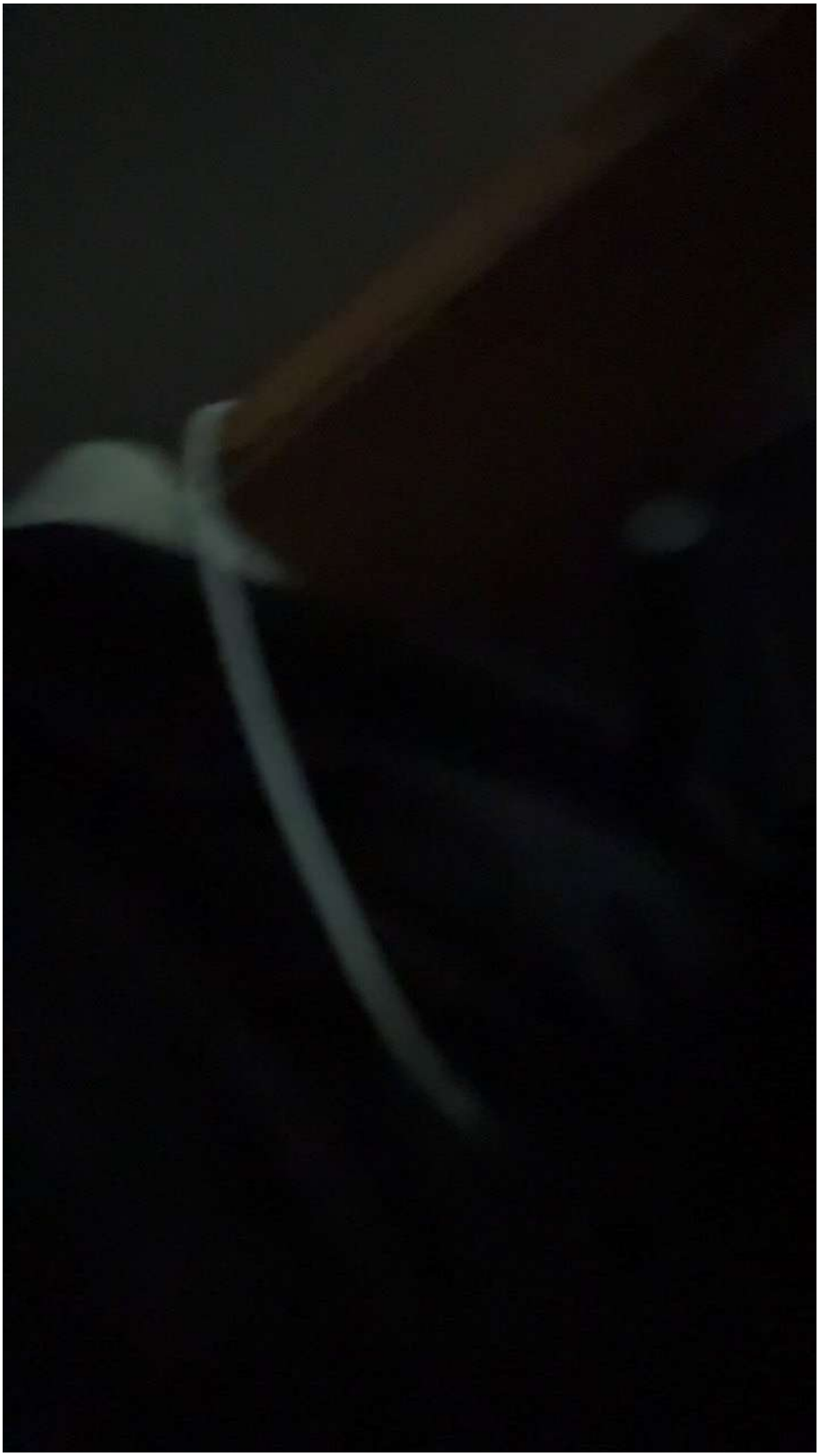
## EVIDENCE INFORMATION

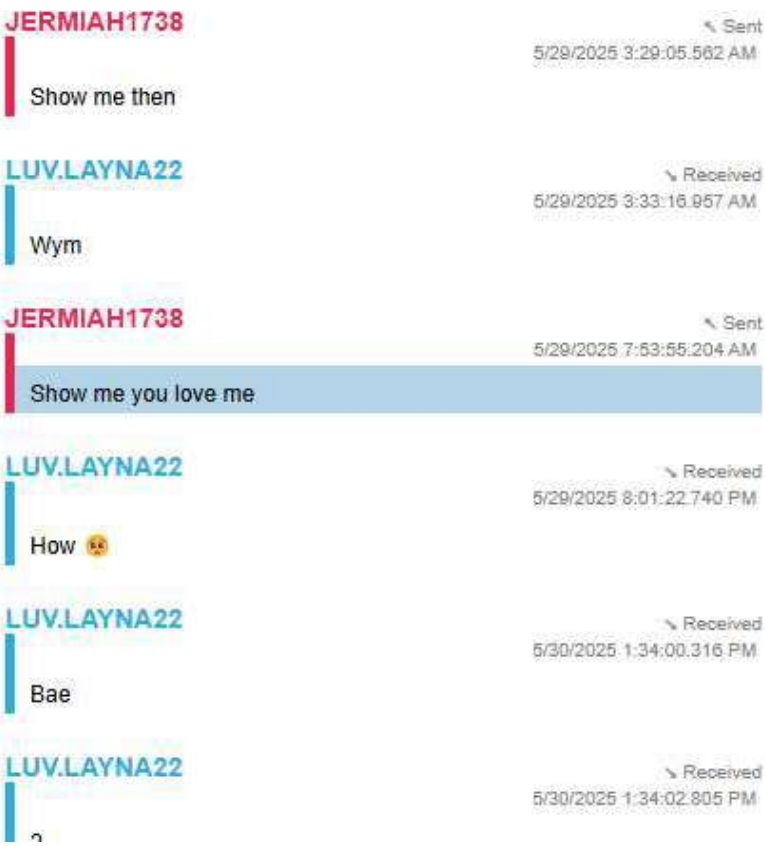
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\A4FF562B-4659-4E70-83E4-F07433AF8A8C.jpg |
| Recovery method | Parsing |



**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **A5BD5969-9F93-4394-BD12-5A4FB27937C3.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 7:54:07.000 AM** |
| Last Accessed Date/Time | **5/29/2025 7:54:07.000 AM** |
| Last Modified Date/Time | **5/29/2025 7:54:07.000 AM** |
| Size (Bytes) | **88,500** |
| Skin Tone Percentage | **1.9** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **bc7391bbd86c90deab9834b56cd1ae50** |
| SHA1 Hash | **1057117d4cc251942bd973096eca828e17686d34** |
| Artifact type | **Pictures** |
| Item ID | 782391 |






**CALL LOGS**

| | | | | | | |
|---|---|---|---|---|---|---|
| [redacted] | Incoming | FaceTime Audio | Unanswered | 5/29/2025 7:50:20.681 AM | 5/29/2025 7:50:20.681 AM | 00:00:00 |
| | Incoming | FaceTime Audio | Unanswered | 5/29/2025 7:50:23.192 AM | 5/29/2025 7:50:23.192 AM | 00:00:00 |
| | Incoming | Phone | Unanswered | 5/29/2025 7:50:30.992 AM | 5/29/2025 7:50:30.992 AM | 00:00:00 |

6. The examination of the Apple Photos App for the time period of 7:55:12 AM until 11:31:47 AM, revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing adult pornography. Between 7:55:12 AM and 8:25:54 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was primarily using the Apple Photos App. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing adult pornography, the device received an incoming phone call from "Brad Parker." The iPhone 15 Pro Max belonging to S/COPELAND received an additional four incoming calls until 9:01:12 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to any of the incoming phone calls. Between 8:25:56 AM and 8:26:03 AM, the user switched to the Apple iMessage App from the Apple Photos App. The user did not respond to any previously received text messages nor did the user appear to read any unread text messages. Between 8:26:05 AM and 8:52:51 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND started to use the Apple Photos App again. While the user was viewing pornography, the iPhone 15 Pro Max belonging to S/COPELAND received two text messages from the phone number 631-804-1144 at 8:51 AM. The user did not respond to the text messages. Between 8:53:00 AM and 8:58:12

AM, the device was placed into a locked state for 5 minutes and 12 seconds. While the device was in a locked state, the health database recorded health steps and distance events at 8:54:33 AM. The user unlocked the device for 16 seconds, then placed the device back into a locked state between 8:58:28 AM and 9:01:44 AM. SDFE DAVISON took the following screenshots:

**CALL LOGS**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| BRAD PARKER | [redacted] | Incoming | Phone | Unanswered | 5/29/2025 7:59:41.796 AM | 5/29/2025 7:59:41.796 AM | 00:00:00 |
| | [redacted] | Incoming | FaceTime Audio | Unanswered | 5/29/2025 8:25:55.786 AM | 5/29/2025 8:25:55.786 AM | 00:00:00 |
| WIRELESS CALLER | [redacted] | Incoming | Phone | Unanswered | 5/29/2025 8:29:08.193 AM | 5/29/2025 8:29:08.193 AM | 00:00:00 |
| | [redacted] | Incoming | FaceTime Audio | Unanswered | 5/29/2025 8:50:24.483 AM | 5/29/2025 8:50:24.483 AM | 00:00:00 |
| WIRELESS CALLER | [redacted] | Incoming | Phone | Unanswered | 5/29/2025 9:01:12.025 AM | 5/29/2025 9:01:12.025 AM | 00:00:00 |

**TEXT MESSAGES**







**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 7:55:12.000 AM** |
| End Date/Time | **5/29/2025 8:25:44.000 AM** |
| Recorded Date/Time | **5/29/2025 8:25:45.069 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175459** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 8:25:52.000 AM** |
| End Date/Time | **5/29/2025 8:25:54.000 AM** |
| Recorded Date/Time | **5/29/2025 8:25:54.656 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175460 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 8:25:56.000 AM** |
| End Date/Time | **5/29/2025 8:26:03.000 AM** |
| ecorded Date/Time | **5/29/2025 8:26:03.529 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175553 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 8:26:05.000 AM** |
| End Date/Time | **5/29/2025 8:52:51.000 AM** |
| Recorded Date/Time | **5/29/2025 8:52:52.004 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175447 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

| | | | | |
|---|---|---|---|---|
| Locked | 5/29/2025 8:53:00 AM | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:15.919 AM | 0:05:12 |
| Unlocked | 5/29/2025 8:58:12 AM | 5/29/2025 8:58:28 AM | 5/29/2025 8:58:29.715 AM | 0:00:16 |
| Locked | 5/29/2025 8:58:28 AM | 5/29/2025 9:01:44 AM | 5/29/2025 9:01:46.177 AM | 0:03:16 |

| | | | | |
|---|---|---|---|---|
| Health Distance | 41.6 | 5/29/2025 8:54:33.714 AM | 5/29/2025 9:01:41.307 AM | 7.13 |
| Steps | 64 | 5/29/2025 8:54:33.714 AM | 5/29/2025 9:01:41.307 AM | 7.13 |

7. Between 9:01:44 AM and 9:23:48 AM, the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device and was using the Apple Photos App to view pornography between 9:01:47 AM and 9:22:49 AM. While the user of the iPhone 15 Pro Max belonging to S/COPELAND was viewing pornography, the device received phone calls from "JEAN JACQUES,ED" and phone number [redacted] The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to any of the incoming phone calls. Prior to the device being placed in a locked state, the health database recorded health steps and distance events at 9:22:05 AM. Between 9:23:48 AM and 9:33:44 AM, the device was placed into a locked state for 9 minutes and 56 seconds. While the device was in a locked state, the health database recorded health steps and distance events at 9:33:46 AM. SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 9:01:47.000 AM** |
| End Date/Time | **5/29/2025 9:02:13.000 AM** |
| Recorded Date/Time | **5/29/2025 9:02:13.267 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175443** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.mobileslideshow** |
| Start Date/Time | **5/29/2025 9:02:13.000 AM** |
| End Date/Time | **5/29/2025 9:22:49.000 AM** |
| Recorded Date/Time | **5/29/2025 9:22:49.478 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175431** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | **Parsing** |

**CALL LOGS**

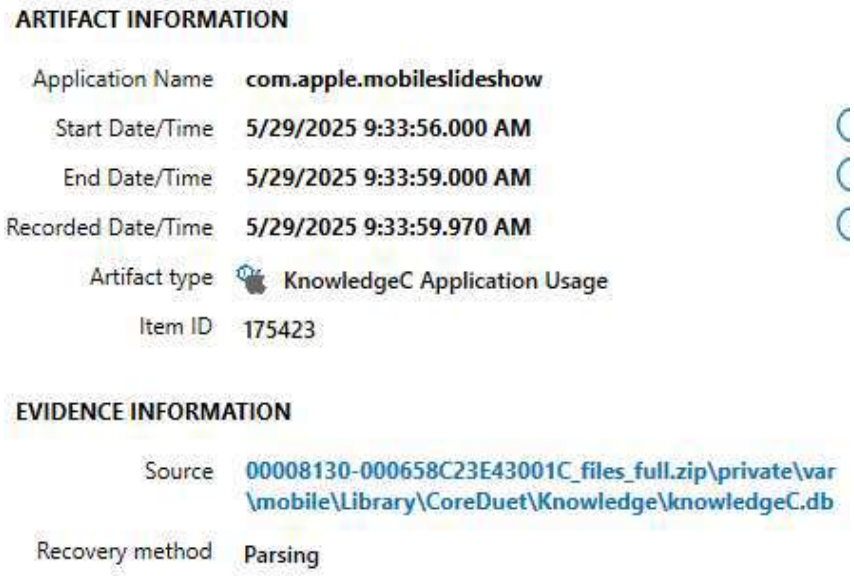
| | | | | | | |
|---|---|---|---|---|---|---|
| JEAN JACQUES,ED | Incoming | Phone | Unanswered | 5/29/2025 9:05:16.934 AM | 5/29/2025 9:05:16.934 AM | 00:00:00 |
| WIRELESS CALLER | Incoming | Phone | Unanswered | 5/29/2025 9:12:15.076 AM | 5/29/2025 9:12:15.076 AM | 00:00:00 |

**HEALTH DATA**

| | | | | |
|---|---|---|---|---|
| Health Distance | 112.13 | 5/29/2025 9:22:05.299 AM | 5/29/2025 9:24:54.296 AM | 2.82 |
| Steps | 159 | 5/29/2025 9:22:05.299 AM | 5/29/2025 9:24:54.296 AM | 2.82 |
| Health Distance | 13.69 | 5/29/2025 9:33:46.912 AM | 5/29/2025 9:33:59.716 AM | 0.21 |
| Steps | 23 | 5/29/2025 9:33:46.912 AM | 5/29/2025 9:33:59.716 AM | 0.21 |

8. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device using either the phone's facial biometrics or the PIN on 29May25, between

9:33:44 AM and 11:31:56 AM. The device remained in an unlocked state for 1 hour, 58 minutes, and 12 seconds. At 9:33:56 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND started using the Apple Photos App to view pornography for three seconds until putting the App in the background at 9:33:59 AM. Between 9:34:00 AM and 9:34:18 AM, the user then briefly switched to the Snapchat App for six seconds, then switched briefly to the Apple iMessage App for seven seconds, then switched again back to Snapchat App for two seconds, then switched back again to the Apple iMessage App for three seconds. The user did not respond to any previously received messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND accessed two pictures in the Snapchat App at 9:34:01AM. The image file named 64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png is a thumbnail image created on the device at 9:34:01 AM. The file is located in the *private\var\mobile\Library\Intents\Images* directory. The purpose of the directory and this thumbnail appears to enable apps like Snapchat to integrate with iOS system features like Siri, shortcuts, and Spotlight. Specifically, this directory holds images associated with intent-related actions, such as group chat display thumbnails, or other visual assets that apps donate to the system for use in contextual suggestions. The original image appeared to be previously uploaded to the Snapchat App as the device's camera was not turned on for use with the Snapchat App until 9:34:13 AM, and the file is saved as a .png file extension. The file named ba84c31cd6397c15534c237a861d177d was accessed on the iPhone 15 Pro Max belonging to S/COPELAND at 9:34:01 AM, which appears to indicate the user accessed the Snapchat message from the user name "angelina244506." The snapchat message history was not recovered during the examination. SDFE DAVISON took the following screenshots displayed in Axiom in chronological order.



**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 9:34:00.000 AM** |
| End Date/Time | **5/29/2025 9:34:06.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:06.103 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175412** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

## ARTIFACT INFORMATION

| | |
|---|---|
| File Name | **64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png** |
| File Extension | **.png** |
| Created Date/Time | **5/29/2025 9:34:01.000 AM** |
| Last Accessed Date/Time | **5/29/2025 9:34:01.000 AM** |
| Last Modified Date/Time | **5/29/2025 9:34:01.000 AM** |
| Size (Bytes) | **59,392** |
| Skin Tone Percentage | **47.1** |
| Original Width | **180** |
| Original Height | **180** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 180**<br>**ImageHeight: 180** |
| MD5 Hash | **ce1228bf16701289f588a707f5a78d99** |
| SHA1 Hash | **5577d8d0a2eb69beeb5b7dbd22ed2e83b0cebf5b** |
| Artifact type | Pictures |
| Item ID | 163364 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Intents\Images\64A9B299-1EEB-7C3C-AE7F-21A6884B13F0.png** |
| Recovery method | **Parsing** |



**FILE DETAILS**

| | |
|---|---|
| File name | **ba84c31cd6397c15534c237a861d177d** |
| Logical size | **5,534 bytes** |
| Created | **5/28/2025 11:51:26.000 PM** |
| Accessed | **5/29/2025 9:34:01.000 AM** |
| Modified | **5/28/2025 11:51:26.000 PM** |
| MD5 hash | **115f39170d3d42378ca556f6a69a380b** |
| SHA256 hash | **823968f77d3be11761c88c2248b3224e7a9bc0bdb148dd0152fd793a3d3535ef** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Documents\com.snap.file_manager_4_SCContent_\ba84c31cd6397c15534c237a861d177d** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 9:34:06.000 AM** |
| End Date/Time | **5/29/2025 9:34:13.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:13.230 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175399 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 9:34:13.000 AM** |
| End Date/Time | **5/29/2025 9:34:15.000 AM** |
| Recorded Date/Time | **5/29/2025 9:34:15.620 AM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175398 |

**EVIDENCE INFORMATION**

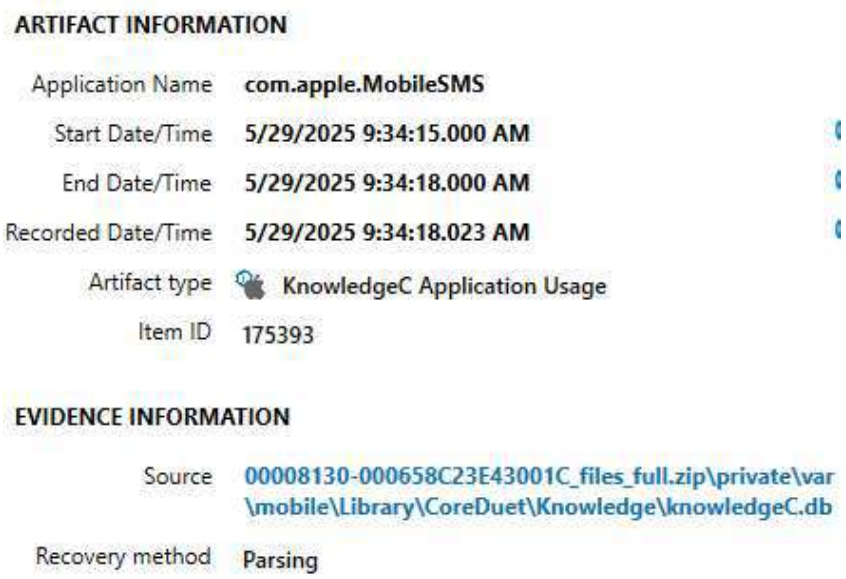
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/23/1970 11:55:19.171 PM** |
| Baseband Date/Time | **5/29/2025 9:34:13.583 AM** |
| Display Date/Time | **5/29/2025 9:34:13.827 AM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205659 |

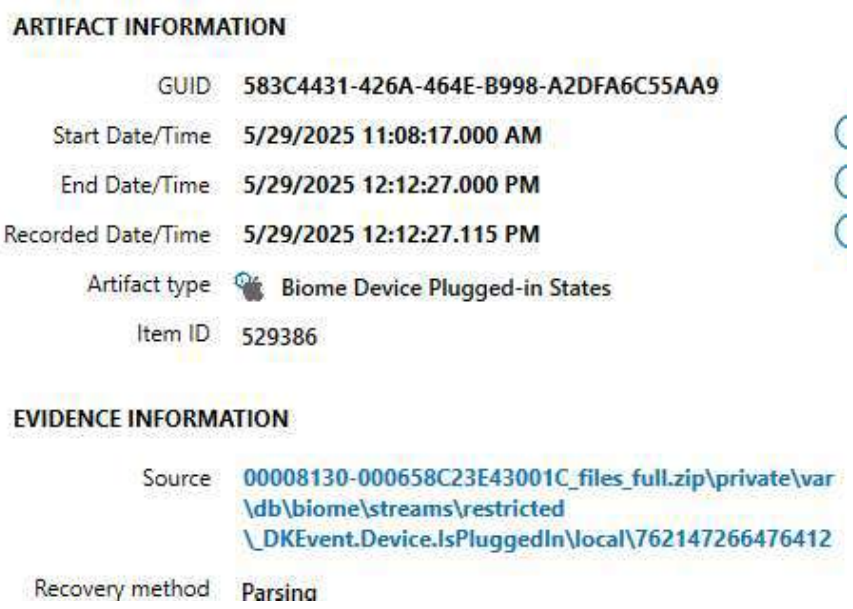
**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |




9. Between 9:34:18 AM and 11:31:47 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple Photos App to view adult pornography. The user viewed both pornographic images and videos during this timeframe and previously viewed adult pornography between 7:55:12 AM until 9:33:56 AM except for interruptions identified above. The user of the iPhone 15 Pro Max belonging to S/COPELAND viewed pornography primarily from videos and images saved to the device by the user in the *\private\var\mobile\Media\DCIM* subdirectories and from the iCloud account for the Apple ID listed as [redacted] The user also watched a small number of adult pornographic videos on Twitter and Tiktok. SDFE DAVISON located and extracted the adult pornographic images and videos to the folder named "(e) Pornography" on the FINDINGS MEDIA. The folder contains a file name "report.pdf" which consists of the main page of the report. The examination also revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND started charging the phone at 11:08:17 AM until 12:12:27 PM. SDFE DAVISON took the following screenshot as displayed in Axiom.

**BATTERY CHARGING**




10. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND viewed pornographic videos related to the iCloud account for the Apple ID listed as [redacted] The iCloud videos cannot be viewed when exported from Axiom as iOS appears to store the files as a compound file or concatenated file. A compound file or concatenated file is a single file that actually contains two or more different types of files inside. A compound file or concatenated file is not intended for an individual to interact with the file and is usually used for internal use or system integration. iOS in this case appears to use the compound file or concatenated file to allow Apple Photos App to view videos stored in an iCloud account. The compound files or concatenated files in this case contain a plist file followed by a video file. As identified above, Apple uses plist files to store structured data for App configuration settings, user preference settings, data serialization, and system settings. The user of the iPhone 15 Pro Max belonging to S/COPELAND watched 35 pornographic videos from the iCloud account. The file names all start with naming convention "CachedMedia-" followed by numbers and/or letters. The files are all stored in the directory *\private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia*. A small number of the CacheMedia files were corrupt and could not be recovered. However, the file names associated with those files in the plist file resolves back to image files on the system associated with adult pornography. SDFE DAVSION manually carved 12 files to provide a representative sample of the pornography viewed by the user of the iPhone 15 Pro Max belonging to S/COPELAND. SDFE DAVISON also provided two files which were corrupt and could not be carved; however, SDFE DAVISON provided the image files resident on the device which resolved back to the files named in the plist file. SDFE DAVISON saved the files to a folder named "(f) Compound Files" on the FINDINGS MEDIA. SDFE DAVISON took the following screenshots as displayed in Axiom to show the manual carving process.

## MAIN INDEX FOR iOS FOR ICLOUD

diskcacherepository.plist

NFFO 13Y9L Item XUQP3

PREVIEW

COLLAPSE ALL FIND

root
- [0] lastmodtime = 770611691.729295
- [1] automaticallyManagesSize = 1
- [2] checkedinlist
  - [0] https://cvws-h2.icloud-content.com/B/Af_tmvjHNkzK1ze0q6s_unTTvkZWAX6aUmxKvy-_LmZ0IlJBU750oVSa/IMG_0967.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-jB8j3S
  - [1] https://cvws-h2.icloud-content.com/B/AVhuCPfsy7wgyRu3ZsD4D2_FjBJDAfU96fu-PO8Ut7_FcqFm9_H5RTWK/IMG_3765.MOV = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-Hx3MNT
  - [2] https://cvws-h2.icloud-content.com/B/ARf4aYST9rzjynrOhtgwfVSEtGAPATKNrxANHGFRjDD0m_mtXwFfM44F/IMG_2022.MOV = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-A0pOWy
  - [3] https://cvws-h2.icloud-content.com/B/ATmUNpZrO4TvidV5p3TKnTvZCprOAc-zPBk060DKWWbBw2MbHZa2cedd/IMG_6832.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-73NCK1
  - [4] https://cvws-h2.icloud-content.com/B/Ab5PsoYZLcZ2s15VxtsXw94hRhCYASy_GnxFgTUgP_vO0aARKUz-Tvvo/IMG_1319.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-zSp3xy
  - [5] https://cvws-h2.icloud-content.com/B/AaeB9bBU7QdFicv-kTBPZhC2FqC1AfgbSu3rtyZYPfYqhmMpenMhVMHO/IMG_1219.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-CMTkHi
  - [6] https://cvws-h2.icloud-content.com/B/AfA4sgF1YP6npv6wkZ9t7hn-_EfRAVrmMre4wwmOj_ttstNwFnjrPkAE/IMG_5489.medium.MP4 = /var/mobile/Media/PhotoData/PhotoCloudSharingData/Caches/CachedMedia-4QvbRL

## MANUAL CARVE OF PLIST FILE

Source private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia-HZCz1f
nt offset 6908
election 1275

FIND COPY SELECTION SAVE SELECTION Encoding US-ASCII


□? p @ q @ ` r @ ? s @ ? t □ otid<?xml version="1.0" encoding="UT
F-8"?> <!DOCTYPE plist PUBLIC "-//Apple//DTD PLIST 1.0//EN" "http://www.apple.com/DTDs/PropertyList-1.0.dtd"> <plist version
="1.0"> <dict> <key>FileName</key> <string>IMG_8077.MP4</string> <key>Last-Modified</key> <string>Thu, 29 May 2025 13:03
:12 GMT</string> <key>MIME Type</key> <string>video/mp4</string> <key>Size</key> <integer>1907999</integer> <key>URL</k
ey> <string>https://cvws-h2.icloud-content.com/B/AVzCL2D_TlIbz5gKnE0VhbPzbdQRARc1rgSU9SA08cJSvOscMEp7dIow/IMG_8077.MP4?o=Ax
4S3XcrQybFLaDiqa7HHnp-fpVnAMTL8l3oYbWrMGmp&v=1&x=3&a=CAogPrD1hBUkI86-_Bw1HYL_vjWFm82VWpujR5fStmlth5MSbxCk8Y7h8II
YpOHBs_IyIgFAUgTzbdQRWgR7dIGwaicqEIHILVYOVEEW5HkxABky-OYBMLk1ENVvt1gsg_6iIaxCQEIfn1KyJwvUPbkz2fhRs2HGW-D6ZCL2o_zEoi6xcmNRqA
rF0RRPQcYv48e3w&e=1748696582&fl=&r=B8281BA2-CA0S-4B26-97ED-4F508DCF2613-1&k=R-Huhrgm2c73C1MraQwnrw&ckc=c
om.apple.photos.cloud&ckz=PrimarySync&y=1&p=40&s=4F4hxL9mU7-n3AxO-mU4y5kpLb4&og=iup%20Autoplay%20Movie%2
0Stream#YnBsaXN0MDDRAQJfEBtSZWNvbW1lbmRlZE2vckltbWVyc2l2ZU1vZGUQAAgLKQAAAAAAAAEBAAAAAAAAAAMAAAAAAAAAAAAAAAAAAAAAr</string> <
key>Version</key> <integer>1</integer> <key>must-validate</key> <false/> <key>no-cache</key> <false/> </dict> </plist>


## HAND CARVE OF THE MP4 VIDEO FILE

View TEXT HEX

Source private\var\mobile\Media\PhotoData\PhotoCloudSharingData\Caches\CachedMedia-HZCz1f
Current offset 8192
Current selection 771

GO TO FIND HIDE DECODING COPY SELECTION SAVE SELECTION


```
0007950  4E 30 4D 44 44 52 41 51 4A 66 45 42 74 53 5A 57 4E 76 62 57 31 6C 62 6D 52 6C 5A 45 5A 76   N0MDDRAQJfEBtSZW
0007980  63 6B 6C 74 62 57 56 79 63 32 6C 32 5A 55 31 76 5A 47 55 51 41 41 67 4C 4B 51 41 41 41 41   cktbWVyc2l2ZU1v
0008010  41 41 41 41 45 42 41 41 41 41 41 41 41 41 41 41 4D 41 41 41 41 41 41 41 41 41 41 41 41 41   AAAAEBAAAAAAAAAA
0008040  41 41 41 41 41 41 41 72 3C 2F 73 74 72 69 6E 67 3E 0A 09 3C 6B 65 79 3E 56 65 72 73 69 6F   AAAAAAAr</string
0008070  6E 3C 2F 6B 65 79 3E 0A 09 3C 69 6E 74 65 67 65 72 3E 31 3C 2F 69 6E 74 65 67 65 72 3E 0A   n</key>..<intege
0008100  09 3C 6B 65 79 3E 6D 75 73 74 2D 76 61 6C 69 64 61 74 65 3C 2F 6B 65 79 3E 0A 09 3C 66 61   .<key>must-valic
0008130  6C 73 65 2F 3E 0A 09 3C 6B 65 79 3E 6E 6F 2D 63 61 63 68 65 3C 2F 6B 65 79 3E 0A 09 3C 66   lse/>..<key>no-c
0008160  61 6C 73 65 2F 3E 0A 3C 2F 64 69 63 74 3E 0A 3C 2F 70 6C 69 73 74 3E 0A 00 1D 40 08 73 74   alse/>.</dict>.<
0008190  63 73 [redacted] 00 00 18 66 74 79 70 69 73 6F 6D 00 00 00 01 69 73 6F 6D 69 73 6F 34 00 00 35 A3   cs....ftypisom..
00081C0  6D 6F 6F 76 00 00 00 6C 6D 76 68 64 00 00 00 00 E3 A8 5A 30 E3 A8 5A 30 00 06 9A A8 00 5F   moov...lmvhd....
00081F0  E0 00 00 01 00 00 01 00 00 00 00 00 00 00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00   à...............
0008220  00 00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 40 00 00 00 00 00 00 00 00 00   ..............
0008250  00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00   ...............
0008280  00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00   ...............
00082B0  00 00 00 00 10 07 00 4F FF FF 28 FE FF 00 00 1F 74 74 72 61 6B 00 00 00 5C 74 6B 68 64 00   .......Oÿÿ(þÿ...
00082E0  00 00 03 00 00 00 00 E3 A8 5A 30 00 00 00 01 00 00 00 00 00 5B 84 20 00 00 00 00 00 00 00   .......ã¨Z0.....
0008310  00 00 00 00 00 00 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 01 00 00 00   ...............
0008340  00 00 00 00 00 00 00 00 00 00 40 00 00 00 02 D0 00 00 05 00 00 00 00 1F 10 6D 64 69   ..........@....
0008370  61 00 00 00 20 6D 64 68 64 00 00 00 00 00 00 00 00 E3 A8 5A 30 00 00 EA 60 00 0C 73 80 55   a... mdhd.....
00083A0  F4 00 00 00 00 50 33 68 64 6C 72 00 00 00 00 00 00 00 00 76 69 64 65 00 00 00 00 00 00 00   Ä.....3hdlr....
```


**EXAMINER NOTE:** An .mp4 video file's header is ftypisom as displayed above.

11. The user of the iPhone 15 Pro Max belonging to S/COPELAND terminated the Apple Photos App at 11:31:47 AM. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 11:31:56 AM and 11:34:44 AM for 2 minutes and 48 seconds. The iPhone 15 Pro Max belonging to S/COPELAND was briefly put into an unlocked state between 11:34:44 AM and 11:35:00 AM for 16 seconds. The user did not interact with any Apps during this brief unlock state. The iPhone 15 Pro Max belonging to S/COPELAND then entered into a locked state between 11:35:00 AM and 11:50:56 AM for 15 minutes and 56 seconds. While the device was in a locked state, the iPhone 15 Pro Max belonging to S/COPELAND received two incoming FaceTime Video calls from the phone number 360-720-3796. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the calls. SDFE DAVISON took the following screenshot as displayed in Axiom and the locked state Microsoft Excel spreadsheet.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Bundle ID | **com.apple.mobileslideshow** |
| Process ID | **1518** |
| State | **Terminated** |
| Monotonic Date/Time | **1/24/1970 1:52:53.451 AM** |
| Baseband Date/Time | **5/29/2025 11:31:47.863 AM** |
| Display Date/Time | **5/29/2025 11:31:48.107 AM** |
| Artifact type | PowerLog Application State |
| Item ID | 1208117 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

| | | | | |
|---|---|---|---|---|
| Unlocked | 5/29/2025 9:33:44 AM | 5/29/2025 11:31:56 AM | 5/29/2025 11:31:59.616 AM | 1:58:12 |
| Locked | 5/29/2025 11:31:56 AM | 5/29/2025 11:34:44 AM | 5/29/2025 11:34:44.117 AM | 0:02:48 |
| Unlocked | 5/29/2025 11:34:44 AM | 5/29/2025 11:35:00 AM | 5/29/2025 11:35:00.897 AM | 0:00:16 |
| Locked | 5/29/2025 11:35:00 AM | 5/29/2025 11:50:56 AM | 5/29/2025 11:50:59.410 AM | 0:15:56 |

| | | | | | | |
|---|---|---|---|---|---|---|
| [redacted] | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:47:16.361 AM | 5/29/2025 11:47:16.361 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:49:43.249 AM | 5/29/2025 11:49:43.249 AM | 00:00:00 |

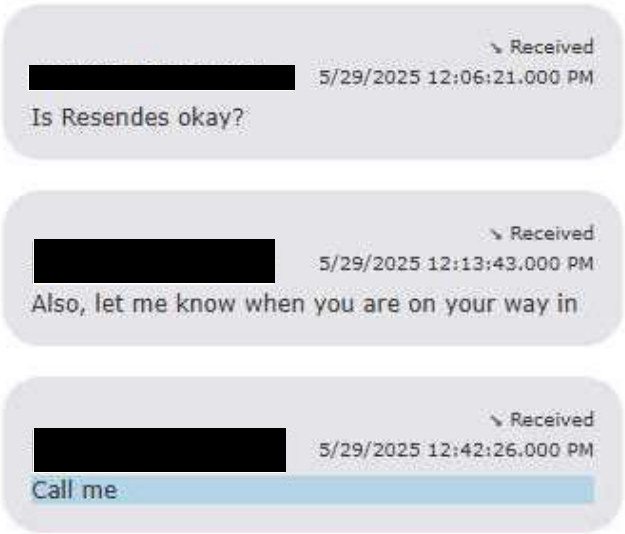
**29MAY25 11:50 AM to 1:13 PM**

1. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND was mostly in a locked state between 11:50:56 AM and 1:13 PM for 1 hour, 4 minutes, and 28 seconds during this timeframe. The user of the iPhone 15 Pro Max belonging to S/COPELAND had limited interaction with the device. Between 11:52:27 AM and 11:57:08 AM, the iPhone 15 Pro Max belonging to S/COPELAND received incoming FaceTime video calls from the phone number 360-720-3796 and incoming phone calls from "Brad Parker." The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer or respond to the phone calls until 12:44:35 PM. Between 11:54:22 AM and 12:42:26 PM, the iPhone 15 Pro Max belonging to S/COPELAND received four text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND did not immediately respond to the text messages. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 76 | Unlocked | 5/29/2025 11:50:56 AM | 5/29/2025 11:53:04 AM | 5/29/2025 11:53:05.363 AM | 0:02:08 |
| 77 | Locked | 5/29/2025 11:53:04 AM | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:36.794 PM | 0:18:32 |
| 78 | Unlocked | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:52 PM | 5/29/2025 12:11:52.396 PM | 0:00:16 |
| 79 | Locked | 5/29/2025 12:11:52 PM | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:25.931 PM | 0:00:32 |
| 80 | Unlocked | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:44 PM | 5/29/2025 12:12:45.680 PM | 0:00:20 |
| 81 | Locked | 5/29/2025 12:12:44 PM | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:32.099 PM | 0:09:48 |
| 82 | Unlocked | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:52 PM | 5/29/2025 12:22:54.152 PM | 0:00:20 |
| 83 | Locked | 5/29/2025 12:22:52 PM | 5/29/2025 12:36:32 PM | 5/29/2025 12:36:33.766 PM | 0:13:40 |
| 84 | Unlocked | 5/29/2025 12:36:32 PM | 5/29/2025 12:37:56 PM | 5/29/2025 12:37:57.745 PM | 0:01:24 |
| 85 | Locked | 5/29/2025 12:37:56 PM | 5/29/2025 12:40:56 PM | 5/29/2025 12:40:56.874 PM | 0:03:00 |
| 86 | Unlocked | 5/29/2025 12:40:56 PM | 5/29/2025 12:41:08 PM | 5/29/2025 12:41:10.509 PM | 0:00:12 |
| 87 | Locked | 5/29/2025 12:41:08 PM | 5/29/2025 12:44:08 PM | 5/29/2025 12:44:08.423 PM | 0:03:00 |
| 88 | Unlocked | 5/29/2025 12:44:08 PM | 5/29/2025 12:49:48 PM | 5/29/2025 12:49:50.606 PM | 0:05:40 |
| 89 | Locked | 5/29/2025 12:49:48 PM | 5/29/2025 1:05:44 PM | 5/29/2025 1:05:46.414 PM | 0:15:56 |
| 90 | Unlocked | 5/29/2025 1:05:44 PM | 5/29/2025 1:40:24 PM | 5/29/2025 1:40:25.778 PM | 0:34:40 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Sender | **+13607203796** |
| Sender Name | **Bitch** |
| Recipient(s) | **Local User <NFFO 13Y9L Item XUQP3>** |
| Message Sent Date/Time | **5/29/2025 11:54:22.000 AM** |
| Message | **Interesting** |
| Message GUID | **5E591904-187D-4755-A4DD-6E4D9FE11547** |
| Type | **iMessage** |
| Status | **Received and Read** |
| Message Read Date/Time | **5/29/2025 6:51:40.000 PM** |
| Chat ID | [redacted] |
| Artifact type | iOS iMessage/SMS/MMS |
| Item ID | 386815 |



| | | | | | | |
|---|---|---|---|---|---|---|
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:52:27.604 AM | 5/29/2025 11:52:27.604 AM | 00:00:00 |
| RAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 11:52:42.442 AM | 5/29/2025 11:52:42.442 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:52:54.720 AM | 5/29/2025 11:52:54.720 AM | 00:00:00 |
| RAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 11:53:01.597 AM | 5/29/2025 11:53:01.597 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:53:16.664 AM | 5/29/2025 11:53:16.664 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:53:40.722 AM | 5/29/2025 11:53:40.722 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:54:06.001 AM | 5/29/2025 11:54:06.001 AM | 00:00:00 |
| | Incoming | FaceTime Video | Unanswered | 5/29/2025 11:57:08.364 AM | 5/29/2025 11:57:08.364 AM | 00:00:00 |
| RAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 12:42:03.025 PM | 5/29/2025 12:42:03.025 PM | 00:00:00 |
| | Outgoing | Phone | Answered | 5/29/2025 12:44:35.052 PM | 5/29/2025 12:44:52.012 PM | 00:00:17 |
| | Outgoing | Phone | Answered | 5/29/2025 12:45:04.032 PM | 5/29/2025 12:49:16.973 PM | 00:04:13 |

2. At 11:50:56 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone and used the Apple iMessage App between 11:51:01 AM and 11:52:55 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND appears to interact with the text message from the phone number [redacted] at 11:51:58 AM. The user did not respond to the text messages. The user of the iPhone 15 Pro Max belonging to S/COPELAND appears to interact with the text message from the phone number [redacted] identified as belonging V/RESENDIZ at 11:52:47 AM. The user did not respond to the text messages. The iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 11:53:04 AM and 12:11:36 PM for 18 minutes and 32 seconds. At 11:53:29 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND was wearing the Apple Watch SE (2nd generation) Cellular - 40mm as noted by the recorded Heart Rates in the Apple Health Data. On 29May25, between 11:53:29 AM and 12:29:33 PM, the individual wearing the Apple Watch paired with the iPhone 15 Pro Max belonging to S/COPELAND had nine Heart Rate events recorded. The exact time the user of the iPhone 15 Pro Max belonging to S/COPELAND started wearing the Apple Watch SE (2nd generation) Cellular - 40mm device is unknown, but the first recorded event is at 11:53:29 AM. The last recorded event indicating the user was wearing the watch is at 12:29:33 PM. SDFE DAVISON took the following screenshots.

## ARTIFACT INFORMATION

| | |
|---|---|
| Title | **+1 (910) 549-9482** |
| Action Type | **com.apple.Messages** |
| Service | **com.apple.MobileSMS** |
| Recorded Date/Time | **5/29/2025 11:51:58.678 AM** |
| Content Link | **sms://open?service=(null)&recipient=+19105499482** |
| Metadata | **__kIMChatRegistryUserActivityLastMessageKey**<br>**Look I need you to reply**<br>**__kIMChatRegistryContinuityURLKey**<br>**sms://open?service=(null)&recipient=+19105499482** |
| GUID | **C6BAC427-E2E0-4787-92BE-A05A81317C02** |
| Artifact type | Biome User Activity |
| Item ID | **801745** |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\UniversalRecents.UserActivity.Metadata\local\769881111917767** |
| Recovery method | Parsing |

| | | | | |
|---|---|---|---|---|
| Heart Rate | 84 | 5/29/2025 11:53:29.000 AM | | Sedentary |
| Heart Rate | 84 | 5/29/2025 11:55:39.000 AM | | Sedentary |
| Heart Rate | 81 | 5/29/2025 12:01:29.000 PM | | Sedentary |
| Heart Rate | 86 | 5/29/2025 12:05:28.000 PM | | Sedentary |
| Heart Rate | 85 | 5/29/2025 12:12:36.000 PM | | Background |
| Heart Rate | 83 | 5/29/2025 12:14:43.000 PM | | Sedentary |
| Heart Rate | 94 | 5/29/2025 12:23:19.000 PM | | Background |
| Heart Rate | 88 | 5/29/2025 12:27:39.000 PM | | Background |
| Heart Rate | 84 | 5/29/2025 12:29:33.000 PM | | Background |
| Health Distance | 0.5 | 5/29/2025 2:08:08.349 PM | 5/29/2025 2:08:10.910 PM | 0.04 |
| Steps | 1 | 5/29/2025 2:08:08.349 PM | 5/29/2025 2:08:10.910 PM | 0.04 |
| Health Distance | 13.57 | 5/29/2025 4:53:24.654 PM | 5/29/2025 4:53:32.336 PM | 0.13 |
| Steps | 21 | 5/29/2025 4:53:24.654 PM | 5/29/2025 4:53:32.336 PM | 0.13 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Title | [redacted] |
| Action Type | **com.apple.Messages** |
| Service | **com.apple.MobileSMS** |
| Recorded Date/Time | **5/29/2025 11:52:47.993 AM** |
| Content Link | **sms://open?service=(null)&recipient=+12542030672** |
| Metadata | **__kIMChatRegistryUserActivityLastMessageKey**<br>**OKAY**<br>**__kIMChatRegistryContinuityURLKey**<br>**sms://open?service=(null)&recipient=+12542030672** |
| GUID | **432794DB-6C8D-470B-9E97-C993468F164A** |
| Artifact type | Biome User Activity |
| Item ID | **801747** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\UniversalRecents.UserActivity.Metadata\local\769881111917767** |
| Recovery method | **Parsing** |

3. At 12:11:04 PM, the iPhone 15 Pro Max belonging to S/COPELAND received a Snapchat message from the Snapchat user name “mia.carman05.” At 12:11:36 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 16 seconds. The user did not check the Snapchat message or reply. The user had the Apple iMessage App active until 12:11:43 PM, then the device was placed into a locked state at 12:11:52 PM. The user did not respond to any previous messages or send any messages. Between 12:11:52 PM and 12:12:24 PM, the device was in a locked state for 32 seconds. At 12:12:24 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 20 seconds. The user of the iPhone 15 Pro Max belonging to S/COPELAND used the Apple iMessage App between 12:12:25 PM and 12:12:37 PM. The user did not respond to any previous messages or send any messages. The iPhone 15 Pro Max belonging to S/COPELAND was placed into a locked state between 12:12:44 PM and 12:22:32 PM for 9 minutes and 48 seconds. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 78 | Unlocked | 5/29/2025 12:11:36 PM | 5/29/2025 12:11:52 PM | 5/29/2025 12:11:52.396 PM | 0:00:16 |
| 79 | Locked | 5/29/2025 12:11:52 PM | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:25.931 PM | 0:00:32 |
| 80 | Unlocked | 5/29/2025 12:12:24 PM | 5/29/2025 12:12:44 PM | 5/29/2025 12:12:45.680 PM | 0:00:20 |
| 81 | Locked | 5/29/2025 12:12:44 PM | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:32.099 PM | 0:09:48 |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:11:36.000 PM** |
| End Date/Time | **5/29/2025 12:11:43.000 PM** |
| Recorded Date/Time | **5/29/2025 12:11:43.831 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175374 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:12:25.000 PM** |
| End Date/Time | **5/29/2025 12:12:37.000 PM** |
| Recorded Date/Time | **5/29/2025 12:12:37.160 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175365 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |

4. At 12:22:32 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 20 seconds. The user had the Apple iMessage App active between 12:22:35 PM and 12:22:45 PM. The user did not respond to any previous messages or send any messages. Between 12:22:52 PM and 12:36:32 PM, the device was in a locked state for 13 minutes and 40 seconds. Between 12:36:32 PM and 12:37:56 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 1 minute and 24 seconds. The user had the Apple iMessage App active between 12:36:48 PM and 12:36:52 PM. The user did not respond to any previous messages or send any messages. Between 12:36:52 PM and 12:36:58 PM, the user switched to the Cash App. Between 12:37:02 PM and 12:37:49 PM, the user switched to Snapchat App although the user did not respond to any previous messages. The examination

revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to take two pictures while using Snapchat based on the camera being active and the .jpg file extension. Snapchat saved the image named 50391EFB-141E-499C-8AE8-186C17E5FB28.jpg and 61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg. The user then appears to watch two videos on Snapchat of women on a boat. Between 12:37:56 PM and 12:40:56 PM, the device was in a locked state for 3 minutes. SDFE DAVISON took the following screenshots.

| | | | | | |
|---|---|---|---|---|---|
| 82 | Unlocked | 5/29/2025 12:22:32 PM | 5/29/2025 12:22:52 PM | 5/29/2025 12:22:54.152 PM | 0:00:20 |
| 83 | Locked | 5/29/2025 12:22:52 PM | 5/29/2025 12:36:32 PM | 5/29/2025 12:36:33.766 PM | 0:13:40 |
| 84 | Unlocked | 5/29/2025 12:36:32 PM | 5/29/2025 12:37:56 PM | 5/29/2025 12:37:57.745 PM | 0:01:24 |
| 85 | Locked | 5/29/2025 12:37:56 PM | 5/29/2025 12:40:56 PM | 5/29/2025 12:40:56.874 PM | 0:03:00 |
| 86 | Unlocked | 5/29/2025 12:40:56 PM | 5/29/2025 12:41:08 PM | 5/29/2025 12:41:10.509 PM | 0:00:12 |
| 87 | Locked | 5/29/2025 12:41:08 PM | 5/29/2025 12:44:08 PM | 5/29/2025 12:44:08.423 PM | 0:03:00 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:22:35.000 PM** |
| End Date/Time | **5/29/2025 12:22:45.000 PM** |
| Recorded Date/Time | **5/29/2025 12:22:45.575 PM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **175361** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:36:48.000 PM** |
| End Date/Time | **5/29/2025 12:36:52.000 PM** |
| Recorded Date/Time | **5/29/2025 12:36:52.956 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175353 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.squareup.cash** |
| Start Date/Time | **5/29/2025 12:36:52.000 PM** |
| End Date/Time | **5/29/2025 12:36:58.000 PM** |
| Recorded Date/Time | **5/29/2025 12:36:58.849 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175354 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 12:37:02.000 PM** |
| End Date/Time | **5/29/2025 12:37:49.000 PM** |
| Recorded Date/Time | **5/29/2025 12:37:49.311 PM** |
| Artifact type | KnowledgeC Application Usage |
| Item ID | 175348 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **On** |
| Camera Type | **Front** |
| Bundle ID | **com.toyopagroup.picaboo** |
| Monotonic Date/Time | **1/24/1970 2:58:10.056 AM** |
| Baseband Date/Time | **5/29/2025 12:37:03.364 PM** |
| Display Date/Time | **5/29/2025 12:37:04.712 PM** |
| Artifact type | PowerLog Camera State |
| Item ID | 1205664 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\containers\Shared\SystemGroup\ED8F26C0-2087-4233-87E0-36542B194F74\Library\BatteryLife\Archives\powerlog_2025-05-29_B73F1445.PLSQL.gz\powerlog_2025-05-29_B73F1445.PLSQL |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **50391EFB-141E-499C-8AE8-186C17E5FB28.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 12:37:06.000 PM** |
| Last Accessed Date/Time | **5/29/2025 12:37:06.000 PM** |
| Last Modified Date/Time | **5/29/2025 12:37:06.000 PM** |
| Size (Bytes) | **118,219** |
| Skin Tone Percentage | **69.9** |
| Original Width | **720** |
| Original Height | **1280** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 720**<br>**ImageHeight: 1280** |
| MD5 Hash | **895f27a5be1ec3982fe31b1f897e5fb3** |
| SHA1 Hash | **ea380e32efdd42d08981a7de5ecdb096f2cd387f** |
| Artifact type | **Pictures** |
| Item ID | 782034 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\50391EFB-141E-499C-8AE8-186C17E5FB28.jpg** |
| Recovery method | **Parsing** |

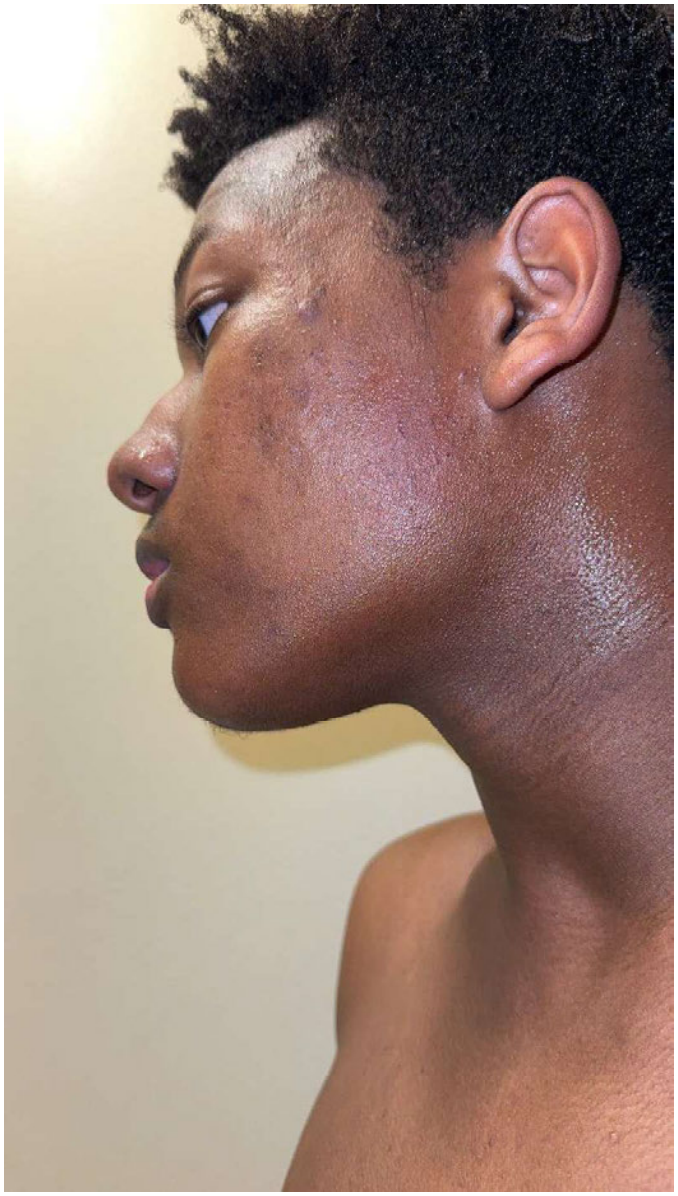


**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg** |
| File Extension | **.jpg** |
| Created Date/Time | **5/29/2025 12:37:16.000 PM** |
| Last Accessed Date/Time | **5/29/2025 12:37:16.000 PM** |
| Last Modified Date/Time | **5/29/2025 12:37:16.000 PM** |
| Size (Bytes) | **1,060,594** |
| Skin Tone Percentage | **75.7** |
| Original Width | **3840** |
| Original Height | **2160** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 3840**<br>**ImageHeight: 2160** |
| MD5 Hash | **b3774a687a936c5bda263c797c25b1f4** |
| SHA1 Hash | **84feaac452e0a630dd1b932d60f1c6602597a873** |
| Artifact type | **Pictures** |
| Item ID | 782123 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Data\Application\B55E0D41-55AC-4E93-BDF3-50DC2CB68E4A\Library\Caches\61DC607F-A66C-413A-AEB8-73125AAF3DA7.jpg** |



5. At 12:40:56 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the phone for 12 seconds. The user had the Snapchat App active between 12:40:56 PM and 12:40:58 PM for 2 seconds. The user then switched to the Apple iMessages App between 12:40:58 PM and 12:41:01 PM. The user did not respond to either Snapchat or text messages. Between 12:41:08 PM and 12:44:08 PM, the iPhone 15 Pro Max belonging to S/COPELAND was in a locked state for 3 minutes. At 12:42:03 PM, the iPhone 15 Pro Max belonging to S/COPELAND received an incoming phone call from "Brad Parker." At 12:42:26 PM, the iPhone 15 Pro Max belonging to S/COPELAND received a text message from "Brad Parker." The user of the iPhone 15 Pro Max belonging to S/COPELAND did not answer the call. At 12:44:08 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device until 12:49:48 PM. The

user then initiates two phone calls to "Brad Parker." SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.toyopagroup.picaboo** |
| Start Date/Time | **5/29/2025 12:40:56.000 PM** |
| End Date/Time | **5/29/2025 12:40:58.000 PM** |
| Recorded Date/Time | **5/29/2025 12:40:58.594 PM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | 175346 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.MobileSMS** |
| Start Date/Time | **5/29/2025 12:40:58.000 PM** |
| End Date/Time | **5/29/2025 12:41:01.000 PM** |
| Recorded Date/Time | **5/29/2025 12:41:01.956 PM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | 175342 |

**EVIDENCE INFORMATION**

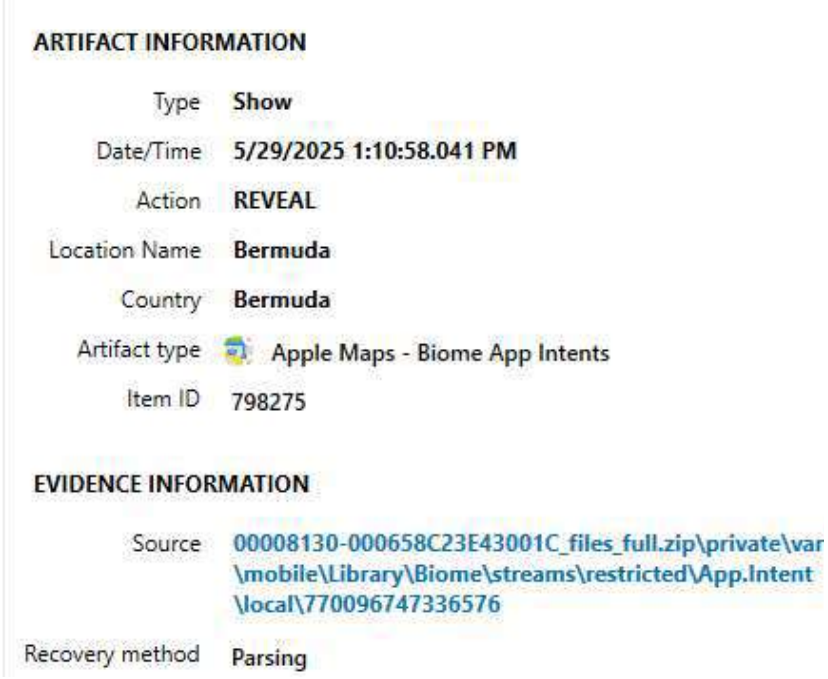
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |

[redacted] ↘ Received 5/29/2025 12:42:26.000 PM

Call me

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| [redacted] | BRAD PARKER | Incoming | Phone | Unanswered | 5/29/2025 12:42:03.025 PM | 5/29/2025 12:42:03.025 PM | 00:00:00 |
| | | Outgoing | Phone | Answered | 5/29/2025 12:44:35.052 PM | 5/29/2025 12:44:52.012 PM | 00:00:17 |
| | | Outgoing | Phone | Answered | 5/29/2025 12:45:04.032 PM | 5/29/2025 12:49:16.973 PM | 00:04:13 |

6. After the phone call with "Brad Parker," the iPhone 15 Pro Max belonging to S/COPELAND is put in a locked state between 12:49:48 PM and 1:05:44 PM for 15 minutes and 56 seconds. At 1:05:44 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device. Between 1:05:57 PM and 1:10:52 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND interacted with Snapchat and Instagram App although the user did not respond to any messages. Between 1:10:52 PM and 1:12:01 PM, the user of the iPhone 15 Pro Max belonging to S/COPELAND interacted with the Apple Maps App. The user did attempt for directions to Bermuda and searched for Chick-Fil-A in Norfolk. SDFE DAVISON took the following screenshots as displayed in Axiom.



**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **Show** |
| Date/Time | **5/29/2025 1:10:58.041 PM** |
| Action | **REVEAL** |
| Location Name | **Bermuda** |
| Country | **Bermuda** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798275 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **PlaceCardTap** |
| Date/Time | **5/29/2025 1:10:59.116 PM** |
| Action | **GET_DIRECTIONS** |
| Location Name | **Bermuda** |
| Country | **Bermuda** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798281 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770096747336576 |
| Recovery method | Parsing |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Chick-fil-A** |
| Address | **Norfolk** |
| Created Date/Time | **5/29/2025 1:11:29.355 PM** |
| Artifact type | Apple Maps Searches |
| Item ID | 576450 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1 |
| Recovery method | Parsing |

[redacted]



**HEALTH DATA FOCUS 02JUN25**

1. SDFE DAVISON located and extracted health data to include Apple Health Floors, Apple Health Steps, Apple Heart Rate, Apple Resting Heart Rate, Apple Watch Worn hours, and Apple Health Distance during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. SDFE Davison saved the data for Apple Health Floors, Apple Health Steps, and Apple Health Distance from 28May25, at approximately 9:00 PM, until 02Jun25, at approximately 6:00 AM. SDFE DAVISON also saved the Apple Heart Rate from 28May25, at approximately 8:00 PM, until the last entry on 29May25, at 12:29:33 PM. SDFE DAVISON saved the Apple Resting Heart Rate history from 13May25 to 29May25 at 12:29:33 PM. SDFE DAVISON saved the health data to the folder named "(a) Health Data" on the FINDINGS MEDIA. The folder contains a Microsoft Excel spreadsheet named "Health Data.xlsx," which contains the report. The examination revealed the Apple Watch SE (2nd generation) Cellular - 40mm was paired with the iPhone 15 Pro Max belonging to S/COPELAND while the last recorded data was on 29May25, at 12:29:33 PM. The Apple Watch SE (2nd generation) Cellular - 40mm appears not to be worn by a user associated with the iPhone 15 Pro Max belonging to S/COPELAND after this date/time. SDFE DAVISON created a timeline analysis of the heath data recorded on 02Jun25 from 3:45:10 AM to 5:57:20 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND walked 365 steps for a distance of 78.85 meters or 258 feet and 8.3307 inches on 02Jun25, between 05:02:25 AM and 05:12:14AM. SDFE DAVISON took a screenshot of the health data.

**EXAMINER'S NOTE:** The date/time stamps recorded on Apple iPhones health data like steps and distance are generally accurate. However, the date/time stamps may not always be precise as delays and discrepancies can occur. Therefore, the specific date/time stamps below may not

accurately reflect the precise date/time of a specific activity due to the method Apple iPhones record health data.

| Record | Tags | Floors/ Distance (meters)/ Steps Taken | Start Date/Time | End Date/Time | Duration (Minutes) |
|---|---|---|---|---|---|
| 217 | Steps | 330 | 6/2/2025 3:45:10.000 AM | 6/2/2025 3:55:09.067 AM | 9.99 |
| 181 | Health Distance | 227.54 | 6/2/2025 3:45:10.000 AM | 6/2/2025 3:55:09.067 AM | 9.99 |
| 22 | Health Floors | 2 | 6/2/2025 3:55:06.506 AM | 6/2/2025 3:55:26.990 AM | |
| 180 | Health Distance | 55.31 | 6/2/2025 3:55:09.067 AM | 6/2/2025 4:02:08.988 AM | 7.0 |
| 218 | Steps | 70 | 6/2/2025 3:55:09.067 AM | 6/2/2025 4:02:08.988 AM | 7.0 |
| 182 | Health Distance | 148.94 | 6/2/2025 4:05:56.878 AM | 6/2/2025 4:11:55.337 AM | 5.97 |
| 219 | Steps | 237 | 6/2/2025 4:05:56.878 AM | 6/2/2025 4:11:55.337 AM | 5.97 |
| 183 | Health Distance | 14.46 | 6/2/2025 4:28:45.292 AM | 6/2/2025 4:38:06.108 AM | 9.35 |
| 220 | Steps | 20 | 6/2/2025 4:28:45.292 AM | 6/2/2025 4:38:06.108 AM | 9.35 |
| 184 | Health Distance | 257.63 | 6/2/2025 5:02:25.696 AM | 6/2/2025 5:12:14.588 AM | 9.81 |
| 221 | Steps | 365 | 6/2/2025 5:02:25.696 AM | 6/2/2025 5:12:14.588 AM | 9.81 |
| 185 | Health Distance | 78.85 | 6/2/2025 5:13:05.792 AM | 6/2/2025 5:20:54.364 AM | 7.81 |
| 222 | Steps | 104 | 6/2/2025 5:13:05.792 AM | 6/2/2025 5:20:54.364 AM | 7.81 |
| 186 | Health Distance | 27.82 | 6/2/2025 5:24:39.679 AM | 6/2/2025 5:28:37.817 AM | 3.97 |
| 223 | Steps | 52 | 6/2/2025 5:24:39.679 AM | 6/2/2025 5:28:37.817 AM | 3.97 |
| 187 | Health Distance | 237.86 | 6/2/2025 5:47:47.486 AM | 6/2/2025 5:57:20.972 AM | 9.56 |
| 224 | Steps | 356 | 6/2/2025 5:47:47.486 AM | 6/2/2025 5:57:20.972 AM | 9.56 |
| 23 | Health Floors | 2 | 6/2/2025 5:49:17.076 AM | 6/2/2025 5:49:37.559 AM | |

**GEOLOCATION DATA 02JUN25 0400-0600**

1. On 09Jun25, SDFE DAVISON located geolocation data during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The examination revealed a cached location recorded on the device on 02Jun25, at 5:14:51 AM, with a latitude of 36.8586915425567 and a longitude of -76.2544464206239. SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2842 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom and the data displayed in the website https://www.gps-coordinates.net/.

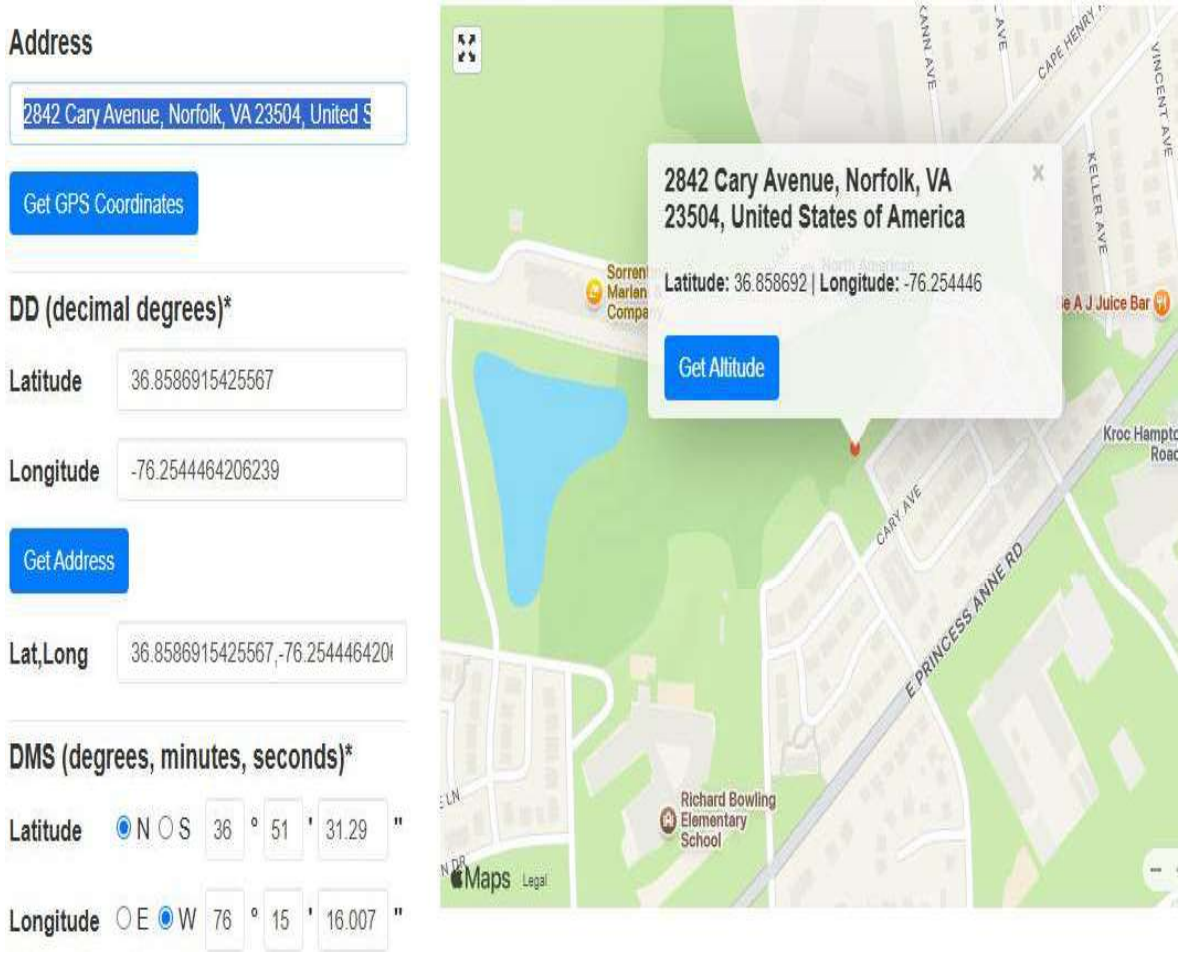
## DETAILS

### ARTIFACT INFORMATION

| | |
|---|---|
| Latitude | **36.8586915425567** |
| Longitude | **-76.2544464206239** |
| Accuracy (m) | **12.2885636467086** |
| Altitude (m) | **7.5534259629363** |
| Altitude Accuracy (m) | **18.335994720459** |
| Speed (m/s) | **2.18263292312622** |
| Timestamp Date/Time | **6/2/2025 5:14:51.492 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 286998 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZRTCLLOCATIONMO(Z_PK: 421024)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |

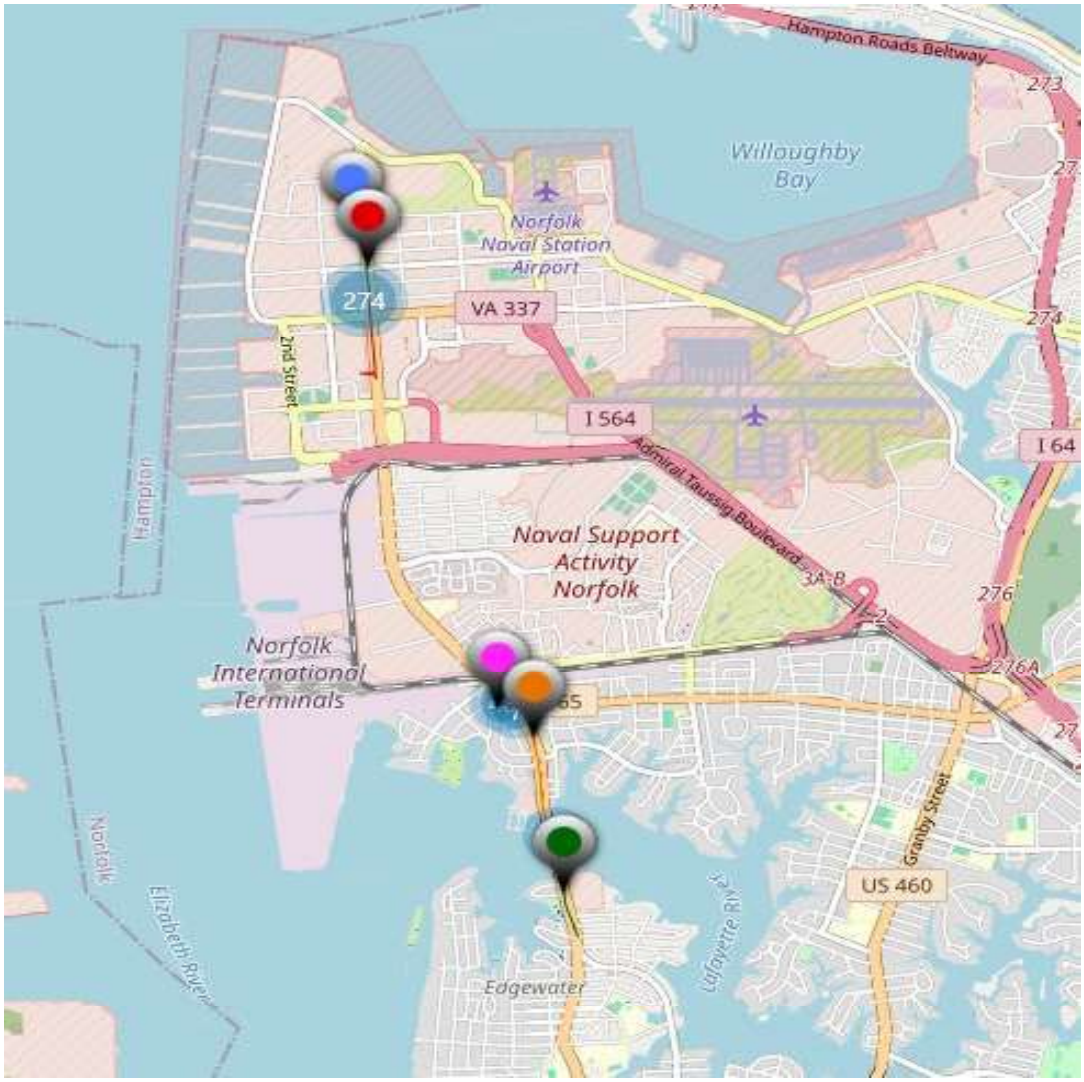



2. SDFE DAVISON located and extracted 4,982 location and travel artifacts during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The location and travel artifacts consist of Apple Map Searches, Apple Map Trips, Cached Locations, Significant Locations, and Significant Location Visits with a time filtered for 02Jun25, between 04:00 AM and 06:00 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.

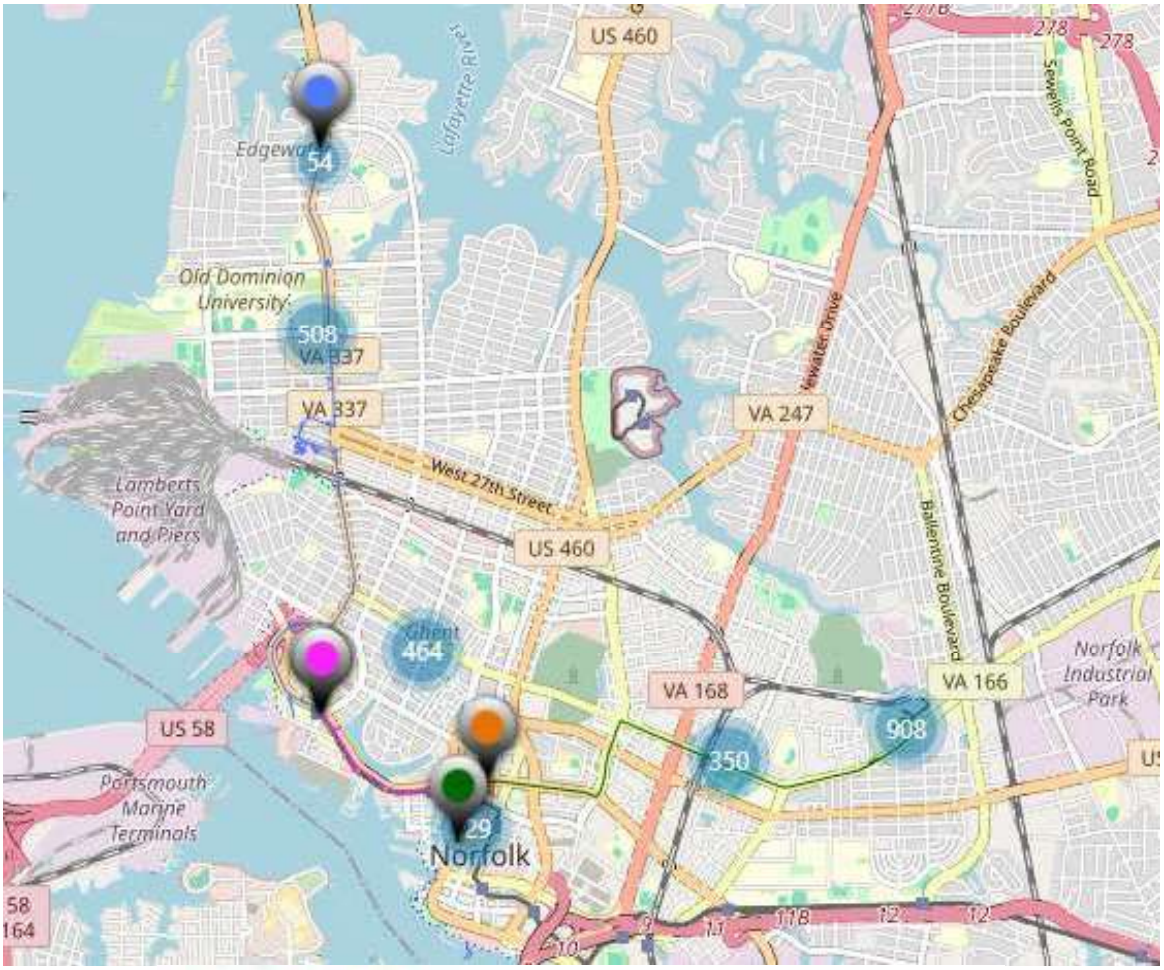



Click to Review Geolocation Report

3. The examination of the 4,982 location and travel artifacts revealed a route the iPhone 15 Pro Max belonging to S/COPELAND traveled on 02Jun25, between 04:00 AM and 06:00 AM. SDFE DAVISON created three route videos using Axiom Route View. SDFE DAVISON exported and saved the three videos to a folder named "(b) Geolocations" on the FINDINGS MEDIA. The video file named "route_export_part1.mp4" represents the first portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The first portion of the route starts on 02Jun25, at 04:00 AM and ends at 04:32 AM. Between 4:18 AM (end of red route) and 4:29 AM (start of pink route), the precise location and route traveled by the iPhone 15 Pro Max belonging to S/COPELAND is unknown since the device did not record enough geolocation data during this timeframe. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




4. The video file named "route_export_part2.mp4" represents the second portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The second portion of the route starts on 02Jun25, at 04:32 AM, and ends at 05:16 AM. While the device was traveling, the user of the iPhone 15 Pro Max belonging to S/COPELAND conducted a search for Parks in Norfolk and Trails in Norfolk. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Parks** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:32:56.637 AM** |
| Artifact type | **Apple Maps Searches** |
| Item ID | 576454 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1 |
| Recovery method | **Parsing** |

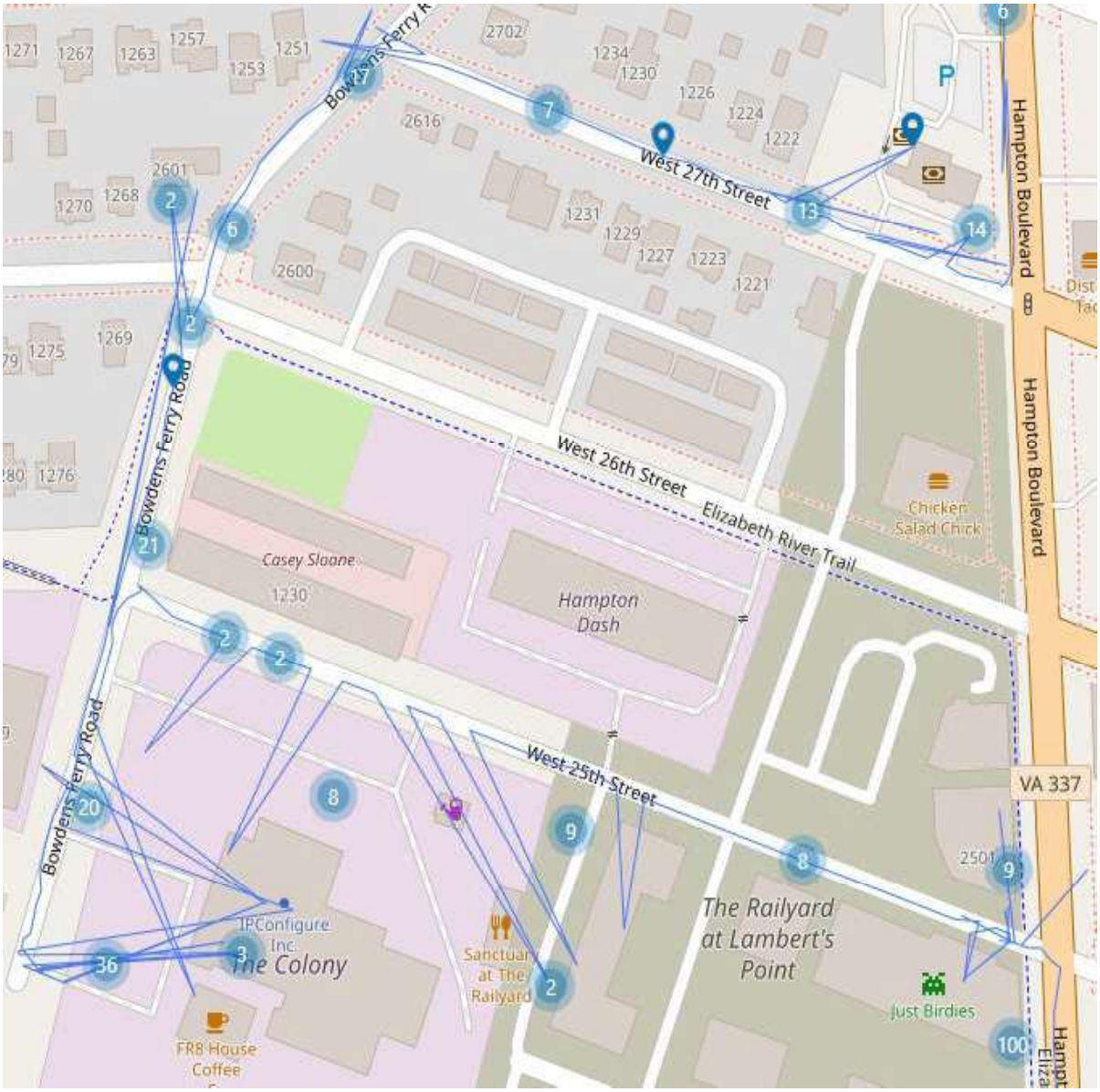
**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Trails** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:33:48.243 AM** |
| Artifact type | Apple Maps Searches |
| Item ID | 576458 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1 |
| Recovery method | Parsing |

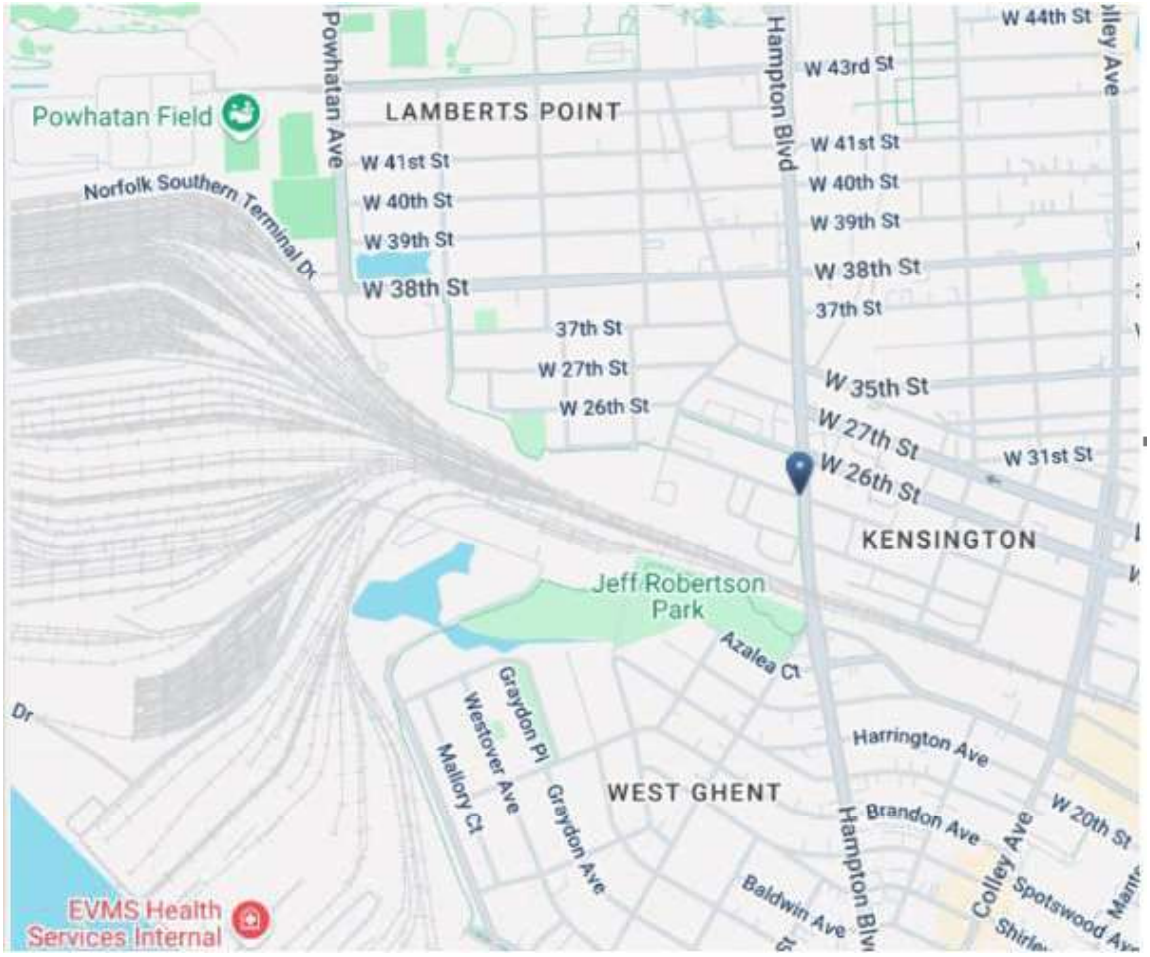
5. The examination of the second portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled on West 27th Street, Norfolk, by the Langley Federal Credit Union, 2701 Hampton Blvd, Norfolk, VA, on 02Jun25, at approximately 04:36 AM. The device continued to travel on Bowdens Ferry Road, Norfolk, VA, then onto West 25th Street, Norfolk, VA. The device started to travel South again on Hampton Blvd starting at approximately 04:40 AM. The fluctuations in the blue lines are location and travel artifacts with varying geolocation accuracy. An examiner must rely on all of the available data to rebuild an accurate picture of a route traveled. SDFE DAVISON took a screenshot of the data as displayed in Axiom.



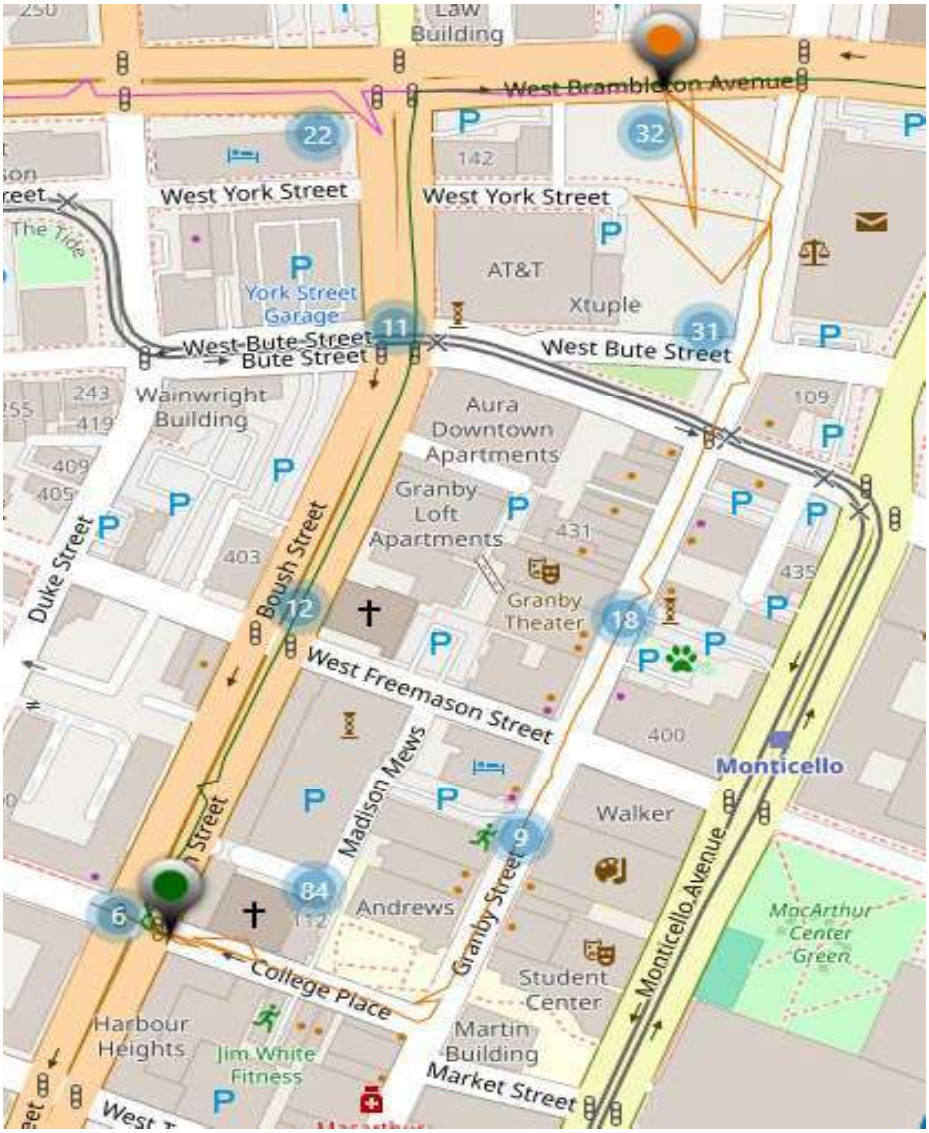

6. On 13Jun25, Investigative Analyst (IA) Mary OAKLEY, NCISRA Yorktown, VA, provided SDFE DAVSION with an image from the Vigilant Database System, which she received from the Newport News Police Department, VA. The image shows a white vehicle with temporary Virginia License plate number G21274 taken on 02Jun25, at 04:40:44AM. The picture was taken near West 25th street and Hampton Blvd, Norfolk, VA. SDFE DAVISON took a screenshot of the image file.

| | | | | |
|---|---|---|---|---|
| G21274 | 1 | 06/02/2025 04:40:44 AM EDT | 36.87558385942 -76.301947662956 | |

| LICENSE PLATE | DATE/TIME | IMAGE | SOURCE |
|---|---|---|---|
| G21274 | 06/02/2025 04:40:44 AM EDT |   | License Plate Recognition |

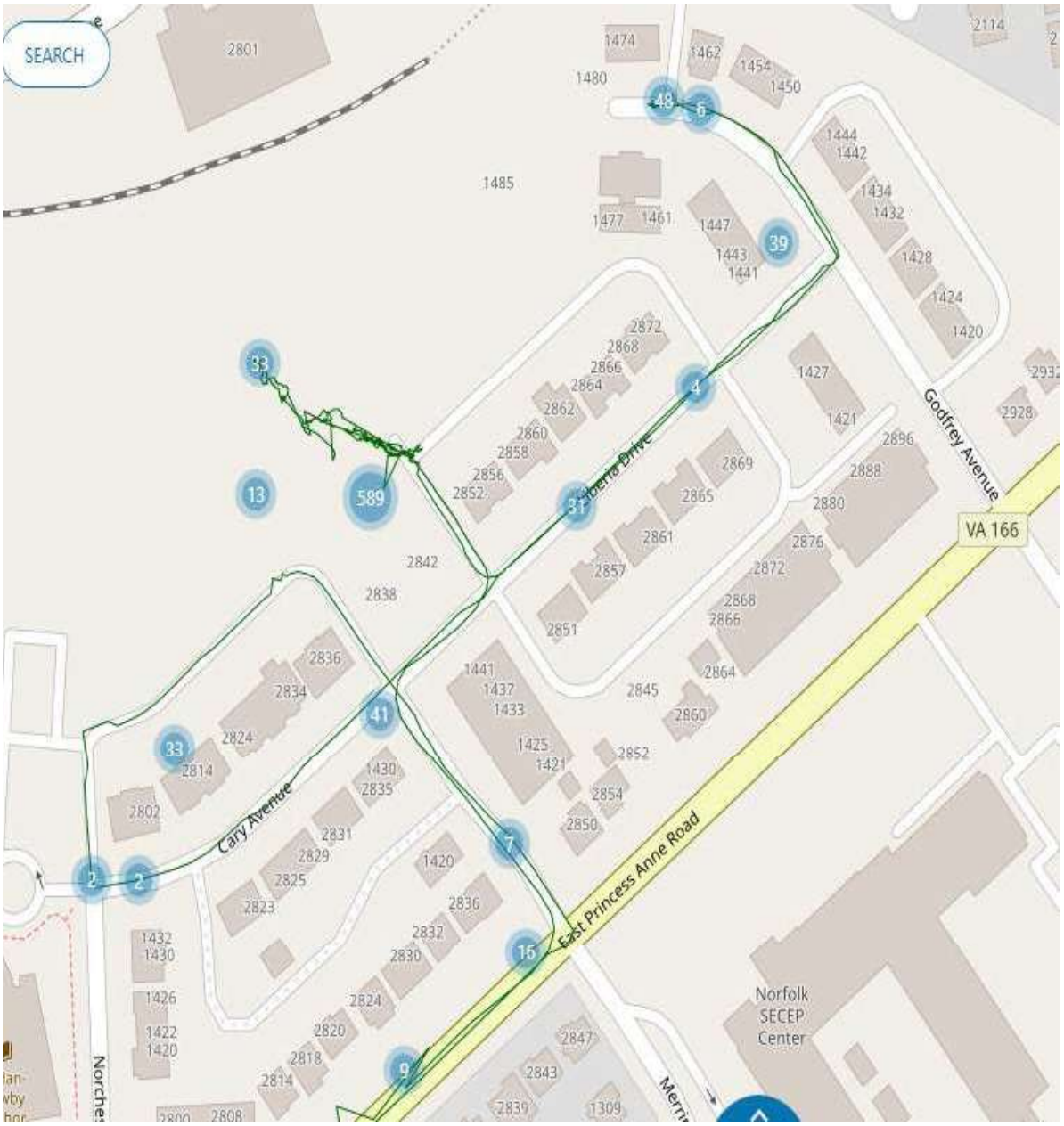


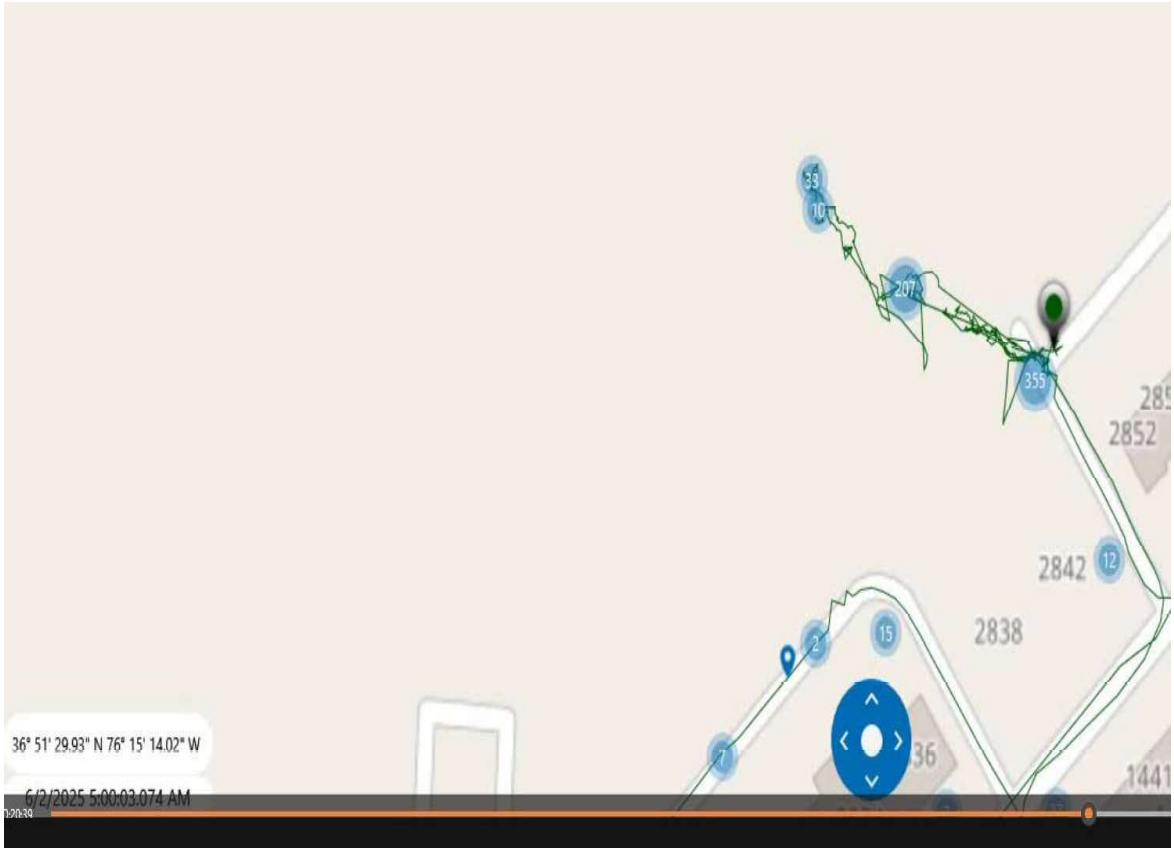

7. The examination of the second portion also revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled on Granby Street, Norfolk, on 02Jun25, at approximately 04:45 AM. The device continued to travel on College Place, Norfolk, VA, then onto Boush Street, Norfolk, VA. The device started to travel east again on West Brambleton Ave, Norfolk, starting approximately 04:48 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




8. The examination of the second portion also revealed the iPhone 15 Pro Max belonging to S/COPELAND entered Merrimac Ave, Norfolk, VA, on 02Jun25, at approximately 04:56 AM. The device traveled around the residential area until appearing to stop behind 2852 Cary Ave, Norfolk, VA, on 02Jun25, at approximately 05:00 AM. According to the health data reported above, the user of the iPhone 15 Pro Max belonging to S/COPELAND began to record health data steps and distance on 02Jun25, at approximately 05:02:25 AM. The light blue circles with the white numbers in the images below represent the number of location and travel artifacts records in the area. The lower the number of artifacts represents the lower confidence in the data to place a device in a specific area. Conversely, the higher the number of artifacts represents the higher confidence in the data to place a device in a specific area. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND recorded 635 location and travel artifacts on 02Jun25, between 5:00:11 AM and 5:15:42 AM, near the area of 2852 Cary Ave, Norfolk, VA. Based on the extremely high number of 635 location and travel artifacts, the examination

revealed with extremely high confidence the iPhone 15 Pro Max belonging to S/COPELAND was in this location on 02Jun25, between 5:00:11 AM and 5:15:42 AM. SDFE DAVISON took screenshots of the data as displayed in Axiom and the video.






9. The examination revealed the first artifact recorded in the area was a cached location recorded on the device on 02Jun25, at 5:00:11 AM, with a latitude of 36.8586565668269 and a longitude of -76.2542549822841. SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom and the data displayed in the website https://www.gps-coordinates.net/.

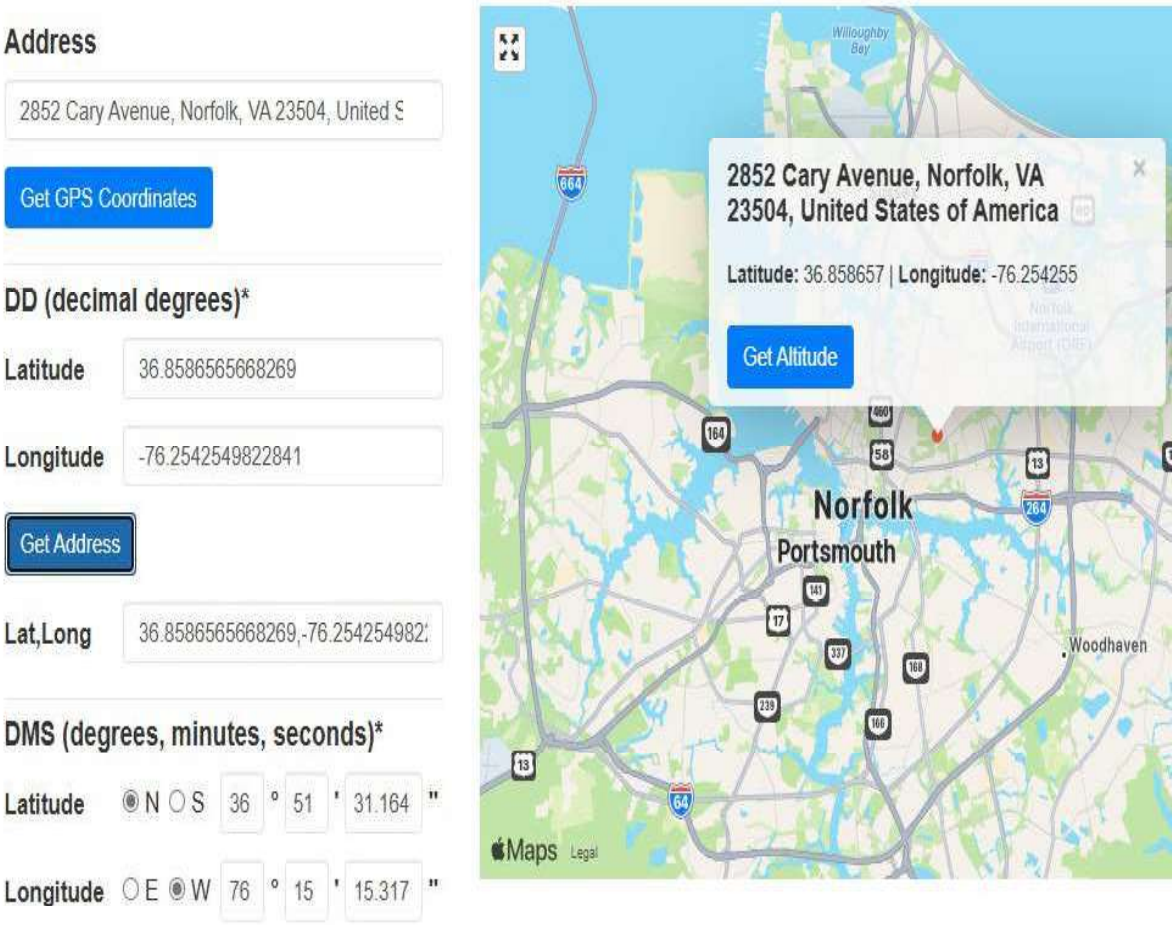
## DETAILS

### ARTIFACT INFORMATION

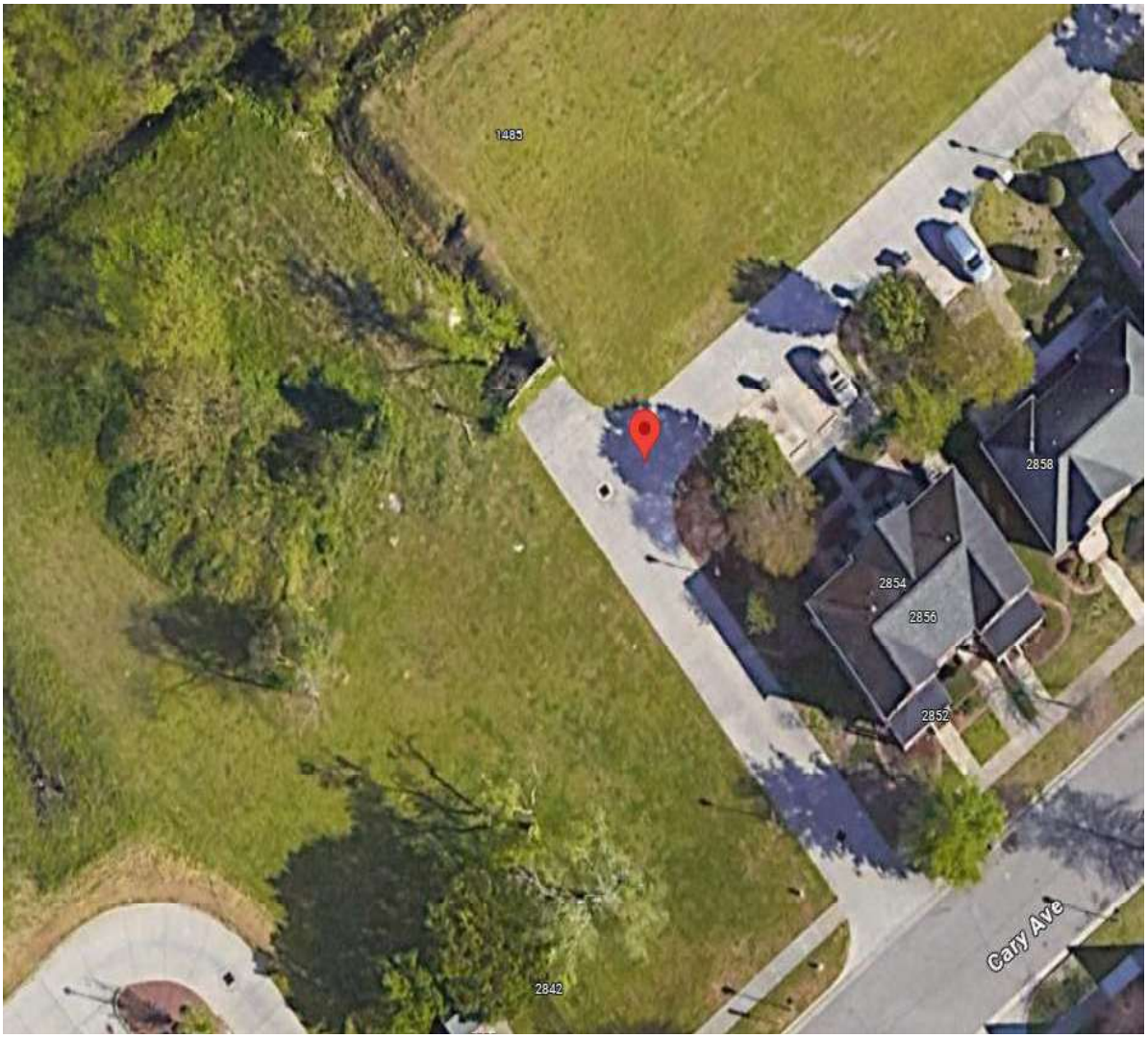
| | |
|---|---|
| Latitude | **36.8586565668269** |
| Longitude | **-76.2542549822841** |
| Accuracy (m) | **2.17346270927512** |
| Altitude (m) | **4.39380321186036** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **322.299926757813** |
| Speed (m/s) | **0.0** |
| Timestamp Date/Time | **6/2/2025 5:00:11.000 AM** |
| Artifact type | Cached Locations |
| Item ID | 286023 |

### EVIDENCE INFORMATION

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite** |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 420453) |
| Evidence number | NFFO 13Y9L Item XUQP3 |




10. SDFE DAVISON visited Google Maps with website address https://www.google.com/maps/ and entered the latitude of 36.8586565668269 and a longitude of -76.2542549822841 into Google Maps search function. SDFE DAVISON took a screenshot of the area as displayed in Google Maps layers.




11. The examination revealed the last artifact recorded in the area was a cached location recorded on the device on 02Jun25, at 5:15:34 AM, with a latitude of 36.8585963908018 and a longitude of -76.2542297475689. On 13Jun25, SDFE DAVISON visited the website https://www.gps-coordinates.net/ to determine an approximate address of the latitude and longitude coordinates. The website resolved the coordinates near the address 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON took a screenshot of the data as displayed in Axiom.

**DETAILS**

**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | 36.8585963908018 |
| Longitude | -76.2542297475689 |
| Accuracy (m) | 2.57647018551187 |
| Altitude (m) | 4.09938742686063 |
| Altitude Accuracy (m) | 3.0 |
| Direction | 136.626916411902 |
| Speed (m/s) | 2.12394713406014 |
| Timestamp Date/Time | 6/2/2025 5:15:34.999 AM |
| Artifact type | Cached Locations |
| Item ID | 287141 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 421120) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

12. The examination revealed the iPhone 15 Pro Max belonging to S/COPELAND recorded artifact Item ID 286920 in the area as a cached location on 02Jun25, at 5:10:32.999 AM. The cached location has a latitude of 36.858794493743 and a longitude of -76.2547692449198 with an accuracy of 3.30219342916624 meters or 10 feet and 10.0076 inches. On 13Jun25, SDFE DAVISON visited Google Maps with website address https://www.google.com/maps/ and entered the coordinates. SDFE DAVISON took screenshots of the data as displayed in Axiom and as displayed in Google maps layers.

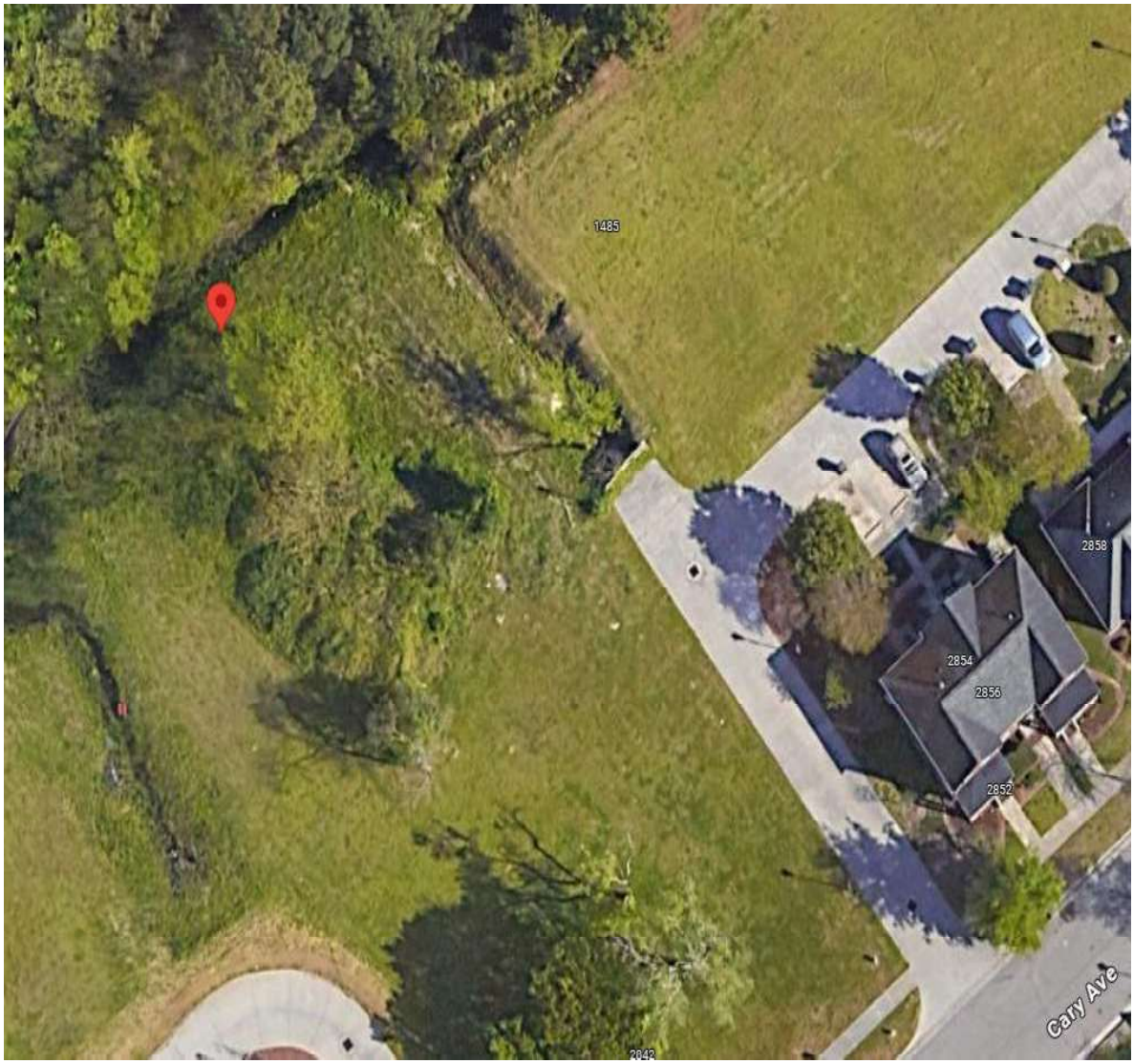
## DETAILS

### ARTIFACT INFORMATION

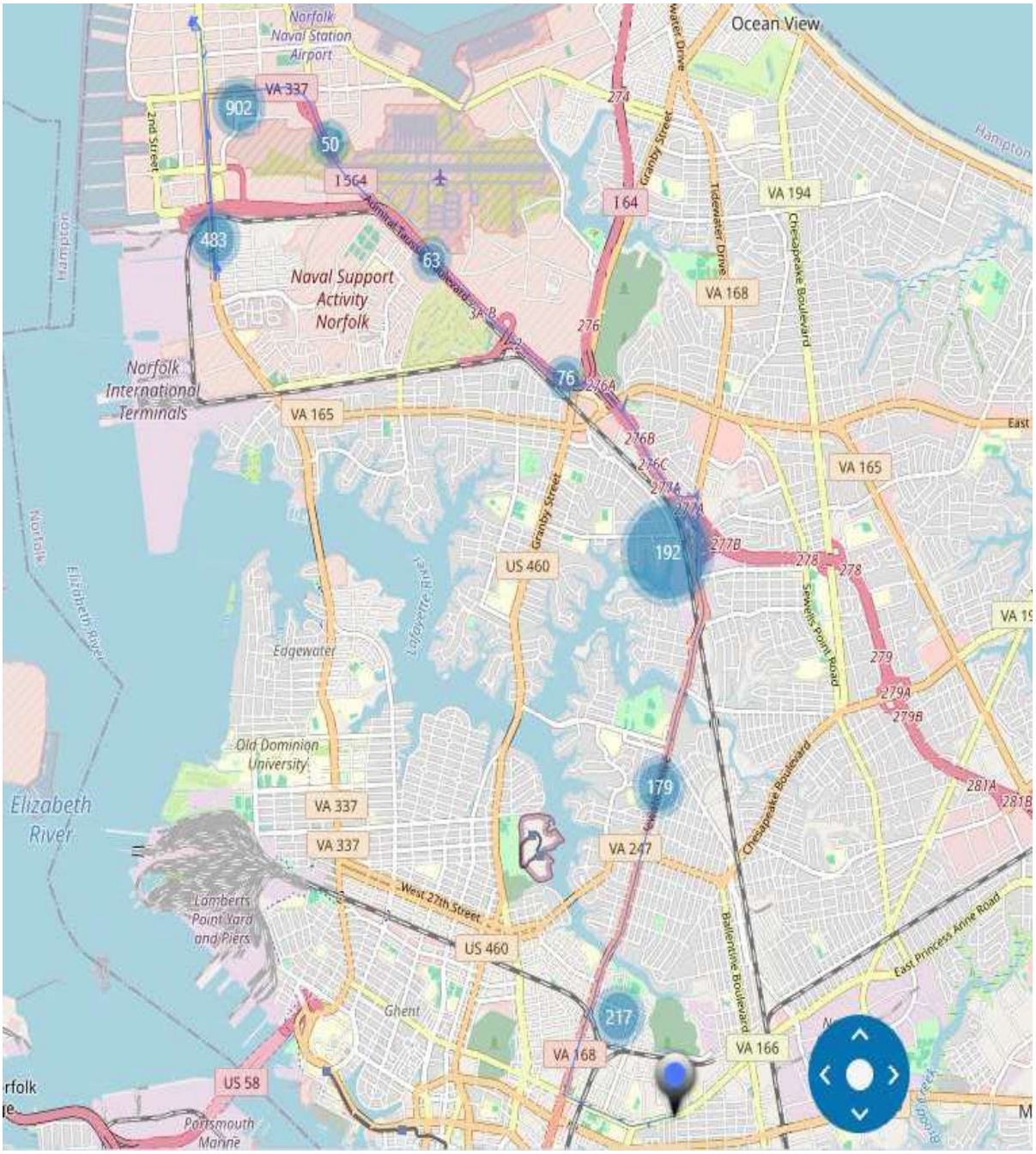
| | |
|---|---|
| Latitude | 36.858794493743 |
| Longitude | -76.2547692449198 |
| Accuracy (m) | 3.30219342916624 |
| Altitude (m) | 4.77955871913582 |
| Altitude Accuracy (m) | 3.0 |
| Speed (m/s) | 0.17978067328381 |
| Timestamp Date/Time | 6/2/2025 5:10:32.999 AM |
| Artifact type | Cached Locations |
| Item ID | 286920 |

### EVIDENCE INFORMATION

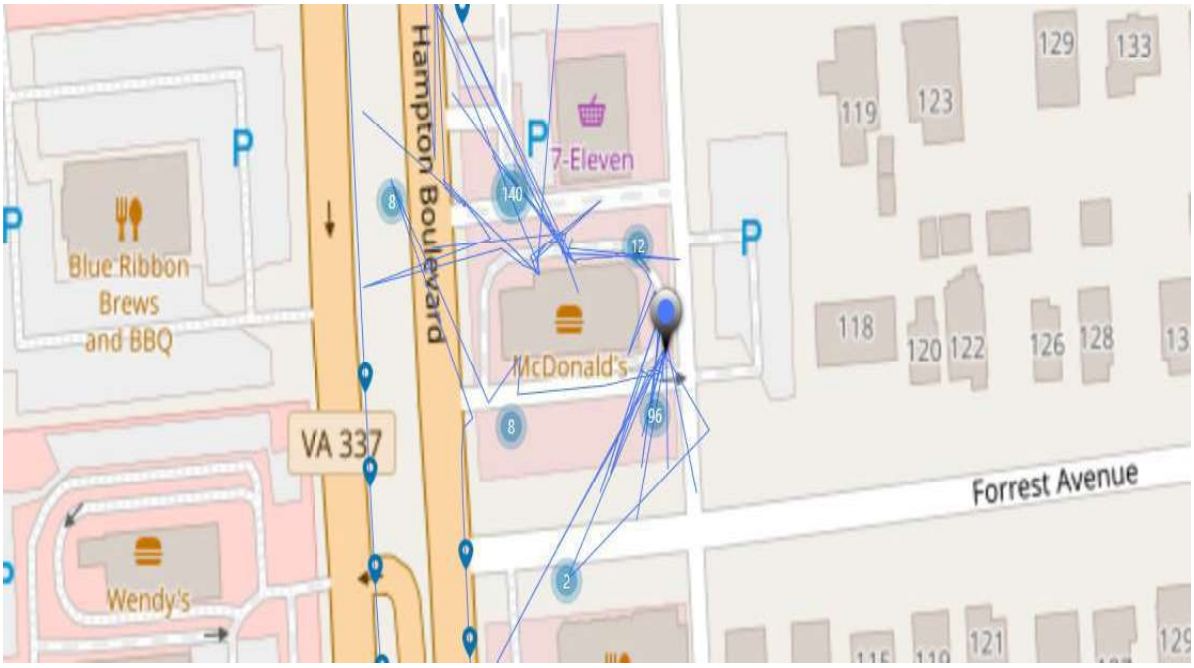
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZRTCLLOCATIONMO(Z_PK: 420954) |
| Evidence number | NFFO 13Y9L Item XUQP3 |



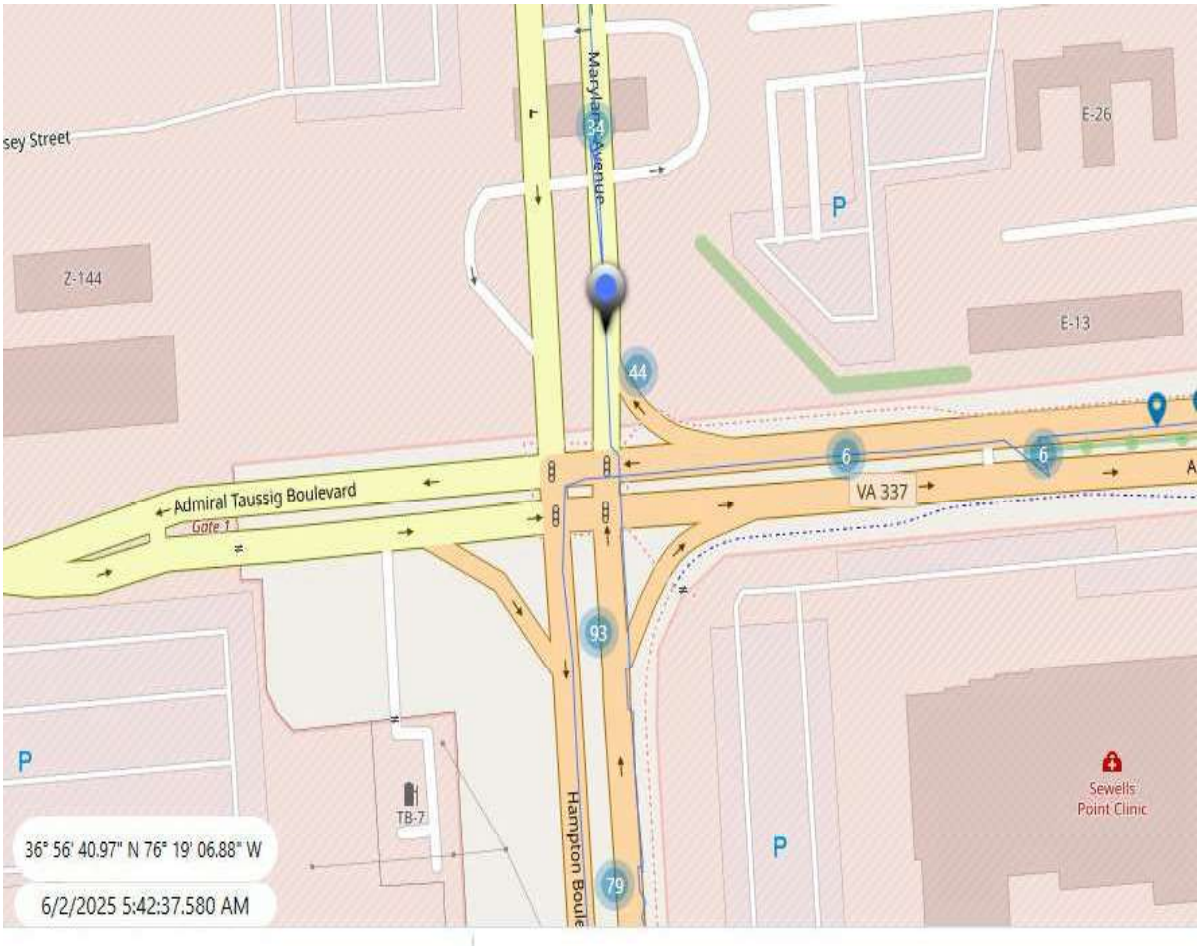

13. The video file name "route_export_part3.mp4" represents the final portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The third portion of the route starts on 02Jun25, at 05:16 AM, and ends at 05:58 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




14. The examination of the third portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled to the McDonald's restaurant at 8300 Hampton Blvd, Norfolk, on 02Jun25, entered at approximately 05:33 AM, and exited the McDonald's at approximately 05:37 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




15. The examination of the third portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled and entered Gate 2 NAS Norfolk, VA, on 02Jun25, at approximately 05:42 AM. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




**MARKED LOCATION TIMELINE**

1. SDFE DAVISON located and exported timeline data concerning when the user of the iPhone 15 Pro Max belonging to S/COPELAND tagged the geolocation coordinates with the longitude 36.858536 and latitude -76.256816. The coordinates are displayed in the screenshot in the image file named IMG_2621.PNG identified above although the screenshot was not captured until later. The geolocation coordinates resolve to the wooded area in the vicinity of 2852 Cary Avenue, Norfolk, VA 23504. SDFE DAVISON saved all timeline location data to a folder named, "(c) Tagged Location Data" on the FINDINGS MEDIA. The folder contains a Microsoft Excel file named, "Marked location Timeline Analysis.xlsx," which consists of the timeline report. The examination revealed that on 02Jun25, at 4:47:13 AM, the iPhone 15 Pro Max belonging to S/COPELAND was located approximately near the corner of College Place and Boush Street, Norfolk, VA. SDFE DAVISON took the following screenshots as display in Axiom.

**ARTIFACT INFORMATION**

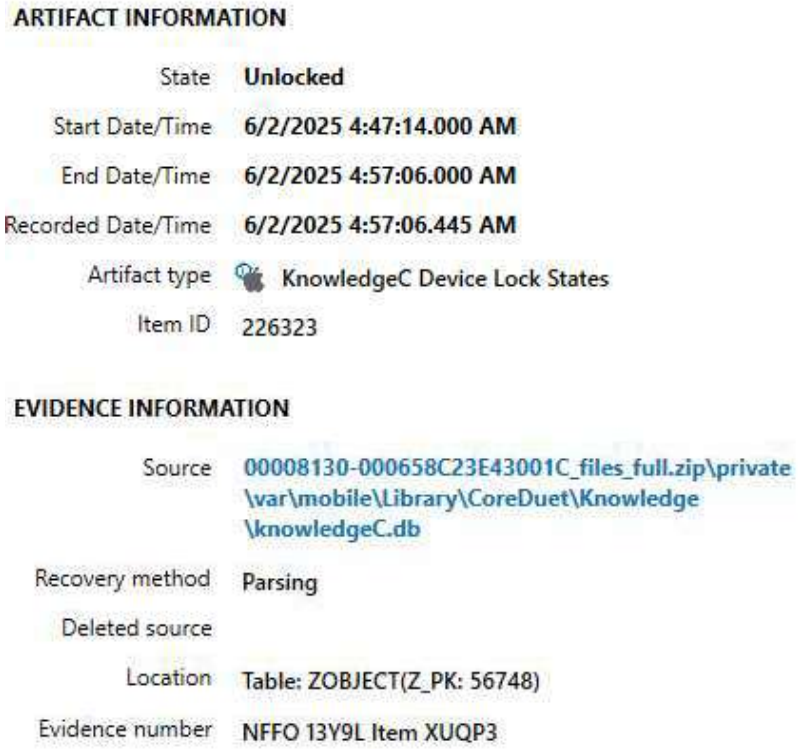
| | |
|---|---|
| Latitude | **36.850312757729** |
| Longitude | **-76.2917290636136** |
| Accuracy (m) | **3.54225873139757** |
| Altitude (m) | **3.62044929992408** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **293.100677490234** |
| Speed (m/s) | **1.97243570661196** |
| Timestamp Date/Time | **6/2/2025 4:47:13.998 AM** |
| Artifact type | **Cached Locations** |
| Item ID | 285058 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZRTCLLOCATIONMO(Z_PK: 419687)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |



2. The examination revealed that on 02Jun25, at 4:47:14 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND unlocked the device using either the phone's facial biometrics or the PIN. The user of the iPhone 15 Pro Max belonging to S/COPELAND kept the phone in an unlocked status until 02Jun25, at 4:57:06 AM. SDFE DAVISON took the following screenshot as display in Axiom.



**ARTIFACT INFORMATION**

| | |
|---|---|
| State | **Unlocked** |
| Start Date/Time | **6/2/2025 4:47:14.000 AM** |
| End Date/Time | **6/2/2025 4:57:06.000 AM** |
| Recorded Date/Time | **6/2/2025 4:57:06.445 AM** |
| Artifact type | KnowledgeC Device Lock States |
| Item ID | 226323 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZOBJECT(Z_PK: 56748) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

3. On 02Jun25, at 4:47:21 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to start using the Apple Maps App. The Apple Maps App was opened on the iPhone 15 Pro Max belonging to S/COPELAND until 4:57:06 AM. SDFE DAVISON took the following screenshot as display in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Application Name | **com.apple.Maps** |
| Start Date/Time | **6/2/2025 4:47:21.000 AM** |
| End Date/Time | **6/2/2025 4:57:06.000 AM** |
| Recorded Date/Time | **6/2/2025 4:57:06.361 AM** |
| Artifact type | **KnowledgeC Application Usage** |
| Item ID | **167286** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZOBJECT(Z_PK: 56747)**<br>**Table: ZSTRUCTUREDMETADATA(Z_PK: 2)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |

4. On 02Jun25, at 4:47:32 AM, the user of the iPhone 15 Pro Max belonging to S/COPELAND appears to start browsing map locations using Apple Maps. The user appears to continue browsing map locations until the user of the iPhone 15 Pro Max belonging to S/COPELAND marks a location in Apple Maps on 02Jun25, at 4:47:50 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND marks the longitude of 36.858536 and latitude of -76.256816 as the geolocation coordinates. The user of the iPhone 15 Pro Max belonging to S/COPELAND then appears to request navigational directions to the marked location on 02Jun25, at 4:47:52 AM. On 02Jun25, at approximately 4:47:56 AM, the iPhone 15 Pro Max belonging to S/COPELAND appears to start traveling again. SDFE DAVISON took the following screenshots as displayed in Axiom and visited the website address https://maps.apple.com/?ll=36.858536,-76.256816&q=Marked%20Location to provide a visual representation of the marked location.

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **7-Eleven Affordable Towing & Recovery of Norfolk AutoZone Barraud Park CVS Pharmacy Calvary Cemetery Citgo Dollar General Dollar Tree Longshoreman Hall O'Reilly Auto Parts Shoop Park Smoke & vape Waffle House Walmart Neighborhood Market Wawa Winks Lash & Beauty Bar bp** |
| Accessed Date/Time | **6/2/2025 4:47:32.000 AM** |
| Size (Bytes) | **1,017** |
| Artifact type | iOS Maps |
| Item ID | 630172 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: data(rowid: 41880)**<br>**Table: access_times(rowid: 41880)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **Richard Bowling Elementary School** |
| Accessed Date/Time | **6/2/2025 4:47:35.000 AM** |
| Size (Bytes) | **282** |
| Artifact type | iOS Maps |
| Item ID | 627727 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: data(rowid: 39926)<br>Table: access_times(rowid: 39926) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Labels | **Sorrentino Mariani & Company** |
| Accessed Date/Time | **6/2/2025 4:47:35.000 AM** |
| Size (Bytes) | **278** |
| Artifact type | iOS Maps |
| Item ID | 627730 |

**EVIDENCE INFORMATION**

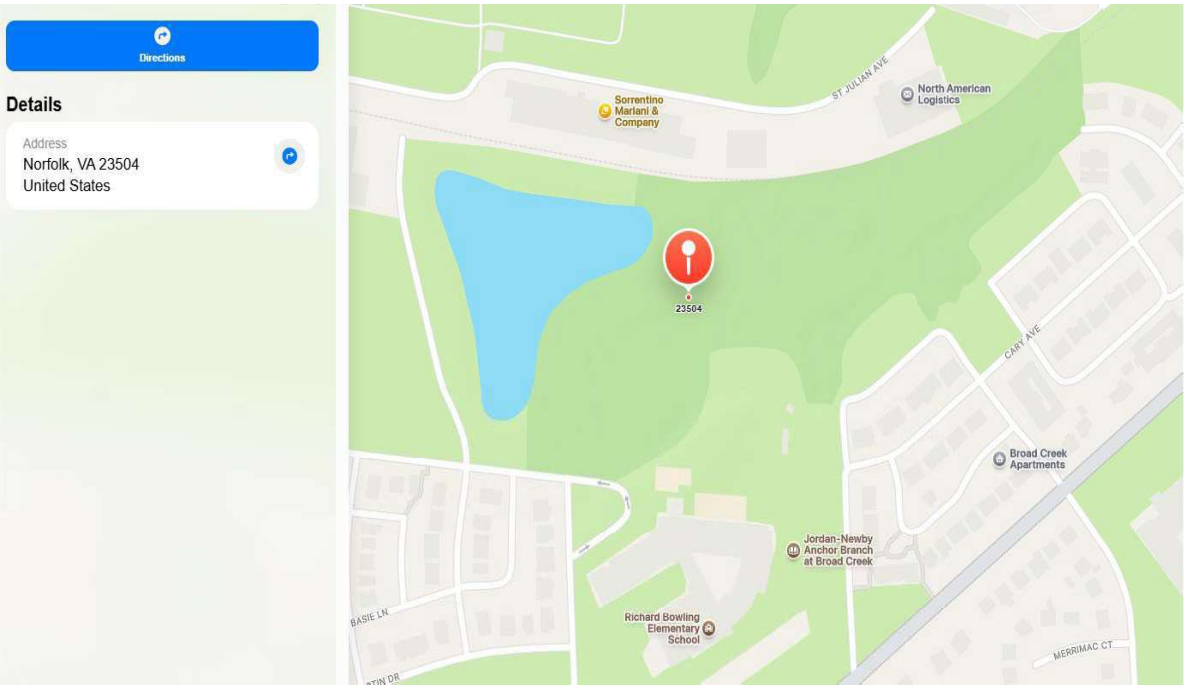
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Caches\com.apple.geod\Vault\MapTiles\MapTiles.sqlitedb |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: data(rowid: 39929)<br>Table: access_times(rowid: 39929) |
| Evidence number | NFFO 13Y9L Item XUQP3 |

## ARTIFACT INFORMATION

| | |
|---|---|
| Application Name | **com.apple.Maps** |
| Activity Type | **com.apple.Maps** |
| URL | **https://maps.apple.com/?ll=36.858536,-76.256816&q=Marked%20Location** |
| Event Date/Time | **6/2/2025 4:47:50.000 AM** |
| Recorded Date/Time | **6/2/2025 4:48:38.494 AM** |
| Artifact type | KnowledgeC Application Activities |
| Item ID | 282604 |

## EVIDENCE INFORMATION

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\CoreDuet\Knowledge\knowledgeC.db |
| Recovery method | Parsing |
| Deleted source | |
| Location | Table: ZOBJECT(Z_PK: 56740)<br>Table: ZSTRUCTUREDMETADATA(Z_PK: 36277) |
| Evidence number | NFFO 13Y9L Item XUQP3 |



**ARTIFACT INFORMATION**

| | |
|---|---|
| Type | **PlaceCardTap** |
| Date/Time | **6/2/2025 4:47:50.880 AM** |
| Action | **GET_DIRECTIONS** |
| Location Name | **23504** |
| City | **Norfolk** |
| State/Province | **VA** |
| ZIP/Postal Code | **23504** |
| Country | **United States** |
| Artifact type | Apple Maps - Biome App Intents |
| Item ID | 798596 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770384691348320 |
| Recovery method | Parsing |
| Deleted source | |
| Location | File Offset 416728 |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Bundle ID | **com.apple.Maps** |
| Type | **Navigation** |
| Recorded Date/Time | **6/2/2025 4:47:52.000 AM** |
| GUID | **529E7DAE-2D13-43B7-8C7F-D6D8A34B3C19** |
| Artifact type | Biome Application Intents |
| Item ID | 798605 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip\private\var\mobile\Library\Biome\streams\restricted\App.Intent\local\770384691348320 |
| Recovery method | Parsing |
| Deleted source | |
| Location | File Offset 418396 |
| Evidence number | NFFO 13Y9L Item XUQP3 |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Latitude | **36.8503379026954** |
| Longitude | **-76.2917722172768** |
| Accuracy (m) | **4.01498245028085** |
| Altitude (m) | **4.07436991017312** |
| Altitude Accuracy (m) | **3.0** |
| Direction | **293.100677490234** |
| Speed (m/s) | **1.48103499871239** |
| Timestamp Date/Time | **6/2/2025 4:47:56.999 AM** |
| Artifact type | Cached Locations |
| Item ID | **285111** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip \private\var\mobile\Library\Caches \com.apple.routined\Cache.sqlite** |
| Recovery method | **Parsing** |
| Deleted source | |
| Location | **Table: ZRTCLLOCATIONMO(Z_PK: 419740)** |
| Evidence number | **NFFO 13Y9L Item XUQP3** |



**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE:**
NCISRA Oceana

| **2. TITLE**: | **3. CCN:** | **4. CASE AGENT'S NAME:** |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | SA Shane Skowron |

| **5. SUMMARY/DESCRIPTION**: | **6. PHOTOGRAPHER DATE PHOTO TAKEN:** |
|---|---|
| Screen capture of surveillance footage of Naval Station Norfolk Gate 2 outbound, with a white Jeep visible. | SA Shane Skowron<br>23JUL25 |

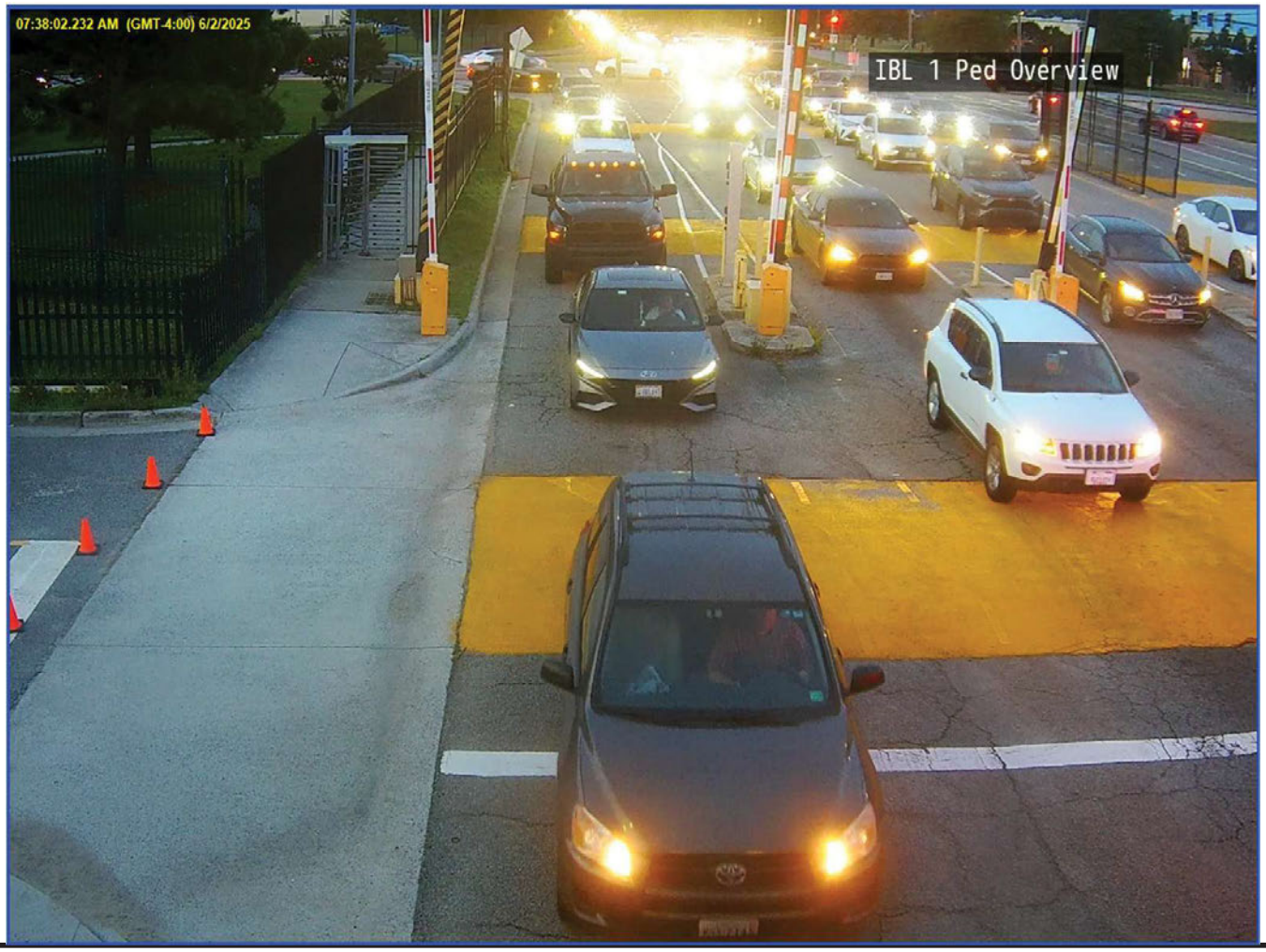
**NCIS 5580/91 (Rev 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

**Enclosure ( A )**

**Photograph (1)**

PROSECUTION EXHIBIT 29

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**
**PHOTOGRAPH FORM**




**1. OFFICE CODE:**
NCISRA Oceana

| **2. TITLE**: | **3. CCN:** | **4. CASE AGENT'S NAME:** |
|---|---|---|
| S/COPELAND, JERMIAH TAYLOR/SN USN | 01JUN25-NFNF-00237-7HNA | SA Shane Skowron |

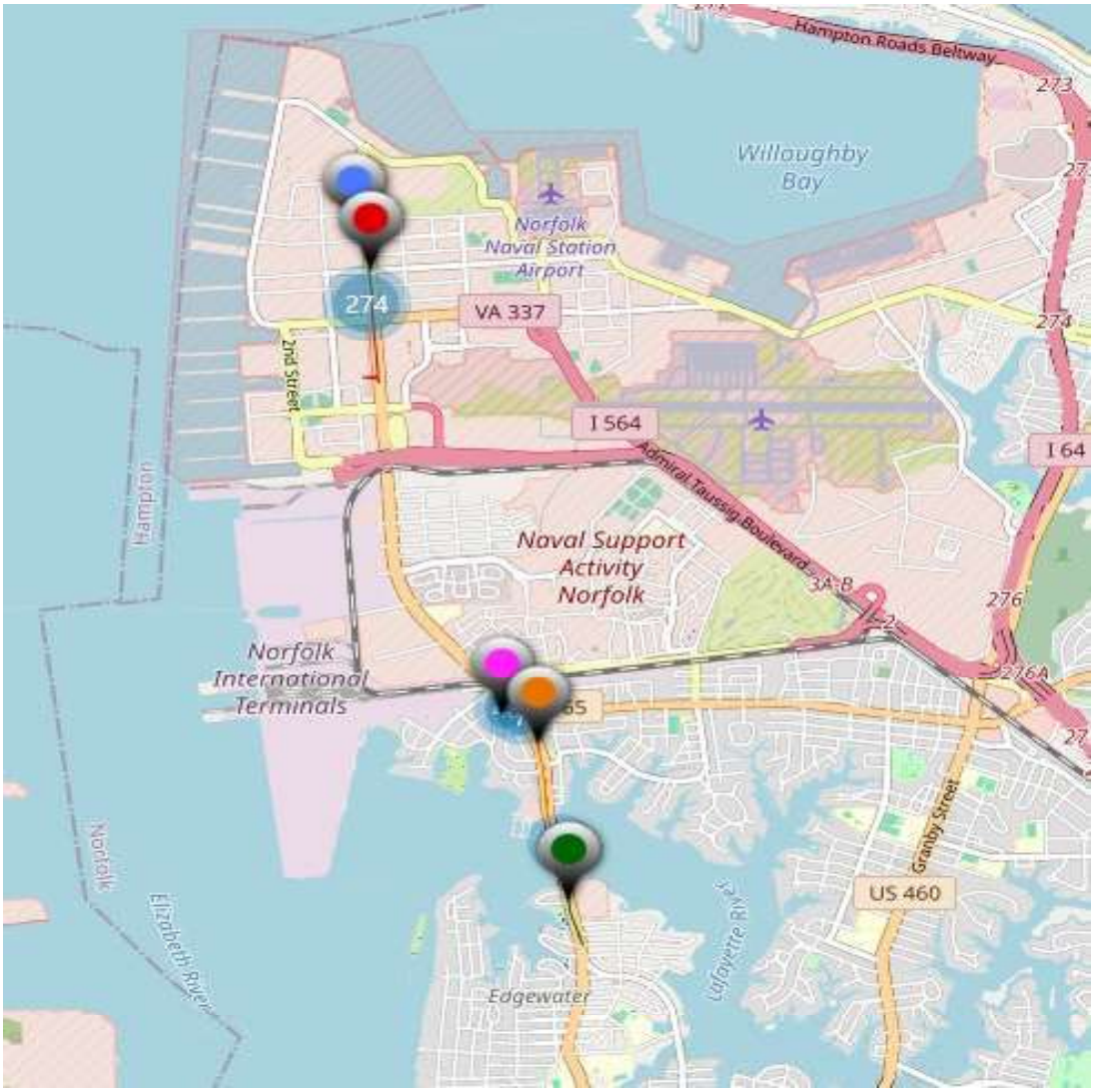
| **5. SUMMARY/DESCRIPTION**: | **6. PHOTOGRAPHER DATE PHOTO TAKEN:** |
|---|---|
| Screen capture of surveillance footage of Naval Station Norfolk Gate 2 inbound, with a white Jeep visible. | SA Shane Skowron<br>23JUL25 |

**NCIS 5580/91 (Rev 06-2010) PREVIOUS EDITIONS ARE OBSOLETE**

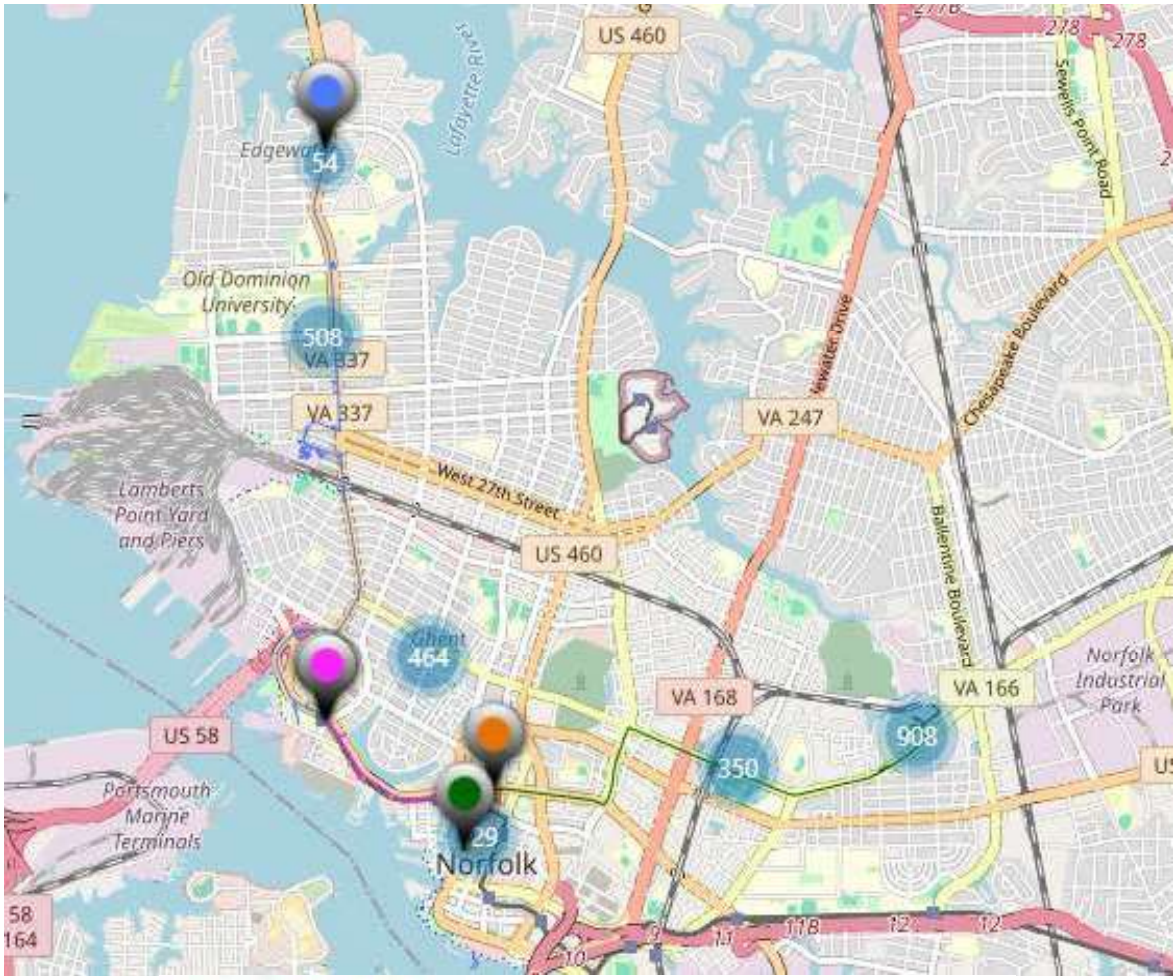
**Enclosure ( A )**

**Photograph (2)**

PROSECUTION EXHIBIT 29
2 of 2




4. The video file named "route_export_part2.mp4" represents the second portion of the route traveled by the iPhone 15 Pro Max belonging to S/COPELAND. The second portion of the route starts on 02Jun25, at 04:32 AM, and ends at 05:16 AM. While the device was traveling, the user of the iPhone 15 Pro Max belonging to S/COPELAND conducted a search for Parks in Norfolk and Trails in Norfolk. SDFE DAVISON took a screenshot of the data as displayed in Axiom.




**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Parks** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:32:56.637 AM** |
| Artifact type | **Apple Maps Searches** |
| Item ID | **576454** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| Search Term | **Trails** |
| Address | **Norfolk** |
| Created Date/Time | **6/2/2025 4:33:48.243 AM** |
| Artifact type | **Apple Maps Searches** |
| Item ID | 576458 |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip\private\var\mobile\Containers\Shared\AppGroup\F6722C27-1174-4CF2-BCAC-6826D33E4225\Maps\MapsSync_0.0.1** |
| Recovery method | **Parsing** |

5. The examination of the second portion revealed the iPhone 15 Pro Max belonging to S/COPELAND traveled on West 27th Street, Norfolk, by the Langley Federal Credit Union, 2701 Hampton Blvd, Norfolk, VA, on 02Jun25, at approximately 04:36 AM. The device continued to travel on Bowdens Ferry Road, Norfolk, VA, then onto West 25th Street, Norfolk, VA. The device started to travel South again on Hampton Blvd starting at approximately 04:40 AM. The fluctuations in the blue lines are location and travel artifacts with varying geolocation accuracy. An examiner must rely on all of the available data to rebuild an accurate picture of a route traveled. SDFE DAVISON took a screenshot of the data as displayed in Axiom.



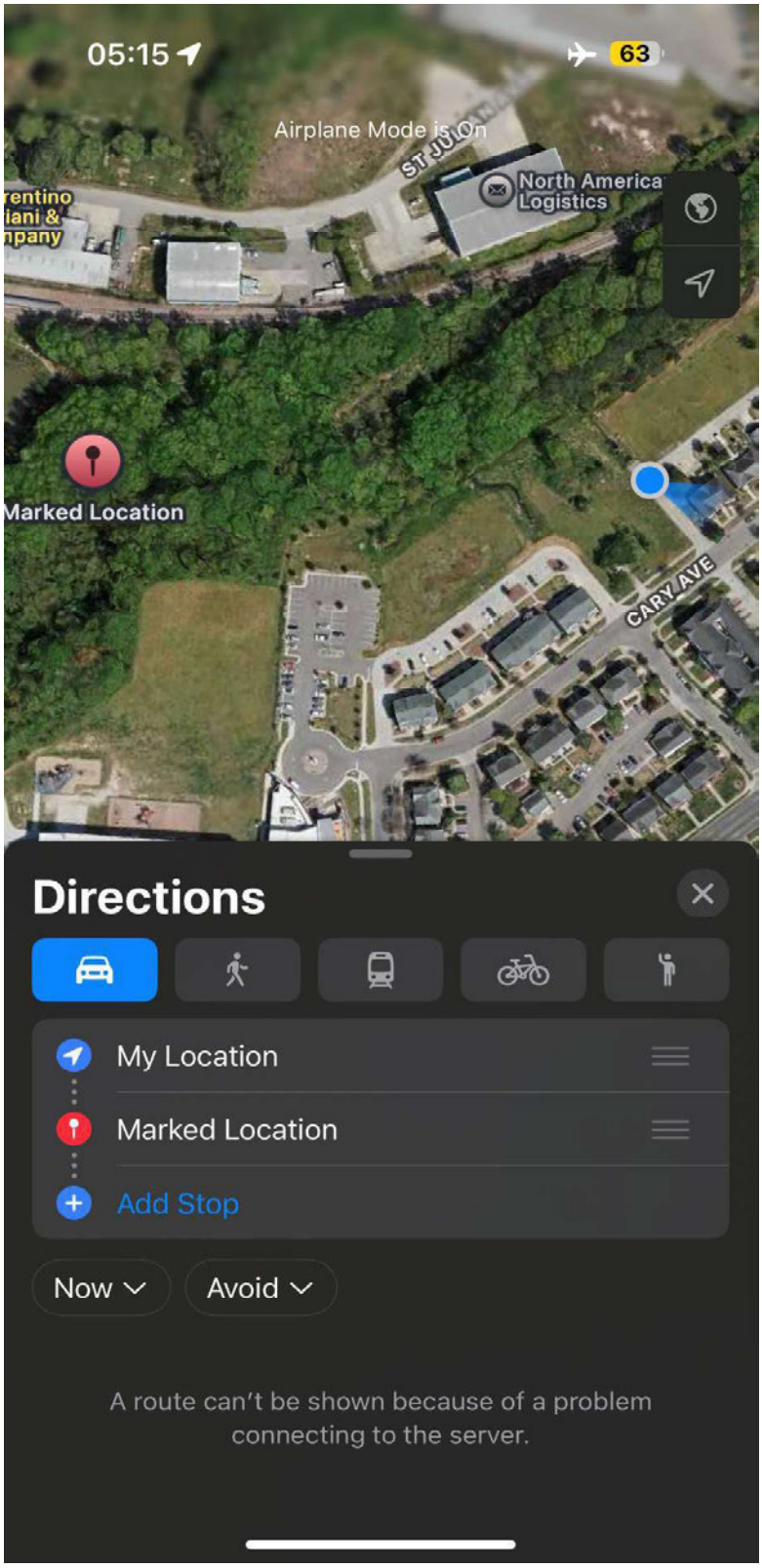

PROSECUTION EXHIBIT 31
1 of 1

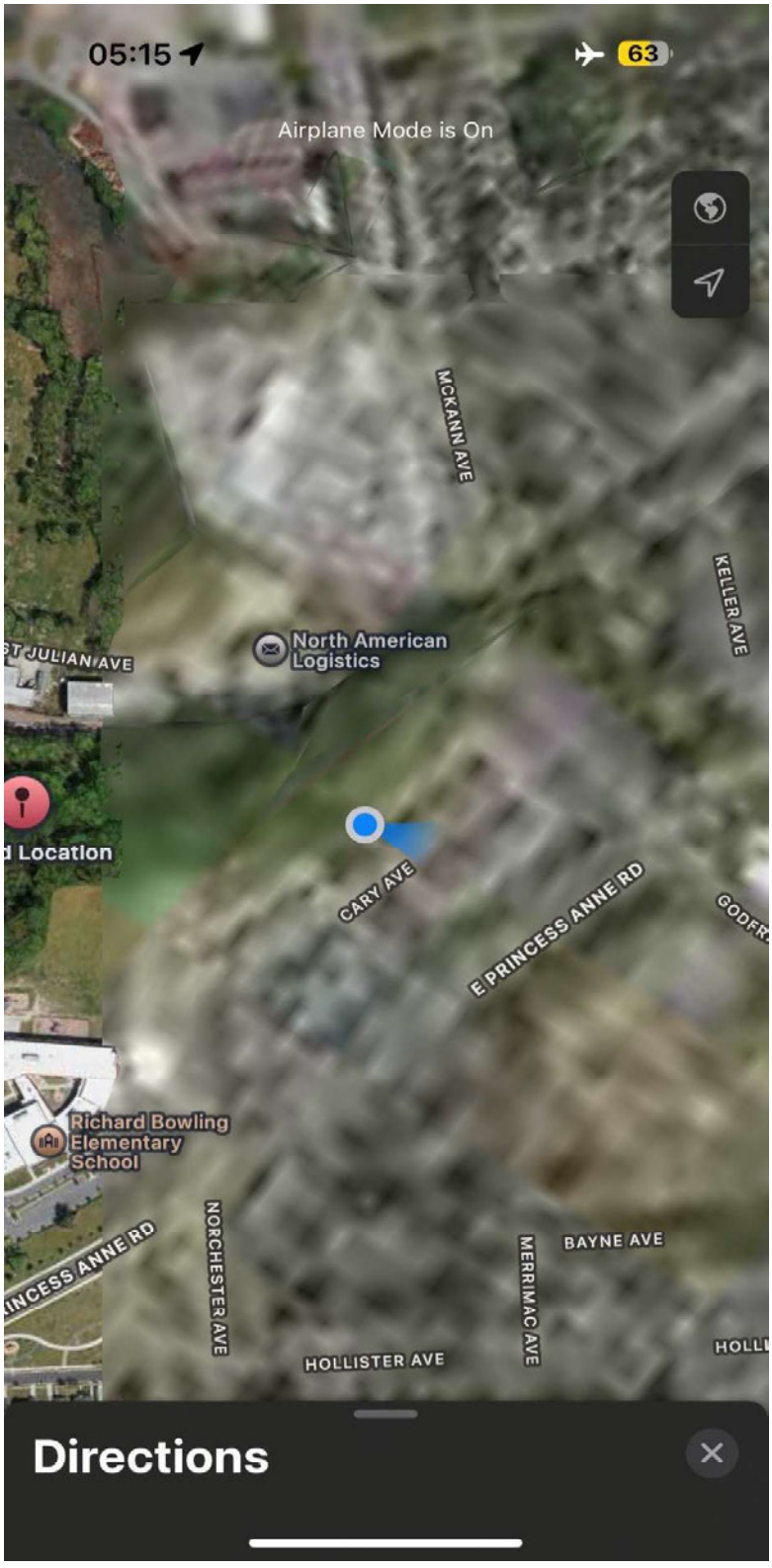
[redacted]

**MARKED LOCATION IMAGE FILES**

1. On 09Jun25, SDFE DAVISON located and extracted two image files during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The image files named IMG_2621.PNG and IMG_2622.PNG are located in the *\private\var\mobile\Media\DCIM\132APPLE* directory of the iPhone 15 Pro Max belonging to S/COPELAND. The image file named IMG_2621.PNG

appears to be a screenshot of an Apple Maps App with the street name Cary Ave visible in the image. The device also appears to be in Airplane mode and time of day is 05:15 according to the visible image. The blue circle appears to be the user of the iPhone 15 Pro Max belonging to S/COPELAND and appears to be facing towards the house on Cary Ave. The following are the image files containing the screenshots named IMG_2621.PNG and IMG_2622.PNG in order.


05:15
63
Airplane Mode is On
North America Logistics
Marked Location
CARY AVE
Directions
My Location
Marked Location
Add Stop
Now
Avoid
A route can't be shown because of a problem connecting to the server.




Click to Review Screenshot Image Report

2. The examination revealed the image files named IMG_2621.PNG and IMG_2622.PNG are located in the *\private\var\mobile\Media\DCIM\132APPLE* directory of the iPhone 15 Pro Max belonging to S/COPELAND. The directory *\private\var\mobile\Media\DCIM* and its subdirectories are the default location where all user created images and videos are stored on an Apple iPhone. The DCIM folder is also the default location for screenshots taken and saved by an iPhone user. The user of the iPhone 15 Pro Max belonging to S/COPELAND either purposely or accidentally took the screenshot named IMG_2621.PNG on 02Jun25, at 5:15:21 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND either purposely or accidentally took the screenshot named IMG_2622.PNG on 02Jun25, at 5:15:25 AM. SDFE DAVISON took the following screenshots as displayed in Axiom.

**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **IMG_2621.PNG** |
| File Extension | **.PNG** |
| Created Date/Time | **6/2/2025 5:15:22.000 AM** |
| Last Accessed Date/Time | **6/2/2025 5:15:22.000 AM** |
| Last Modified Date/Time | **6/2/2025 5:15:22.000 AM** |
| Size (Bytes) | **4,868,791** |
| Skin Tone Percentage | **7.5** |
| Original Width | **1290** |
| Original Height | **2796** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 1290**<br>**ImageHeight: 2796**<br>**DateTimeOriginal: 06/02/2025 05:15:21** |
| MD5 Hash | **84189d5d588a52efdb047b7d59af1efd** |
| SHA1 Hash | **502827207576348487bd4760e3dc3fbe753cbdf6** |
| Artifact type | **Pictures** |
| Item ID | **399761** |

**EVIDENCE INFORMATION**

| | |
|---|---|
| Source | **00008130-000658C23E43001C_files_full.zip**<br>**\private\var\mobile\Media\DCIM\132APPLE**<br>**\IMG_2621.PNG** |
| Recovery method | **Parsing** |

**ARTIFACT INFORMATION**

| | |
|---|---|
| File Name | **IMG_2622.PNG** |
| File Extension | **.PNG** |
| Created Date/Time | **6/2/2025 5:15:26.000 AM** |
| Last Accessed Date/Time | **6/2/2025 5:15:26.000 AM** |
| Last Modified Date/Time | **6/2/2025 5:15:26.000 AM** |
| Size (Bytes) | **4,334,502** |
| Skin Tone Percentage | **5.4** |
| Original Width | **1290** |
| Original Height | **2796** |
| Exif Extraction Status | **Complete** |
| Exif Data | **Extraction Result: Complete**<br>**ImageWidth: 1290**<br>**ImageHeight: 2796**<br>**DateTimeOriginal: 06/02/2025 05:15:25** |
| MD5 Hash | **aab5c40816a59879688ae305d07587f2** |
| SHA1 Hash | **3a2d988be6133c0f17508663e98c53956fc839af** |
| Artifact type | Pictures |
| Item ID | 399762 |

**EVIDENCE INFORMATION**

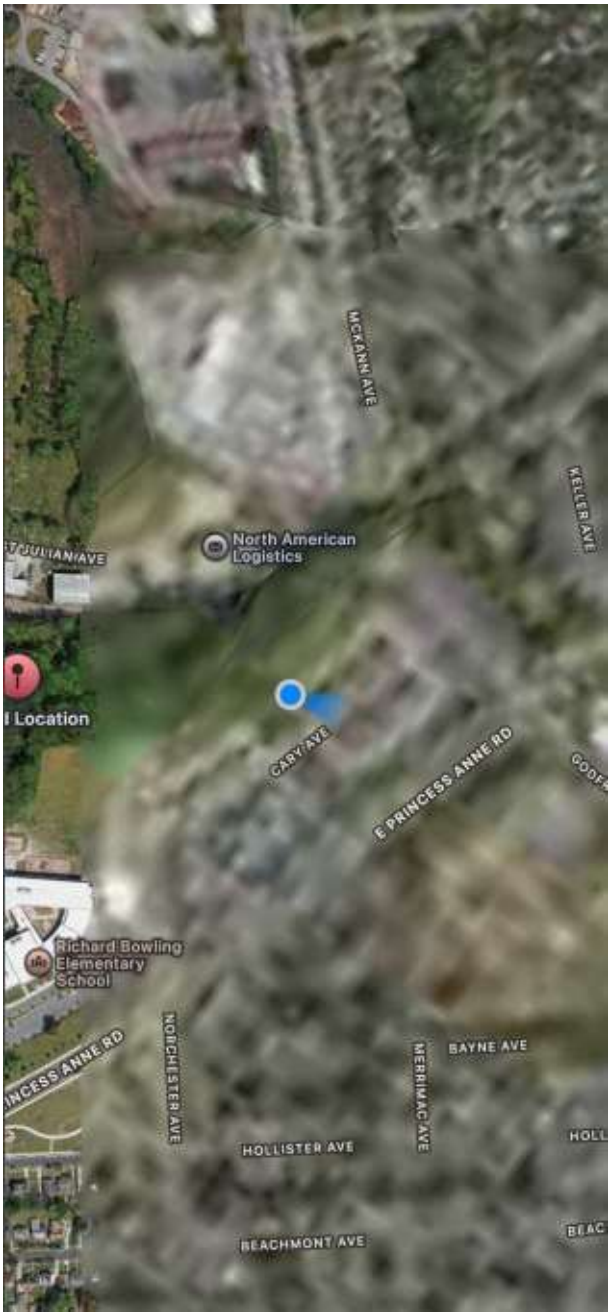
| | |
|---|---|
| Source | 00008130-000658C23E43001C_files_full.zip<br>\private\var\mobile\Media\DCIM\132APPLE<br>\IMG_2622.PNG |
| Recovery method | Parsing |

**SCREENSHOT SERVICES**

1. SDFE DAVISON recovered and extracted four Adobe Acrobat files and one plist file during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The examination revealed the iPhone's operating system (iOS) created four temporary Adobe Acrobat files in the directory *\private\var\mobile\Containers\Data\Application\563F7D58-5717-4071-9581-1E918177BF20\tmp* during the creation of the image files IMG_2621.PNG and IMG_2622.PNG identified above. The device's iOS created the files on 02Jun25, at 5:15:21 AM, and 5:15:25. AM, as a result of the screenshot services for iOS. Axiom recovered the files as a result of carving, which in this case is a result of a deleted temporary file. The file names and date/time stamps are the original data associated with the files. Axiom carved and recovered the actual data contained within the file, which in this case consists of images used to create the screenshots named IMG_2621.PNG and IMG_2622.PNG. Apple uses plist files to store

structured data for App configuration settings, user preference settings, data serialization, and system settings. The plist file named, “com.apple.mobile_container_manager.metadata.plist” in the directory *\private\var\mobile\Containers\Data\Application\563F7D58-5717-4071-9581-1E918177BF20* contains the data for screenshot services. SDFE DAVISON took the following screenshots as displayed in Axiom.




MCKANN AVE
KELLER AVE
North American Logistics
CARY AVE
E PRINCESS ANNE RD
Richard Bowling Elementary School
NORCHESTER AVE
MERRIMAC AVE
BAYNE AVE
HOLLISTER AVE
BEACHMONT AVE

- **root**
  - [0] **MCMMetadataIdentifier** = com.apple.ScreenshotServicesService
  - [1] **MCMMetadataInfo**
    - [0] **com.apple.MobileInstallation.ContentProtectionClass** = 0
  - [2] **MCMMetadataVersion** = 8
  - [3] **MCMMetadataUserIdentity**
    - [0] **posixUID** = 501
    - [1] **posixGID** = 501
    - [2] **personaUniqueString** = BF6AC70C-7AAF-43E8-BBAE-AACFF8ABEDE8
    - [3] **type** = 0
    - [4] **version** = 2
  - [4] **MCMMetadataContentClass** = 2
  - [5] **MCMMetadataUUID** = 49FE7DB6-51CA-42D5-99AD-CB1BA427FB72
  - [6] **MCMMetadataCreator** = com.apple.lsd
  - [7] **MCMMetadataSchemaVersion** = 1
  - [8] **MCMMetadataActiveDPClass** = 0

Click to Review Screenshot Services Report



**AIRPLANE MODE**

1. SDFE DAVISON located and extracted 15 Airplane mode events during the examination of the iPhone 15 Pro Max belonging to S/COPELAND. The examination revealed the user of the iPhone 15 Pro Max belonging to S/COPELAND activated Airplane mode on the device on 02Jun25, at 4:34:41 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then set the device's Airplane mode to off on 02Jun25, at 4:36:54 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND again activated Airplane mode on the device on 02Jun25, at 4:48:08 AM. The user of the iPhone 15 Pro Max belonging to S/COPELAND then set the device's Airplane mode to off on 02Jun25, at 5:16:13 AM. SDFE DAVISON took the following screenshot as displayed in the Cellebrite Report.

| | | | | | |
|---|---|---|---|---|---|
| 3 | **Start time:** 6/2/2025 5:16:13 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOff | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/76822867 7719675 : 0x1FF28 |
| 4 | **Start time:** 6/2/2025 4:48:08 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOn | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/76822867 7719675 : 0x1FF38 |
| 5 | **Start time:** 6/2/2025 4:36:54 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOff | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/76822867 7719675 : 0x1FF48 |
| 6 | **Start time:** 6/2/2025 4:34:41 AM(UTC-4)<br><br>**End time:** | Airplane Mode | AirplaneModeOn | | **Source:** Biome **Source file:** 00008130-000658C23E43001C_files_full.zip/private/var/mobile/Library/Biome/streams/restricted/Device.Wireless.AirplaneMode/local/76822867 7719675 : 0x1FF58 |

Click to Read Airplane Mode Report

[redacted]

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 11 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Place or Places of Trial)* *(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 11 of 25; Prosecution Exhibits Admitted (PE 34); Defense Exhibits Admitted; and Appellate Exhibits (through AE VII (Page 69)).



# PROSECUTION EXHIBITS ADMITTED

**BACKGROUND:** On 31May25, NCIS was contacted by Norfolk Police Department (NPD) in reference to a missing person's report. NPD relayed ET3 Daniel RICH, USN, USS JAMES E WILLIAMS (DDG 95), was attempting to make a missing person's report regarding A.R. [redacted] NCIS subsequently contacted Command who advised A.R. [redacted] and CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, were in a status of Unauthorized Absence (UA) beginning on Thursday, 29May25. Command advised they believed A.R. [redacted] and S/COPELAND were involved romantically, but did not know to what extent. On 01Jun25, NCIS made contact with Naval Station Norfolk Base Police to conduct a welfare check on the rooms of S/COPELAND and A.R. [redacted]. Base Police stated they found S/COPELAND in his barracks room; however, received no answer at A.R. [redacted] door when they knocked. NCIS responded to Naval Station Norfolk and was able to gain entry to A.R. [redacted] barracks room, in which she was not located. Subsequently, NCIS' Multiple Threat Alert Center (MTAC) initiated cell phone pings on A.R. [redacted] mobile phone, which yielded no location data due to the phone possibly being powered off. NCIS conducted an interview of S/COPELAND who stated A.R. [redacted] came over to his barracks on Wednesday, 28May25. S/COPELAND stated A.R. [redacted] stayed the night and the next day, 29May25, FCC Brad PARKER, USN, DDG 95, came to his barracks room because he failed to report for work. S/COPELAND stated he borrowed his roommate's vehicle and drove A.R. [redacted] back to her barracks around 1000 on 29May25. During the interview of S/COPELAND, he signed a Permissive Authorization for Search and Seizure (PASS) for his cellular device which was provided to NCIS Digital Forensic Examiners (DFE) for review. The DFE observed a screenshot on the device of S/COPELAND of a saved marked location near Cary Avenue in Norfolk, VA. During the course of this investigation, NCIS would launch search teams near known phone pings and last locations of both A.R. [redacted] and S/COPELAND. On 09Jun25, subsequent to receiving the screenshot from the DFE, NCIS conducted a foot search of the area near the marked location and discovered a black duffel bag containing human remains, later identified through DNA as A.R. [redacted].

**JURISDICTION AND ARRIVAL:** At approximately 1700, NCIS arrived to the location of Cary Avenue in Norfolk, VA, and conducted a foot search around the Broad Creek neighborhood and Richard Bowling Elementary School. Figure [1] is the screenshot of the marked location utilized by NCIS. At 1735, Reporting Agent (RA) received a phone call from Participating Agent (PA) Tiffany MARTINEZ stating a bag had been located off of a brush covered path behind a row of townhomes. Due to the location of the bag, at 1740, NCIS initiated contact with the Norfolk Police Department (NPD) who responded to the scene to assist. A copy of the NPD incident report detailing their response is appended as Enclosure (A).

**SCENE SECURITY:** Upon arrival to the scene, no other persons were present in the area but residents going about their daily routine. The area which was searched was not secured prior to arrival and was an open, wooded area, behind a school and residential community. NCIS participants divided into groups and ultimately located the bag by following the smell. Once the duffel bag was located, Andrew PISKE, CIV, K9 Handler, Virginia Department of Emergency Management (VDEM), and K9 Kyra, Certified Human Remains Detection Dog, approached the bag where she presented a positive alert to PISKE. An aerial topography image of the area searched by PISKE and K9 Kyra is appended as Enclosure (B). NCIS partially unzipped the bag to verify its contents to which human remains were observed. NPD was immediately contacted, and all searching immediately ceased. Due to rain, at approximately 1755, to protect the duffel bag, PISKE placed a black tarp over the bag. Figure [2] is a photo of the overall brush area where the remains were located. Figure [3] is a photo of the duffel bag in place. Figure [4] is the approximate GPS location of the duffel bag after conducting the foot search with the assistance of CalTopo. Figure [5] is the confirmation of the human remains inside the bag.

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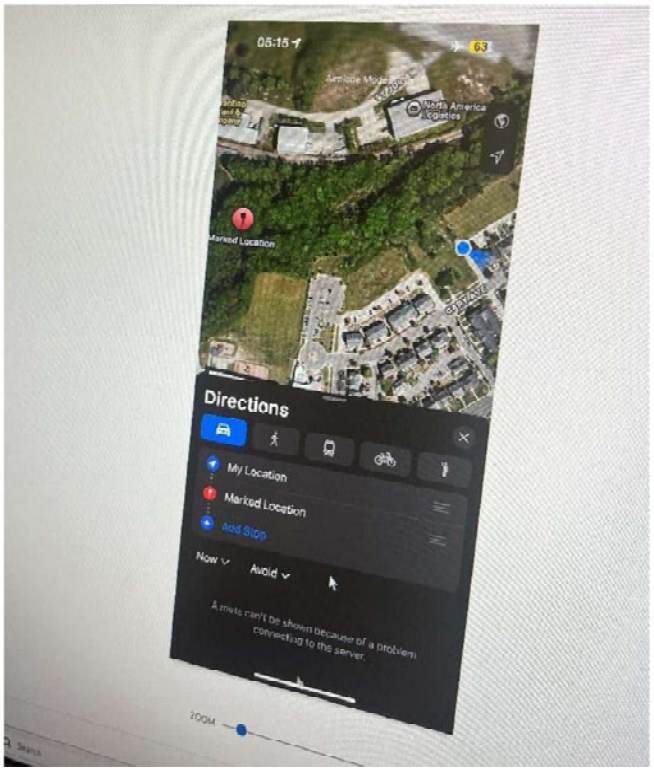



*Figure [1]: Screenshot of the marked location (retrieved from phone of S/COPELAND)*



*Figure [2]: Overall photo of the brush topography (DSC_6939)*



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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**27 July 26** |

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The Court hereby finds good cause to seal Preliminary Hearing Exhibit (PHE) 47a, page 3; PHE 47b, pages 8 and 10; Prosecution Exhibit (PE) 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; Appellate Exhibit (AE) LIX, pages 424 and 426; and AE LXI, page 348; all of which depict extremely sensitive images CS3 A.R.'s body.[1]

**ORDER**

1. **Items Sealed.** PHE 47a, page 3; PHE 47b, pages 8 and 10; PE 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; AE LIX, pages 424 and 426; and AE LXI, page 348.

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3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 27th day of July 2026.

[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."

**SCENE DOCUMENTATION:** NPD assisted in maintaining the scene by providing a tent for protection from the rain while waiting for the Medical Examiner. At approximately 1900, Sarah CARNEY, CIV, Medicolegal Death Investigator, Tidewater Office of the Chief Medical Examiner (OCME) viewed the bag and remains inside. CARNEY captured several photos for her file and stated based off the condition of the remains it was recommended to not remove the contents and transport the bag as is to be opened in a controlled environment at autopsy. At 1905, CARNEY approved a search of the exterior pockets of the bag which was conducted by RA with no findings. At 2019, Price Removal Service arrived on scene to transport the remains to OCME for autopsy. Figure [6] is a photo of the transport tag. Once the duffel bag was removed, additional photography was conducted of the ground underneath. Figure [7] is a photo of the dumpsite with no bag present.




*Figure [6]: Photo of the body bag with transport tag (DSC_7016)*

*(area intentionally left blank)*



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*Figure [7]: Photo of the dumpsite after bag removed (DSC_7022)*

**WEATHER AND LIGHTING:** On 09Jun25, at approximately 1700, the weather in the area was approximately 80 degrees Fahrenheit, according to the Apple Weather App accessed via RA's NCIS-issued cellular phone. It was windy, hot and humid with low, dense, cloud cover and thunderstorms were predicted. Between 1850 and 2000, there was a range of weather from light rain to heavy thunderstorms and lightening.

**EVIDENCE SEIZURE:** No physical items of evidence were collected at the scene. PA Alison FOX completed photographic coverage of the scene utilizing a Nikon digital camera. A total of 113 digital photographs were captured, all of which were burned to a DVD-R and are appended as Enclosure (B). A disc was also placed into the Norfolk Consolidated Evidence Facility. FC Morgan CURRIE conducted FARO scans of the area which will be documented under separate cover and also placed into the Norfolk Consolidated Evidence Facility. A traditional hand drawn sketch was not completed due to the administering of the FARO device.

**SEARCH PARTICIPANTS:** SA Ashley ULLOM; SA Caroline ROBINSON; SA Salvatore MURGOLO; INV Nick BURROWES; SA Alison FOX; SSA Danielle ORTIZ; SA Joy NAROWSKI; SA Victoria PADILLA-MARTINEZ; SA John KEMP; SA Lauryn GODETTE; FC Morgan CURRIE; SA Morgan JOHNS; SA Tiffany MARTINEZ; SA Brandon MOORE; SA Cheyenne SIMMONS; INV Jesse CLAAR; SA Seza KYSER; SA Anthony JONES; SA Fritzner PHILEMON; SA Devin RUIC; SSA Elly UFFORD; SA Jessica GOKEY; Sean LACY & K9 PIXEL (Isle of Wight Sheriff's Office), and Andrew PISKE & K9 KYRA (VDEM).

**SCENE RELEASE:** NCIS left the scene at approximately 2100 and NPD was still present maintaining perimeter.

**ENCLOSURE(S)**

(A) Norfolk Police Department Incident Report/09Jun25
(B) Aerial Map Image of Area Searched by K9 Kyra/09Jun25
(C) DVD-R: Scene Photographs/09Jun25

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PAGE 5 OF 5

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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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So **ORDERED**, this 27th day of July 2026.

[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."



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**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
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**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
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# IMG_1111.HEIC

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| Name | Type | File... | Size... | Created | Accessed | Modified | MFT... | MD5 hash | Ch |
|---|---|---|---|---|---|---|---|---|---|
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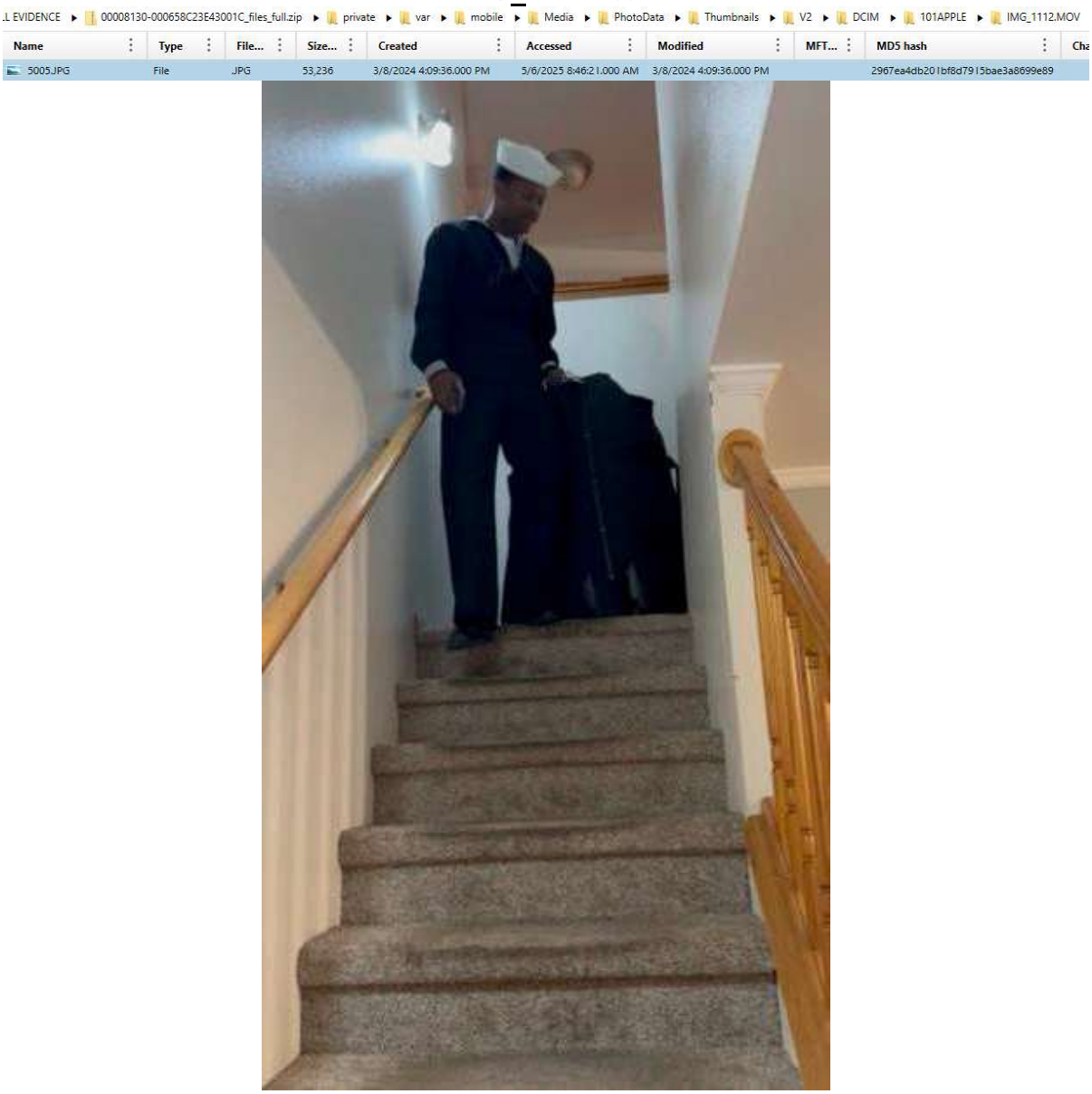
## IMG_1114.HEIC

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| Name | Type | File... | Size... | Created | Accessed | Modified | MFT... | MD5 hash | Ch |
|---|---|---|---|---|---|---|---|---|---|
| 5005.JPG | File | JPG | 47,925 | 12/29/2023 7:42:19.000 PM | 5/6/2025 8:46:21.000 AM | 12/29/2023 7:42:19.000 PM | | f180d199fff81d48559e0deef9f9ec2e | |



**IMG_1112.mov**




2. The thumbnail files for IMG_1111.HEIC and IMG_1114.HEIC were created on 29Dec23. The thumbnail file for IMG_1112.mov was created on 08Jun24. The examination revealed the thumbnail file for IMG_1112.mov appears to be created due to the user of the iPhone 15 Pro Max belonging to S/COPELAND accessing and downloaded the original file in an iCloud account since the image is visually similar to the file IMG_1111.HEIC and the file is consecutively named to IMG_1112. All three thumbnails were last accessed on 06May25, at exactly 8:46:21 AM. All of 627 thumbnails in the



| Name: A.R. [redacted]<br>Case Number: T2025-00840 | POSTMORTEM EXAMINATION REPORT<br>OFFICE OF THE CHIEF MEDICAL EXAMINER<br>COMMONWEALTH OF VIRGINIA | PAGE<br>1 |
|---|---|---|

**DEPARTMENT OF HEALTH**
**OFFICE OF THE CHIEF MEDICAL EXAMINER**
**830 SOUTHAMPTON AVENUE, SUITE 100**
**NORFOLK, VIRGINIA 23510**
**(757) 683-8366**

**AUTOPSY NO:** T- 246-25
**DATE/DAY/TIME:** Tuesday, June 10, 2025, 0830
**DECEDENT:** A.R. [redacted]
**AUTOPSY AUTHORIZED BY:** Dr. Lameira, acting Medical Examiner for Norfolk

**Body Identified by:** Tags on the body bag and suitcase. Definitive ID by fingerprint comparison.
**Persons present at autopsy:** Ms. Lacombe, Ms. Magruder, Ms. Sloulin, NCIS Danielle Ortiz, Morgan Currie, NPD John Murphy

[redacted]

**CLOTHING AND PERSONAL EFFECTS:** [redacted].

**EXTERNAL WOUNDS:** Examination limited by decomposition changes.

**SCARS, TATTOOS:** Tattoos on left arm and upper back,

**MARKS OF THERAPY:** None.

**HISTORY:** Missing person from May 29, found dead inside a suitcase on June 9.

**PATHOLOGICAL DIAGNOSES:**

1. [redacted]

2. Additional findings: [redacted]

**Cause of Death:** Undetermined

The facts stated herein are true and correct to the best of my knowledge and belief.

8/18/2025 — **Date Signed**

OCME Norfolk, VA — **Place of Autopsy**

[redacted]
**Signature of Pathologist**
Fernanda Lameira, M.D

**GROSS DESCRIPTION:** *Note: exam limited by decomposition changes.*

**SKIN:** [redacted].

**SEROUS CAVITIES:** No adhesions or fluid accumulation. The diaphragm is intact. The organs are in normal anatomic position.

**NECK ORGANS:** Layered dissection reveals unremarkable soft tissue of the anterior neck. The larynx and hyoid are intact. The thyroid gland has a normal size and shape.

**HEART**: 77 g. The coronary arteries arise normally and have a right dominant posterior circulation. There is no significant atherosclerosis. The valves are normally formed. The foramen ovale is closed. The great vessels are unremarkable and free of obvious injury.

**AORTA:** The aorta and its major branches are normally distributed, with no significant atherosclerosis.

**LUNGS:** Left 155 g, right 181 g. The pleural surfaces are unremarkable and cover red-purple, mildly edematous pulmonary parenchyma.

**LIVER:** 299 g. The liver capsule is smooth and glistening, covering red-purple congested parenchyma.

**GALLBLADDER:** No bile. No stones were identified.

**SPLEEN:** 80 g. The splenic capsule is smooth, glistening, and intact. There is unremarkable underlying red-purple parenchyma.

**LYMPH NODES:** No lymphadenopathy is appreciated.

**PANCREAS:** Unremarkable.

**ADRENALS:** Examination limited due to decomposition changes; no evident lesions present.

**GI TRACT:** [redacted]

**KIDNEYS:** Left 155 g, right 181 g. Smooth cortical surfaces. Well-circumscribed cortico-medullary junctions. No dilatation of the collecting system or ureters.

**BLADDER:** Contains no urine. Unremarkable mucosa and wall.

**GENITALIA:** Unremarkable uterus, fallopian tubes, and ovaries.

**BRAIN AND MENINGES:** 784 g. Complete loss of normal architecture. The brain is a brow/gray soft tissue.

**SKULL:** Intact.

**MUSCULOSKELETAL:** Aside from the postmortem changes, the bony framework, supporting musculature, and soft tissues are grossly unremarkable. The cervical spinal column is removed, visualized, and it is intact.

**MICROSCOPIC DESCRIPTION:**
Liver (Slide 2): Interpretation is limited due to postmortem artifact. No evidence of inflammation, steatosis, or necrosis.

Kidney (Slide 2): Interpretation is limited due to postmortem artifact. Well-distributed tubules and glomeruli with no histopathological abnormalities.

Lungs (Slide 1): Interpretation is limited due to postmortem artifact. Edema and no other significant histopathological changes were observed.

**TOXICOLOGY:**
Samples were submitted for toxicological analysis. See Certificate of Analysis.
Waiting for another toxicology analysis. Still pending.

**DNA AND FINGERPRINTS:**
Samples of blood and fingerprints were taken and retained.

**POSTMORTEM PHOTOGRAPHY:**
Postmortem photographs were taken and retained.

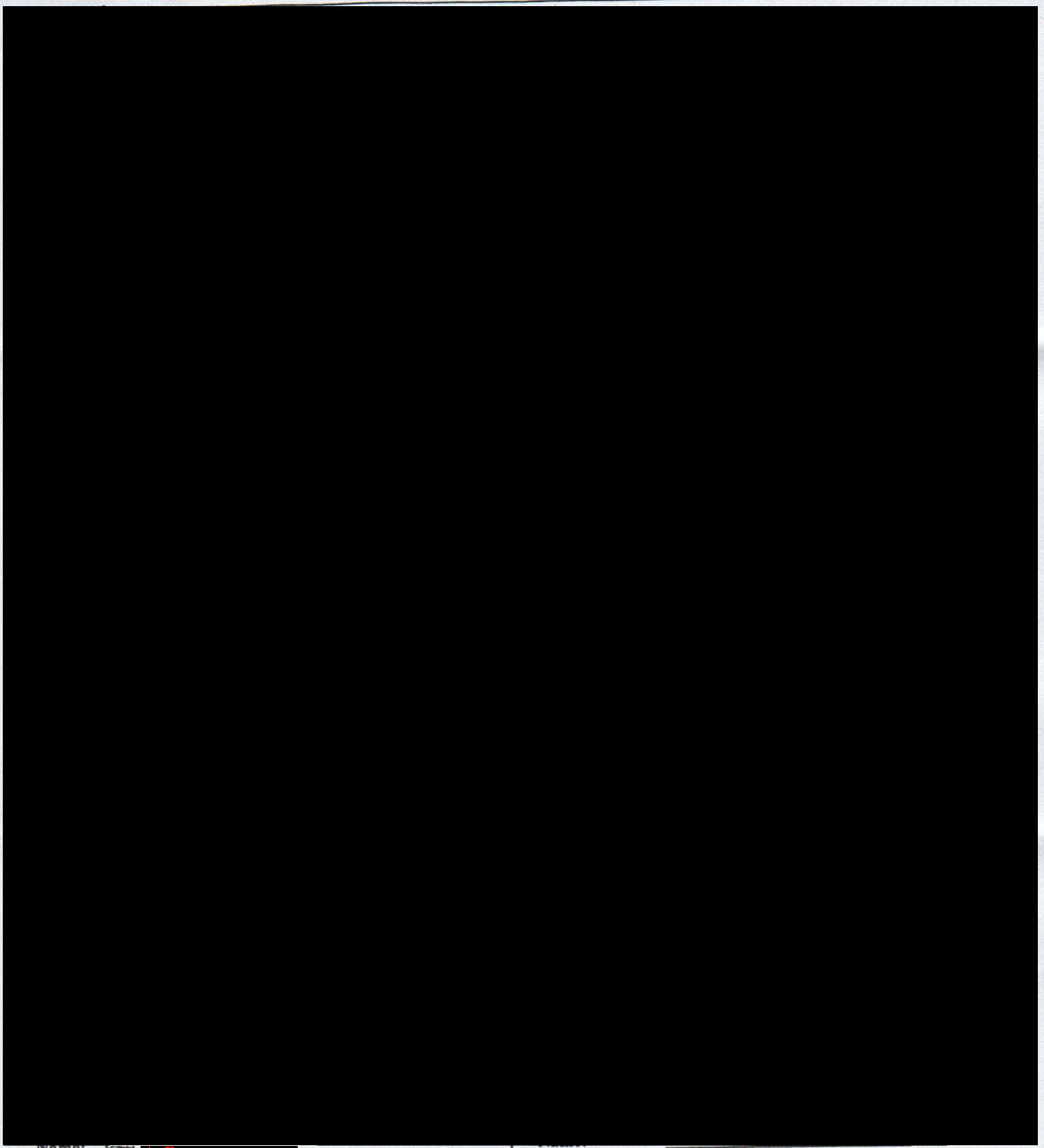
**EVIDENCE:**
Suitcase, personal effects, DNA card x2, patch from inside the suitcase, PERK kit (219M00468), round disk from inside the suitcase, possible string from inside the suitcase, paper from inside the suitcase, fingernails, CD with exam photos to law enforcement. Second CD with exam photos to law enforcement (Norfolk PD).

**SUMMARY:**
[redacted]

**CAUSE OF DEATH:** Undetermined

**MANNER OF DEATH:** Undetermined

## BODY DIAGRAM



Name: [redacted] A.R.
Height:
Weight:
6-10-2025
DR. LAMEIRA

Date:
Autopsy #:

Form CME - BD1

COMMONWEALTH OF VIRGINIA
OFFICE OF THE CHIEF MEDICAL EXAMINER

Rev. 11/21/03

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

June 10, 2025

TO: G. V. ROBINSON
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

RECEIVED
JUN 11 2025
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

Your Case #: T2025-00840

Victim(s):
Alias: A.R. [redacted]

Suspect(s): - - -

Evidence Submitted By: G. V. Robinson

Date Received: 06/10/2025

Item 999 Copy of a fingerprint card bearing the name A.R. [redacted]
Item 1000 Postmortem Tape Lift From OCME Case Number T2025-00840

RESULTS AND INTERPRETATIONS:

**COMPARISON RESULTS OVERVIEW:**

| Name | Identification(s) (Total / Item) | Exclusion(s) (Total / Item) | Inconclusive(s) (Total / Item) |
|---|---|---|---|
| Angelina Petra Resendiz | 1 / Item 1000 | --- | --- |

**PROCESSING AND EXAMINATION:**

Item 1000 was visually examined. One fingerprint was digitally preserved and designated as 1000P1.

**ANALYSIS:**

Fingerprint 1000P1 was analyzed and determined to be of value for comparison.

**EXEMPLARS:**

The following exemplar, bearing the listed name, was visually examined, digitally preserved, and used for comparison:

| Name | Obtained From | DOB | SID / FBI | Exemplar Type |
|---|---|---|---|---|
| A.R. [redacted] | Submitted - Item 999 | --- | 95HPF5D5W | Fingerprint Card |

[redacted]



Rev. 7/05

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Office of the Chief Medical Examiner
FS Lab # T25-3510
Your Case # T2025-00840
June 10, 2025

**COMPARISON RESULTS:**

IDENTIFICATION(S):
Fingerprint 1000P1 was identified to the exemplar bearing the name A.R. [redacted]

**TERMINUS STATEMENTS:**

The only fingerprint of value for comparison has been identified.

Date(s) of Testing: 06/10/2025.

Supporting examination documentation is maintained in the case file.

The above listed methods are those approved for use at the time of analysis. Current methods can be found in the Latent Print Procedures Manual, which can be found at www.dfs.virginia.gov/documentation-publications/manuals/.

The evidence is being retained for personal pickup.

Attest:

I certify that I performed the above analysis or examination as an employee of the Department of Forensic Science and that the above is an accurate record of the results and interpretations of that analysis or examination.

[redacted]
Emily Voeu
Forensic Scientist

**ABBREVIATION/DEFINITION KEY:**
**AFIS:** Automated Fingerprint Identification System; generic term; applies to VA-AFIS and NGI at DFS.
**DOB:** Date of Birth
**CCRE:** Central Criminal Records Exchange
**FBI:** Federal Bureau of Investigation
**Federal Database:** Next Generation Identification (NGI) database
**SID:** State Identification Number
**State Database:** VA-AFIS database
**Identification:** Conclusion reached when an examiner determines there is sufficient observed data in agreement to conclude that the friction ridge prints originated from the same source.
**Exclusion:** Conclusion reached when an examiner determines that there is sufficient observed data in disagreement to conclude that the friction ridge prints did not originate from the same source.
**Inconclusive:** Conclusion reached when an examiner determines there is insufficient observed data in agreement or disagreement to conclude that the friction ridge prints did or did not originate from the same source. The insufficient observed data could be the result of absent or unreliable areas of the friction ridge print, the exemplars or both.

EV

CAC 06-10-2025



Rev. 7/05

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

July 14, 2025

TO: FERNANDA LAMEIRA, M.D.
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

Your Case #: T2025-00840

Victim(s): A.R. [redacted]
Alias: A.R. [redacted]

Suspect(s): - - -

Evidence Submitted By: Leena Sloulin

Date Received: 06/11/2025

| | |
|---|---|
| Item TX1 | One container of liver |
| Item TX2 | One container of muscle |
| Item TX3 | One container of spleen |

RECEIVED
JUL 22 2025
[redacted]
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

RESULTS AND INTERPRETATIONS:

Item TX1 Liver:
Ethanol 0.083 ± 0.004 % by weight by weight
Method: Alcohols by Headspace Gas Chromatography

No other drugs and/or drug classes were detected.

Item TX1 was screened for the following drugs, drug classes, and/or substances:
Ethanol, methanol, acetone, isopropanol, cocaine/benzoylecgonine, opiates, oxycodone/oxymorphone, methamphetamine/methylenedioxymethamphetamine (MDMA), phencyclidine, fentanyl, methadone, benzodiazepines.

Item TX2 Muscle:
Not Analyzed

Item TX3 Spleen:
Not Analyzed

Date(s) of Testing: 06/24/2025 - 07/11/2025

Supporting examination documentation is maintained in the case file. The above-listed methods are those approved for use at the time of analysis. Current methods can be found in the Toxicology Procedures Manual which can be found at www.dfs.virginia.gov/documentation-publications/manuals/. Measurement uncertainty is reported at a 95.45% level of confidence for all toxicological analyses except blood alcohol which is reported at a 99.73% level of confidence.



Rev. 7/05 [redacted]

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Office of the Chief Medical Examiner
FS Lab # T25-3510
Your Case # T2025-00840
July 14, 2025

The evidence is being returned to the Office of the Chief Medical Examiner.

Attest:

I certify that I performed the above analysis or examination as an employee of the Department of Forensic Science and that the above is an accurate record of the results and interpretations of that analysis or examination.

[redacted]

Erica Sales
Forensic Scientist

FS [redacted]
7.16.25



Rev. 7/05

**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**27 July 26** |

---

The Court hereby finds good cause to seal Preliminary Hearing Exhibit (PHE) 47a, page 3; PHE 47b, pages 8 and 10; Prosecution Exhibit (PE) 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; Appellate Exhibit (AE) LIX, pages 424 and 426; and AE LXI, page 348; all of which depict extremely sensitive images CS3 A.R.'s body.[1]

**ORDER**

1. **Items Sealed.** PHE 47a, page 3; PHE 47b, pages 8 and 10; PE 34, pages 3, 13, 15, 24, 26; PE 36, pages 9, 11, and 12; AE LIX, pages 424 and 426; and AE LXI, page 348.

2. **Order.** The documents identified in paragraph 1 are hereby ordered **SEALED.** The envelope(s) containing these item(s) shall be sealed and placed only in the original record of trial, and no person shall open this envelope or examine its contents except as authorized by competent authority in accordance with Rule for Courts-Martial 1113. A copy of this order shall be placed on the envelope, over the envelope flap, in the original record of trial, and a copy of this order shall appear in lieu of the item(s) in all copies of the record of trial.

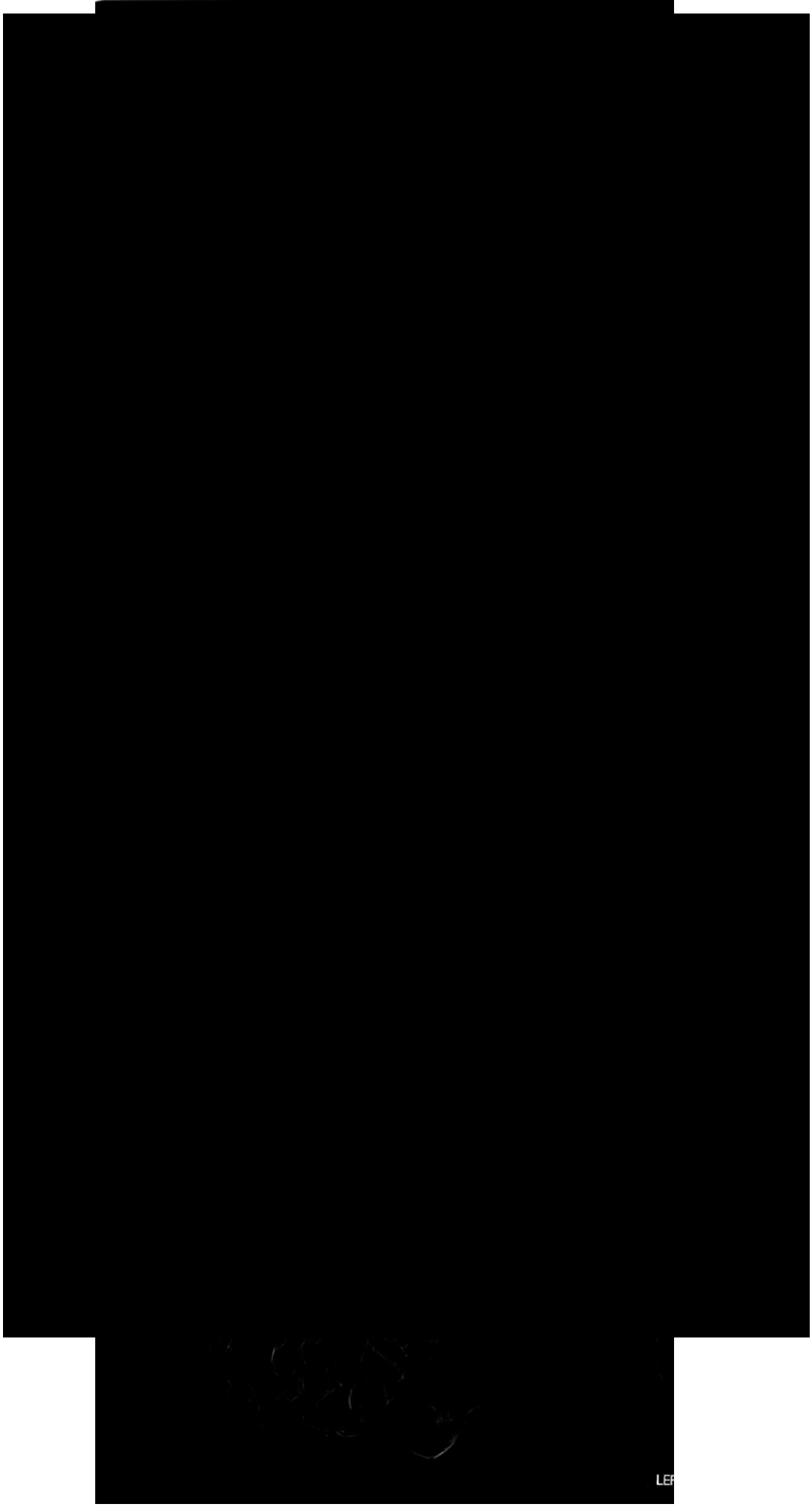
3. Appellate Counsel appointed pursuant to Article 70, UCMJ, will be permitted access to all sealed documents, as will all reviewing authorities under Articles 66, 67, 67a, and 69, UCMJ, as may be the case.

So **ORDERED**, this 27th day of July 2026.

[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."



**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
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F. D. HUTCHISON
Military Judge



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**DEPARTMENT OF THE NAVY**
**UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3 USN** | **SEALING ORDER**<br><br>**27 July 26** |

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[redacted]
F. D. HUTCHISON
Military Judge



[1] *See* Rule for Court-Martial (R.C.M.) 1113(a), Discussion, "Upon request or otherwise for good cause shown, a military judge may seal matters at his or her discretion."

| | | | |
|---|---|---|---|
| **Name: Dr. Fernanda Lameira, Medical Examiner, City of Norfolk**<br>**Command (mil)/City, State (civ): Norfolk, Virginia** | | | |
| **Date/time:** | 29 July 2025; 1300 | | |
| **Contact Info** | | | |
| E-mail | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Phone (c) | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Phone (alt) | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Other | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Available? | Next 3 months? Yes ☒ No ☐ Next 6 months? Yes ☒ No ☐ Next year? Yes ☒ No ☐ | | |
| *Giglio* Questions | Have you ever been arrested, charged or convicted of a crime involving a false official statement, perjury, larceny or other crime of dishonesty? | Yes ☐ No ☐ Unsure ☐ | |
| | For military – have you ever received non-judicial punishment for an act or omission which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ | |
| | For military – have you ever received administrative counseling or other non-punitive measure for an act which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ | |
| | Are you aware of any matter which might call into question your character for truthfulness? | Yes ☐ No ☐ Unsure ☐ | |
| | Are you aware of any matter which might raise a question of bias or favoritism toward any party to the case? | Yes ☐ No ☐ Unsure ☐ | |

On 29 July 2025, CAPT Derek Butler, JAGC, USN, CDR Lauren Mayo, JAGC, USN, and LT Christopher Dempsey, JAGC, USN, interviewed Dr. Lameira, in the presence of LN1 Kathleen Vanetti, USN, Mr. Rob Robinson, Norfolk ME, and Dr. Wendy Gunther, Assistant Chief Medical Examiner. The following is a summary of the interaction and is not intended to be verbatim:

Dr. Lameira reported that due to the level of decomposition of, and post-mortem insect activity on, the body of V/A.R., no definitive cause of death could be discerned. Dr. Lameira was able to rule out stomping, stabbing, shooting, and a drug overdose as possible causes of death. She specified that the toxicology test only tested for specific drugs, but the lab was likely able to have additional testing done for specific prescriptions being taken by V/A.R upon request. Additionally, the toxicology report showed a BAC of .083 at the time of death.

Dr. Lameira noted that there was not enough remaining soft tissue on the body to indicate or rule out asphyxia as a cause of death. The only noted broken bones were ribs #2-5, which would not be consistent with attempts at CPR. There was not enough tissue left in the neck area to indicate whether there was any blood pooling in that area. The fallopian tubes and uterus were unremarkable with no indications of a pregnancy. There were no indications of any chronic conditions that would lead to a natural death and Dr. Lameira opined it would be unlikely for someone V/A.R.'s age to suffer a natural death.

It was explained that the alcohol ethenyl level, generally considered the BAC, could have been elevated by insect activity that creates yeast. No results had come back on the buccal and anal swabs that were conducted during the autopsy, and vaginal swabs were not conducted due to the lack of soft tissue resulting from decomposition and insect activity. Dr. Lameira explained that insect activity and decomposition generally begin in body openings (eyes, ears, mouth, nose, etc.) and areas where skin is pressed together (buttocks, below breasts, arms crossed, etc.). She opined that the folded position of the body in the duffel bag created the skin-to-skin pressure points on the chest that became areas of accelerated decomposition, in comparison to the other areas of the torso.

When asked, Dr. Lameira stated that there was not enough soft tissue on the body to determine whether there were any injuries to the body that would have been bleeding before death. Dr. Lameira explained that up to a liter of "purge" can be expelled post-mortem through the nose and mouth and appears red in color. "Purge" was explained as the fluid in the lungs and surrounding tissue that leaks out of the nose and mouth post-mortem, and can become further dislodged from the body if the body is moved.

When asked, Dr. Lameira stated that rigor mortis sets in within about 12 hours after death and opined that the body was likely placed into the duffel bag prior to the onset of rigor mortis. Dr. Lameira concured with Dr. Gunter that it was not unusual for people to mistake dead bodies for living people.

/s/

K. E. VANETTI

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 01JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII [redacted]

RESULTS OF INITIAL INTERVIEW OF CSSN JERMIAH COPELAND, USN

1. On 01Jun25, Reporting Agent (RA) and Participating Agent (PA) Jessica GOKEY interviewed CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E WILLIAMS (DDG 95) regarding his knowledge of the whereabouts of A.R. [redacted] The interview took place in the lounge area on third floor of building X2, Willis Manor, located on Naval Station Norfolk (NOB), and was not recorded.

2. As background, A.R. [redacted] and S/COPELAND were placed into a Unauthorized Absence (UA) status subsequent to 29May25, after failing to report to work. On 01Jun25, after speaking with S/COPELAND's mother, NCIS and S/COPELAND's mother contacted Naval Station Norfolk (NOB) Base Police to conduct a follow-up health and welfare check on both S/COPELAND and A.R. [redacted] The Naval Station Norfolk Watch Commander advised NOB Security Forces located S/COPELAND in his barracks rooms in Willis Manor, Room 335. NCIS was advised that Security Forces received no answer at A.R. [redacted]'s door when they knocked on her barracks room located on NOB, Miller Hall, Room 1083.

3. During his interview, S/COPELAND described his relationship with A.R. [redacted] as co-workers. S/COPELAND stated he texted with A.R. [redacted] on Wednesday, 28May25 to discuss recipes and ingredients for tacos. S/COPELAND stated A.R. [redacted] came over to his barracks room, made tacos and they both consumed alcohol. S/COPELAND explained A.R. [redacted] gradually became more upset as the night progressed and they spoke about her current and past romantic relationships. S/COPELAND stated A.R. [redacted] spoke on the phone to two (2) ex-boyfriends, both of which were confrontational calls. One call was with an ex-boyfriend he still believed was located in Texas (NFI) and the other call was with HT3 Michael GILLESPIE, USN, DDG 95.

4. S/COPELAND explained V/A.R. [redacted] and HT3 GILLESPIE argued over returning a motorcycle helmet and that HT3 GILLESPIE wanted it back. S/COPELAND said A.R. [redacted] explained her relationship with HT3 GILLESPIE was toxic and described her most recent ex-boyfriend, ET3 Daniel RICH, USN, DDG 95, as at first being a sweetheart and then he wasn't. S/COPELAND said ET3 RICH and HT3 GILLESPIE do not get along, that they have issues with each other, and opined it was due to their relationships with A.R. [redacted]. S/COPELAND said HT3 GILLESPIE has come to the galley on the ship a lot, which sometimes caused issues. S/COPELAND said he did not know of any instances of HT3 GILLESPIE being violent toward A.R. [redacted] and that HT3 GILLESPIE was more of a topic of conversation than ET3 RICH was during their evening together.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **01JUN25**

S/COPELAND described his role during the evening as a sounding board for A.R. [redacted]

5. S/COPELAND recalled one of his roommates walked into the barracks suite (common area) and asked if A.R. [redacted] was okay as she was upset, which he (S/COPELAND) responded yes.

6. S/COPELAND explained A.R. [redacted] spent the night in his barracks room and they did not have sexual intercourse. S/COPELAND said he was supposed to work on Thursday 29May25, however, he woke up late as FCC Brad PARKER, USN, DDG 95, came to his barracks room at approximately 0900 and woke he and A.R. [redacted]. S/COPELAND said he misunderstood FCC PARKER and did not report to work. S/COPELAND said he borrow his roommate's vehicle and drove A.R. [redacted] back to her barracks at approximately 1000 hours. S/COPELAND said this was the last time he saw A.R. [redacted].

REPORTED BY: MATTHEW FRANK MILLER, Supervisory Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII [redacted]

RESULTS OF INTERVIEW OF CSSN JERMIAH COPELAND, USN

1. On 03JUN25, Reporting Agent (RA) and Participating Agent (PA) Bernadette DUFFY conducted an interview of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) in regard to the Unauthorized Absence of A.R. [redacted] and himself.

2. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

3. Prior to being interviewed, S/COPELAND was advised of his Article 31(b) Rights by use of Military Suspect's Acknowledgement and Waiver of Rights form for an alleged violation of Article 86 (Absence without Leave) and Article 107 (False Official Statements). S/COPELAND, with full understanding of his rights, elected to waive his right to remain silent; Enclosure (B) pertains.

4. S/COPELAND was asked to recall the events on the night of 28JUN25 and what transpired the following days. S/COPELAND stated he and A.R. [redacted] were talking about food and making tacos. S/COPELAND continued saying, A.R. [redacted] was going to come over to his barracks, located at Building X-2, Willis Manor, Room 335, to make salsa and eat dinner. S/COPELAND explained he went to the Food Lion and bought the ingredients to make tacos and then he went back to X-2. S/COPELAND stated he then went and picked A.R. [redacted] up from her barracks, Miller Hall, and brought her back to his room. COPELAND explained later he utilized his roommates vehicle, later identified as a belonging to AR John CALISSE, USN, VAW-124 and being a white Jeep Compass, to pick up A.R. [redacted]. S/COPELAND stated A.R. [redacted] was wearing a black shirt, black pants, slip on Uggs, a bracelet, and a hair clip. S/COPELAND stated A.R. [redacted] was also carrying her purple backpack. S/COPELAND stated he could not recall what time he picked A.R. [redacted] up but after returning to the room they began to make tacos.

5. S/COPELAND stated after eating, him and A.R. [redacted] started listening to music and started talking. S/COPELAND explained A.R. [redacted] began talking about HT3 Michael GILLESPIE, USN, DDG-95, and how she saw him with another girl on his motorcycle and how it had really upset A.R. [redacted] S/COPELAND stated A.R. [redacted] then text HT3 GILLESPIE "Fuck you" and then called an ex-boyfriend (NFI) from Texas. S/COPELAND explained he was sitting on the



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



couch, and she was sitting on floor talking to the ex-boyfriend. S/COPELAND continued explaining how when A.R. ended the phone call with the ex-boyfriend, she started to call other people (NFI) and talk about how "GILLESPIE's not shit."

6. S/COPELAND explained he did not know much about the relationship between HT3 GILLESPIE and A.R. but S/COPELAND did recall A.R. was mad about the amount of money she would spend on HT3 GILLESPIE. S/COPELAND provided the example of HT3 GILLESPIE needed a lawyer and A.R. gave him $500.00 to hire one even though HT3 GILLESPIE could have received a public defender. S/COPELAND did not believe HT3 GILLESPIE and A.R. were in any physical altercations or abusive relationship. S/COPELAND stated A.R. went on a "rampage" and was becoming "agitated." S/COPELAND stated after completing the phone calls A.R. was becoming "emotional" and "crying."

7. S/COPELAND stated one of the roommates, "the Mexican" later identified as PSSN Irbin GORDILLOCRUZ, USN, Airborne Command and Control Squadron 124 (VAW-124), walked into the common area of the room and asked if A.R. was okay. S/COPELAND stated he told PSSN GORDILLOCRUZ, A.R. was fine and PSSN GORDILLOCRUZ proceeded to his room. S/COPELAND stated the night ended and they both went to sleep together in S/COPELAND's bed. S/COPELAND stated they did not have sexual intercourse. After going to sleep, S/COPELAND was awoken by FCC Brad PARKER, USN, DDG-95, knocking on the door of his bedroom. S/COPELAND said he could not remember what time it was but knew the sun was up. S/COPELAND stated FCC PARKER asked if the person in his bed was A.R. which S/COPELAND replied it was A.R. S/COPELAND explained FCC PARKER told him to get to work and asked if he had a ride, which S/COPELAND stated he told FCC PARKER one of his roommates could give him a ride to work. S/COPELAND admitted though he did not go to work due to "one of his roommates" not coming home. S/COPELAND further explained, him being UA was a big misunderstanding because he had the weekend off and he did not realize if you are marked UA for one day, you are marked UA for the days you remain away from work.

8. S/COPELAND stated he was marked UA Thursday, 29JUN25 until Sunday, 01MAY25 when base security located him within his barracks room. When asked his whereabouts for Friday and Saturday, S/COPELAND responded, he stayed in the barracks both days but would move from lounge to lounge. S/COPELAND stated he mostly hung out in the 5th floor lounge and Ms. Mary (NFI) could vouch for his whereabouts during the time frame.

9. RA asked S/COPELAND about the morning of 29JUN25 and what had transpired after FCC PARKER left the room. S/COPELAND recalled him and A.R. woke up and cleaned the kitchen and A.R. left in an Uber, later clarified to be a Z-Trip.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

10. RA asked S/COPELAND if he would sign a Permissive Authorization for Search and Seizure (PASS) for his cellphone, S/COPELAND agreed to signing a PASS and provided his passcode, [redacted] Prior to signing the PASS, S/COPELAND requested to call his mother, and would not sign the PASS; Enclosure (C) pertains. PA asked S/COPELAND if he would be fine with answering further questions and call his mother later, S/COPELAND agreed.

11. RA had previously informed S/COPELAND NCIS was conducting a Command Authorized Search and Seizure (CASS) in his barracks room and the common area and began to ask questions about S/COPELAND's barracks room and his electronics. S/COPELAND stated he had an iPhone15 in his room and a PlayStation 5 in the common room.

12. RA inquired about [redacted]'s electronics to include her iPhone. S/COPELAND stated the only electronic [redacted] had with her was her iPhone15. S/COPELAND confirmed the Apple iWatch was also his, which was located in his barracks room.

13. RA asked S/COPELAND if the statement he gave was true and accurate to the best of his knowledge, which S/COPELAND stated this statement was the correct statement. RA then confronted S/COPELAND on the discretions between his previous statement, given on 01JUN25 and the statement he gave during this interview.

14. RA asked S/COPELAND about him and [redacted] being naked on the floor by the couch, S/COPELAND denied being on the floor naked with [redacted] S/COPELAND stated he and [redacted] fell asleep in his bed, clothed.

15. RA asked S/COPELAND about him changing his story about dropping [redacted] off at her barracks, to [redacted] leaving on her own after cleaning, to which S/COPELAND stated he did not remember saying he had previously dropped [redacted] off at her barracks. RA asked S/COPELAND about how he knew [redacted] was taking a Z-Trip from his barracks versus walking from his barracks, and S/COPELAND stated he just assumed [redacted] had taken a Z-Trip back to her barracks.

16. RA inquired about S/COPELAND telling FCC PARKER he would wait for his roommate to get home to take S/COPELAND to work. RA asked about S/COPELAND's roommate's work schedule and why he would tell FCC PARKER the roommate would take him to work knowing his roommate does not get home until approximately 1600-1700. S/COPELAND stated he would not ask anyone else to take him to work. S/COPELAND stated he did not know when his roommate would be home due to a squadron's working hours being different from the ships work schedule.

17. PA conducted another PASS for a backpack, barracks room, and



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



electronics, S/COPELAND signed the PASS; Enclosure (D) pertains.

18. Shortly after singing the PASS, RA, PA, and S/COPELAND left NCIS and travelled to S/COPELAND's barracks room to execute the PASS in his presence.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/03JUN25
(B) MILITARY RIGHTS/03JUN25
(C) PERMISSIVE AUTHORIZATION UNSIGNED/03JUN25
(D) PERMISSIVE AUTHROIZATION SIGNED/03MAY25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII [redacted]

RESULTS OF INTERVIEW OF S/COPELAND

1. On 06Jun25, Reporting Investigator (RA) Tyler Mann and Participating Agent (PA) David JARRELL, conducted a second interview of S/COPELAND. As background, S/COPELAND was identified as a person of interest in the disappearance and possible death of A.R. [redacted] as he was the last person known to have seen her prior to her disappearance.

2. On 06Jun25 at 0850, subsequent to the execution of a Military Rights Waiver, appended as Enclosure (A), CCSN Jermiah Taylor COPELAND (S/COPELAND), USN, DDG 95, was interviewed regarding his knowledge of the possible death of A.R. [redacted], and previously providing false statements regarding the captioned investigation. Upon waiving his Military Rights, the interview commenced. Additionally, during the interview S/COPELAND provided a handwritten timeline of events from 28May25 through 02Jun25, detailing his whereabouts for that time frame, along with his interactions with A.R. [redacted]. Enclosure (B) pertains.

3. On 28May25, S/COPELAND invited A.R. [redacted] to his barracks room to cook dinner. Most of the evening she was communicating on her phone back and forth with a person referred to as Gil (possibly referring to Gillespie), a former boyfriend, whom had given her a bike helmet that he was now asking to be returned. This started an argument between A.R. [redacted] and Gil which made her appear upset according to S/COPELAND. S/COPELAND asked her what the matter was, she provided the story about how Gil was trying to get the helmet back for another girl possibly, and she did not want to give it back. This led to A.R. [redacted] calling another ex-boyfriend, who resides in Texas, to vent to him. A.R. [redacted] made additional phone calls to other friends and family to talk. S/COPELAND was unaware of who all she spoke to that evening. After listening to her story, hanging out and listening to music; S/COPELAND stated he was tired and told A.R. [redacted] he was going to sleep; no exact time was provided for this series of events. He proceeded to go to bed and then awoke the next morning to his Chief, FCC Brad PARKER (FCC PARKER), USN, DDG 95, knocking on his door and A.R. [redacted] in his bed with him. S/COPELAND had on shorts and noted A.R. [redacted] was wearing her pants, but had removed her top to sleep, he further stated they did not engage in any form of sexual activity. Upon opening the door, S/COPELAND was informed he was UA (Unauthorized Absence) and needed to report to work as soon as possible. FCC PARKER then departed and S/COPELAND started cleaning up his room and getting ready to go to work while waiting on his roommate to return to give him a ride. At some point, S/COPELAND noticed A.R. [redacted] woke up and he informed her FCC PARKER had stopped by and he needed to go to work. She began helping



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE



him clean up the room and upon finishing, exited the barracks on her own sometime that morning, while S/COPELAND sat on the couch watching TV and eventually fell asleep.

4. As background, during S/COPELAND's initial interview he previously stated he borrowed his roommate's vehicle to drive A.R. [redacted] to her barracks. When questioned regarding his previous statement of borrowing his roommate's vehicle to drive A.R. [redacted] he said he was mistaken before and he could not have done so as his other roommate who owned the Jeep was not home, nor was his vehicle. At this time, S/COPELAND uttered a statement in which he said, "I needed to get my story straight." S/COPELAND related he woke up at around dinner time on 29May25 and realized his roommate was not home and could not take him to work. S/COPELAND stated dinner time on the ship was between approximately 15:00 and 17:30, which he was using as his time of reference. He then called FCC PARKER and told him he would not be at work because he did not have a ride or vehicle available. In addition to FCC PARKER coming to the barracks room the next morning, S/COPELAND stated his roommate, YN3 Sean MONAGHAN (YN3 MONAGHAN), USN, Helicopter Marine Squadron 12 (HM-12), was present during the night when he and A.R. [redacted] were sleeping.

5. S/COPELAND then stated he spent the remainder of the weekend in the barracks going between his room and one of the various lounges in the building. He did not like to remain in his room due to his roommate being unclean and emanating an unpleasant odor. S/COPELAND related the Barracks Manager, Ms. Mary (NFI) saw him in the lounge at various times over the course of the weekend, along with another white male (NFI), who was instructed along with S/COPELAND to stay in the lounge by a crew in the building cleaning or polishing the floors. The white male, who S/COPELAND could not further identify, attempted to leave and return to his room multiple times, but was met by the crew and told to return until they advised he could walk down the hallway. This led to a conversation between S/COPELAND and the unidentified male that ended with S/COPELAND being offered and declining a bag of chips from the man before he left. Ms. Mary interacted with S/COPELAND both in the lounge and while he was using one of the public restrooms, she knocked on the door and he stated he was currently in the facilities using the toilet. These interactions may have happened between Friday and Saturday according to S/COPELAND.

6. In addition to interacting with the above captioned individuals, S/COPELAND stated he did in fact turn off his location services on his cellphone to his friends as one of them had apparently been spying on him via the Apple location services and he did not want to be bothered or hang out with anyone. S/COPELAND did confirm he used the phone application Life 360 and has his location constantly shared, for approximately the past year, with a female (NFI) from back home, who would often check the app to see where S/COPELAND was currently located. S/COPELAND denied leaving the barracks until Sunday. 01Jun25 in the morning when he reported to the shop



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **06JUN25**

Command Duty Officer after being informed by the base Military Police that he was UA. Upon a Master at Arms (MA) knocking on S/COPELAND's door that morning, he reported to the barge where he was order to undergo a urinalysis and was informed that he had officially been marked UA since the past Thursday morning, 28May25. After concluding all required tasks at the barge, S/COPELAND returned to his barracks until the next morning, 02JUN25, when he was ordered to report to work.

7. During the interview, S/COPELAND was questioned as to whether or not he knew V/A.R. [redacted] current location and if he had any part in causing her disappearance or possible death to which he replied in the negative. When further questioned about what S/COPELAND would like the outcome of the investigation to be he made a statement hoping she was found. S/COPELAND expressed concerns with his own mental health at the time of the interview. Prior to the conclusion of the interview, S/COPELAND signed a Permissive Authorization for Search and Seizure (PASS) for his deoxyribonucleic acid (DNA). Upon signing the PASS, the document was given to SA Lisa CARROLL, NCIS, and DNA samples were obtained from S/COPELAND by SA CARROLL which will be documented in a separate investigative action. Prior to ending the interview S/COPELAND was asked about access to vehicles regarding which, if any vehicles, he had access to use over the past week. S/COPELAND related he did not have access to a vehicle, other than on occasion his roommates Jeep when they were both home from work at the same time. S/COPELAND did not specify the roommate who owns the Jeep other than previously stating they reside in the same room.

8. At 1148 on 06Jun25, S/COPELAND was released to FCC PARKER. An audio recording of this interview was captured and the original SD card containing the interview along with a copy of the audio on a CD/DVD were provided to the case agent for safekeeping with the file.

ENCLOSURE(S)
(A) MILITARY RIGHTS WAIVER/CSSN COPELAND/06JUN25
(B) CSSN COPELAND HANDWRITTEN TIMELINE/06JUN25

REPORTED BY: TYLER BRYAN MANN, Investigator
OFFICE: POLYGRAPH RESIDENT AGENCY MID-ATLANTIC

*PAGE 3 LAST EU V2 LNN*

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**AFFIDAVIT**

**NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**UNITED STATES OF AMERICA**

**VS.**

**CSSN JERMIAH COPELAND, USN**

1. I, Jessica Gokey, am a Special Agent with the Naval Criminal Investigative Service (NCIS) assigned to the NCIS Resident Agency Norfolk, VA and have been employed with NCIS since March 2022. During my tenure as a Special Agent, I have completed approximately 900 hours of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, where I attended the Special Agent Basic Training Integrated Program (SABTI). I was provided instruction on investigations, federal law, and other various practice issues for investigators. I am a member of the Military Criminal Investigative Organization Internet Crimes Against Children Task Force. I have attended the National Criminal Justice Training Center's Internet Crimes Against Children certification course and additional training through ICAC for an approximate total of 90 hours. I spent eight (8) years as an active duty member of the United States Navy, where I was a Master-at-Arms (MA). As a MA, I was a first responder to base incidents, misdemeanor crimes, and traffic accidents. During my tenure as a MA, I was employed with the Criminal Investigation Division (CID) where I worked various cases to include Domestic Violence cases, simple assaults, and other misdemeanor crimes. I have a Bachelor of Science in Criminal Justice from Fort Hays State University, Hays, KS.

2. The following facts and information are known to your Affiant based upon information gained from the conduct of this investigation, witness observations, training and experience, and/or through information relayed through other law enforcement officers.

**FACTS AND CIRCUMSTANCES**

3. I, Special Agent Jessica Gokey, was assigned as the lead case agent in the search for the then missing and now deceased Sailor A.R. [redacted].

4. On 1 June 2025, I interviewed CSSN Jermiah COPELAND about his knowledge of A.R. [redacted] location and what transpired the previous days during which A.R. [redacted] and COPELAND were UA.

5. From 1 June 2025 to 10 June 2025, as a direct result of COPELAND's continuance to Obstruct Justice and make False Official Statements, approximately 70 Special Agents, Investigators, Criminal Analysts, Digital Forensics Examiners, Evidence

Custodians, and 1 Electronic Storage Detection K9 from NCIS were deployed to Naval Station Norfolk to coordinate and attempt to locate A.R. [redacted].

6. As a result of an All Hands on Deck priority investigation, most if not all other investigations new or old were put on pause to search for A.R. [redacted].

7. From 1 June 2025 to 10 June 2025, 3,250 regular manpower hours were spent between those personnel previously mentioned, 176 hours of overtime was incurred, and 1,501 hours of Law Enforcement Availability Pay was incurred, for a total of 4,926 hours of manpower exhausted over a 10 day period.

8. NCIS' Office of Special Projects diverted their airplane, which halted the airplanes mission use in counterintelligence and espionage, to Naval Station Norfolk for its use in transporting time sensitive evidence collected to the U.S. Army Criminal Investigation Laboratory (USACIL) in Forest Park, GA. Incurring an additional cost to NCIS of $7,468.14.

9. Your Affiant coordinated with Air Traffic Control Naval Station Norfolk to shut down all air operations for 12 hours in order to conduct coordinated searches with the use of Drone Operators directly resulting in disruption to the mission of Naval Station Norfolk.

10. NCIS coordinated with Naval Station Norfolk Security Department both landside and waterside to conduct searches of their AOR's thus pulling them from their mission sets.

11. NCIS coordinated with Naval Support Activity Hampton Roads Security Department to conduct both a landside search and waterside search of the entire property of Naval Medical Center Portsmouth, thus pulling them from their mission sets.

12. NCIS coordinated with the Virginia Department of Emergency Management to conduct two land and air searches.

13. One area being in Suffolk, VA, 8 NCIS Special Agents, 11 volunteers from the Suffolk Fire Department and 12 volunteers from the Suffolk Police Department searched a forested area around College Dr. The search utilized Drone operators, various K9's, all-terrain vehicles (ATV's), and search teams on foot.

14. One search being onboard Naval Station Norfolk where 4 NCIS Special Agents, and 4 volunteers from the Virginia Department of Emergency Management Search and Rescue team along with 1 Search and Rescue K9 Kyra.

15. NCIS used 3 additional K9's and their handler's working during this timeframe. Master Patrol Officer Evan Williams and K9 Sherlock from Hampton Police Department, Deputy Sean Lacey and K9 Pixel from Isle of Wight Sheriff's Office and Andrew Piske and K9 Kyra from Gard K9 Search and Rescue.

16. Upon finding A.R. [redacted] body inside a black suitcase in the neighborhood or Cary Ave, Norfolk, VA, the Norfolk Police Department sent out numerous Police

Officers to contain the scene and 5 Homicide Detectives to work alongside NCIS Agents to canvass the neighborhood looking for any footage or witnesses.

17. During the search in the wooded area of Cary Ave, 1 NCIS Special Agent was injured and required an ambulance to be called to the scene to tend to their injuries.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

GOKEY.JESSICA.[redacted] Digitally signed by GOKEY.JESSICA.RAY.[redacted] Date: 2026.06.04 12:05:24 -04'00'

Special Agent Jessica Gokey
Naval Criminal Investigative Service

Sworn to and subscribed before me this 4th day of June 2026 at Naval Station Norfolk, Norfolk, Virginia.

[redacted]

LCDR Christopher Dempsey, JAGC, USN






AUNTIE





A TRUE COPY.

ATTEST: [redacted]

CHRISTOPHER B. DEMPSEY
LCDR, JAGC, USN
TRIAL COUNSEL

PROSECUTION EXHIBIT 40
1 of 1

JUNE 3RD 2026
AN CALISSE

THIS SITUATION AFFECT ME MENTALLY AND PHYSICALLY. I HAVE GONE TO THERAPY TO HELP, I CANT SLEEP, DEALING WITH SEVERE MIGRAINES EVERY DAY, LOST INTEREST IN ACTIVITIES I USED TO ENJOY, LIVING WITH FEAR, PHYSICALLY I HAVE BEEN DRAINED, WALKING TO/FROM WORK, ALL DIFFERENT WEATHERS, IT IS HARD FOR ME TO FOCUS, WHICH MAKES IT HARD AND UNSAFE ~~FOR~~ DUE TO ME WORKING ON THE PLANES/FLIGHT LINE.

THIS SITUATION HAS AFFECTED THE WAY I SEE THE WORLD NOW, THE MILITARY AND PEOPLE AROUND ME, I DONT TRUST PEOPLE ~~ANY~~MORE, I DONT GO OUTSIDE, MY LIFE HAS BECAME VERY DIFFICULT AND I HAVE BEEN CRYING EVERY TIME I THINK ABOUT THE POSITION THIS SITUATION PUT ME.

I HOPE EVERYTHING COMES BACK TO NORMAL AND I COULD LIVE MY LIFE WITHOUT FEARING WHAT SOMEONE COULD DO.

JOHN ROBENSON CALISSE DATE: 03 JUN 2026

SIG: [redacted]

03 JUN 26
PSSN GORDILLOCROZ

OVERALL I HAVE ~~BEEN~~ BEEN EFFECTED BY THIS SITUATION MENTALLY. I HAVE GONE TO THERAPY TO HELP. I STRUGLE TO GO TO CERTAIN/NEW PLACES WITHOUT FEELING UNEASY OF MY SURROUNDINGS ESPECIALLY KNOWING SOMETHING SO BAD CAN HAPPEN IN A PLACE IM SUPPOSED TO FEEL SAFE. IT HAS ALSO GAVE ME A DIFFERENT VIEW ON THE NAVY AND THE PEOPLE HERE.

IT HAS AS ALSO EFFECTED MY SLEEP ~~SC~~ SCHEDUE IT HAS BEEN HARD TO GET A FULL NIGHTS OF REST WHICH MAKES WORK DIFFICULT AT TIMES DIFFICUTIES FOCUSING ON WORK AND RANDOLY SPACE OUT

IT LASTLY EFFCETED SOME OF MY FRIENDSHIPS AND MADE SOME TIME DIFFICUIT WITH MY PARTNER WE HAD TO ESTABLISH BOUNDRIES UNTIL I FELT COMFTORBLE AGAIN WITH NO EXPLANATIONS TO HER

THIS CASE IS UNFORTUNATE AND I HOPE THE OUTCOME JUSTIFIES THE ~~EFFET~~ EFFECT IT HAS HAD ON EVERYONE INVOLVED

SIG: [redacted]

NAME: PSSN GORDILLOCROZ
DATE: 03JUN26



# DEFENSE EXHIBITS ADMITTED

Dear Honorable Judge,



I am writing to speak on the character of my nephew, Jeremiah, and to share the qualities that define who he truly is as a person. Jeremiah has always been a natural leader within our family. From a young age, he carried himself with strength, responsibility, and a deep sense of purpose. He wasn't just someone people followed—he was someone people believed in. His presence brought guidance and stability, especially to those who needed it most.

What stands out most about Jeremiah is his loyalty and love. He has consistently demonstrated a commitment to those around him, whether it be family, friends, or teammates. He was looked up to on his football team and in JROTC, where he followed a legacy of discipline, honor, and excellence. He took pride in being part of something greater than himself and worked hard to represent those values.

Jeremiah also had a remarkable ability to uplift others. Even at a young age, he mentored many of his peers, encouraging them to do better, to strive for greatness, and to believe in themselves. He spoke life into people when they needed it most, offering wisdom beyond his years.

In addition, Jeremiah used his time to give back to the community, especially to elders. He showed patience, kindness, and respect by helping older members of the community whenever he could. Whether it was offering his time, assistance, or simply companionship, he treated elders with dignity and genuine care, reflecting the values he was raised with.

If there is one thing I know and will always remember about Jeremiah, it is this: he protected the women in his family with love, respect, and grace. He carried himself with a deep sense of care and responsibility. I will never forget how he would say to me, "Auntie, you mean so much to me. You're a strong woman—keep your head up." Those words reflect the kind of heart he has—one filled with compassion, encouragement, and genuine love.

Jeremiah's heart is truly pure gold. While no one is without flaws, the core of who he is remains rooted in kindness, leadership, and a desire to do right by others. He has made a lasting impact on those around him, and I firmly believe in his ability to continue growing and making positive contributions.

Thank you for taking the time to consider my words about Jeremiah's character.

Respectfully,

[redacted]

Angelica Martin



To Whom It May Concern,

My name is Rokelia Brown, the eldest of Jermiah's immediate aunts, and I am writing this character witness statement on behalf of my nephew, Jermiah Copeland, who is currently serving in the United States military and is appearing before the Court for sentencing today.

I have known Jermiah Copeland for his entire life, and I can honestly say he is a respectful, caring, and hardworking young man, a family-oriented young man, I know. At only 21 years old, he has already demonstrated discipline and commitment by serving his country right after graduating from Oak Harbor High School, where so many of our family members have gone. At such a young age and never being away from home, joining the military required sacrifice, responsibility, and maturity, and I have seen him work hard to become a better person through that experience.

While I understand the seriousness of the situation before the Court, I also believe this incident does not define who Jermiah truly is. I have witnessed my nephew stand strong, believing that his faith in God will see him through.

Throughout his life, Jermiah has been supportive of his family and respectful toward others. He has always shown kindness, a willingness to help, and the ability to learn from difficult situations. I truly believe he has a positive future ahead of him and that he will continue growing into a responsible and productive member of society.

I respectfully ask the Court to consider his age, military service, character, and potential for rehabilitation during sentencing. I believe he deserves the opportunity to continue moving forward and making positive contributions to his community and his country.

Thank you for your time and consideration.

Sincerely,

Rokelia C. Brown

Rokelia Brown

[redacted]

Scanned with CamScanner

Your Honor,

I want to tell you about Our Jear Bear!

I'm Auntie Roxanne. I'm Auntie Rose to Jermiah. Another mommy figure. From an infant, he has been in my care when his mom returned back working. Jermiah has always had a strong leader personality. And that specific character trait kept him in trouble with me because I used to tell him you are barely walking you are not in charge. Lol Even as he grew up, he was still getting in trouble with me about staying in his lane and got plenty of butt whooping. It was all love. As he got older I used to tell my sister that he needs to go into politics or be a judge because he liked running the show. From the playground, to sports, to school he found him a crew to lead. We, as a family always reminded him that he is a leader and that he needs to make sure he is leading right instead of wrong because first if you don't you gonna be fresh out of a crew and most of all your "crew" is always looking up to u as the head.

So as of today I question God. Not sure if that is a good or bad thing but I tell him that our village created a holy foundation, which is as firm as you can possibly get, we sowed love and discipline and morals and more discipline. We prayed and prayed over our children had real talks and lead our lives as true examples of strong stand up individuals. Was it all in vein? Would you forsake us like this? I got a word, God say that my Nephew Jermiah Copeland will live and not die and he will declare the mighty works of God. We will live to see the face of our true and living God at the end of all this devastation. So as this new journey begins God says he got us and nephew better believe we got him. We will walk this journey with him day by day, while having faith that God is gonna get the glory out of Jermiah. He is truly in God's hands now. I love you Jerry

Thank you,

*Roxanne Brown*

[redacted]



Your Honor,

I hope you're having a blessed day. My name is Lelia Brown, and I am Jermiah's aunt. I am his mother's sister, and I have known him his entire life.



We have a large family and are very close. Many of the women in our family raised children as single mothers, so we depended on one another. We often say that our children were raised by a village because we worked together to support, guide, and care for each other's children. Jermiah was one of them.

Within our family, we sometimes called Jermiah our "armorbearer." He was the young man everyone could rely on. Whether someone needed help with a project, a task around the house, or something else that needed to be done, he was usually the first young man in our family to volunteer. He has always had a service mentality and a desire to help others. That is one reason why he joined the military. Our entire family was so proud of him when he did.

Like many children, Jermiah had times when he got into trouble or needed correction. When that happened, our family tried to come together to steer him in the right direction, whether through conversations with the children as a group or by speaking to him individually.

Knowing the person I have known his entire life, it is heartbreaking and difficult to understand how he is now in this position. I do not excuse or condone his actions. I also recognize that another family has suffered an unimaginable loss, and I have deep empathy for the victim's family.

Our family is also facing the reality that we will not have Jermiah with us and will not be able to see him in the way we once did. He has always been a pillar in our family, and we have been proud of his accomplishments.

No matter how much time passes, I will continue to love and support him. I will do everything I can to help him address the issues he needs to address and set his life on a better path. Our family will remain committed to helping him become the best person he can be now and forever.

Sincerely,

[redacted]

Lelia Brown

27 May 26

From: Vincent J. Quidachay
To: Honorable Judge

Subj: CHARACTER STATEMENT ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

1. My name is Vincent Jesse Quidachay. I am a retired Navy Commander, and I live in Oak Harbor, Washington. I am currently the Area Manager for Navy JROTC responsible for the area including Utah, Oregon, Washington, Alaska, Japan, Hawaii and Guam. I travel the region and ensure high school Navy JROTC programs are administering the program in accordance with our policies and directives. I knew Jermiah Copeland as his Freshman football coach, and then as his Navy JROTC Instructor. I have known him and his family for about six years. His mom works at the high school I taught at, and I was his little sister's volleyball coach.

2. I coached Jermiah in football, which was my first time coaching football. I coached club volleyball for 20 years, but this was a challenge. But because Jermiah and his teammates listened to me and respected me, we did well. We were actually undefeated. During football season, Jermiah decided to join my Navy JROTC program at Oak Harbor High School. Jermiah was very serious about sports, specifically football and basketball, and he always listened to my coaching and my advice. He played with passion, and I could tell that part of his drive was because he did not want to let me or his teammates down. I never saw a father in his life, so I talked with Jermiah about basketball and football all the time. On one specific instance during basketball season, Jermiah asked me about defense. I explained to him how to steal a ball from a player by understanding a player's rhythm and tendencies. I told him that if you study a player, you can steal it from them. The very next day he came into our classroom excited and told the whole class that because of my advice, he scored over 20 points! As a coach, you know that players do not always listen to you, but I think Jermiah was different. He loved listening and learning how to be better.

3. Jermiah is a natural leader. He loves hard work, and he enjoys making people happy. It is not always easy to be in a Navy JROTC program in high school as an athlete, but somehow he made it cool. It was probably that permanent smile he had on his face. He was always positive when I knew him.

4. I hope he seeks me out when he eventually gets discharged from the Navy. Perhaps I can mentor him.

5. I understand the misconduct at issue, and I cannot speak to that. I can tell you that he did not have a strong role model in his life growing up, but hopefully the Navy has helped him mature and grow into a responsible citizen.

[redacted]

Mr. Vince Quidachay


















COUPEVILLE
5
JohnsPhotos.net
Family & Sports Portraiture


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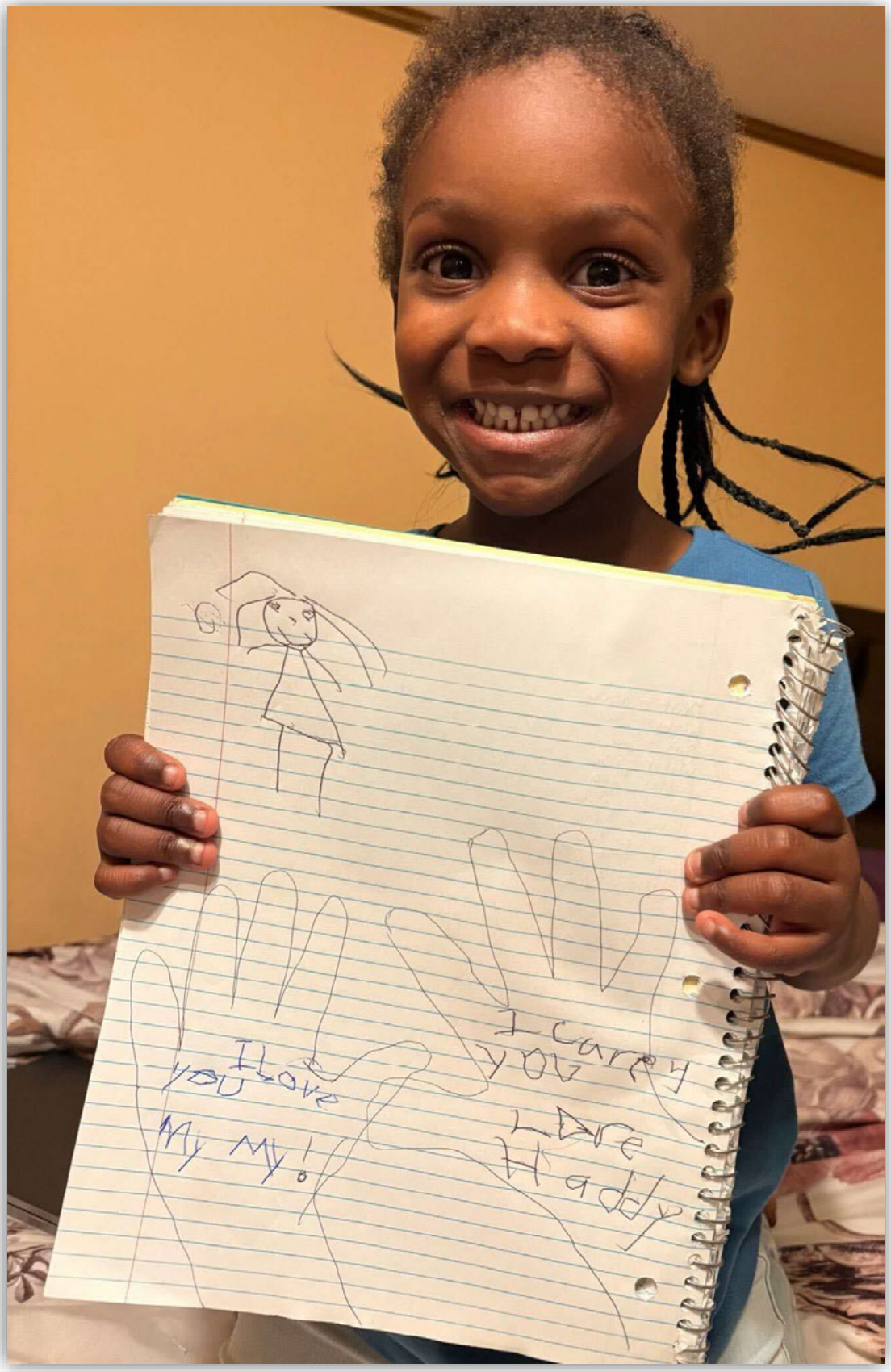

US NAVY
CHS

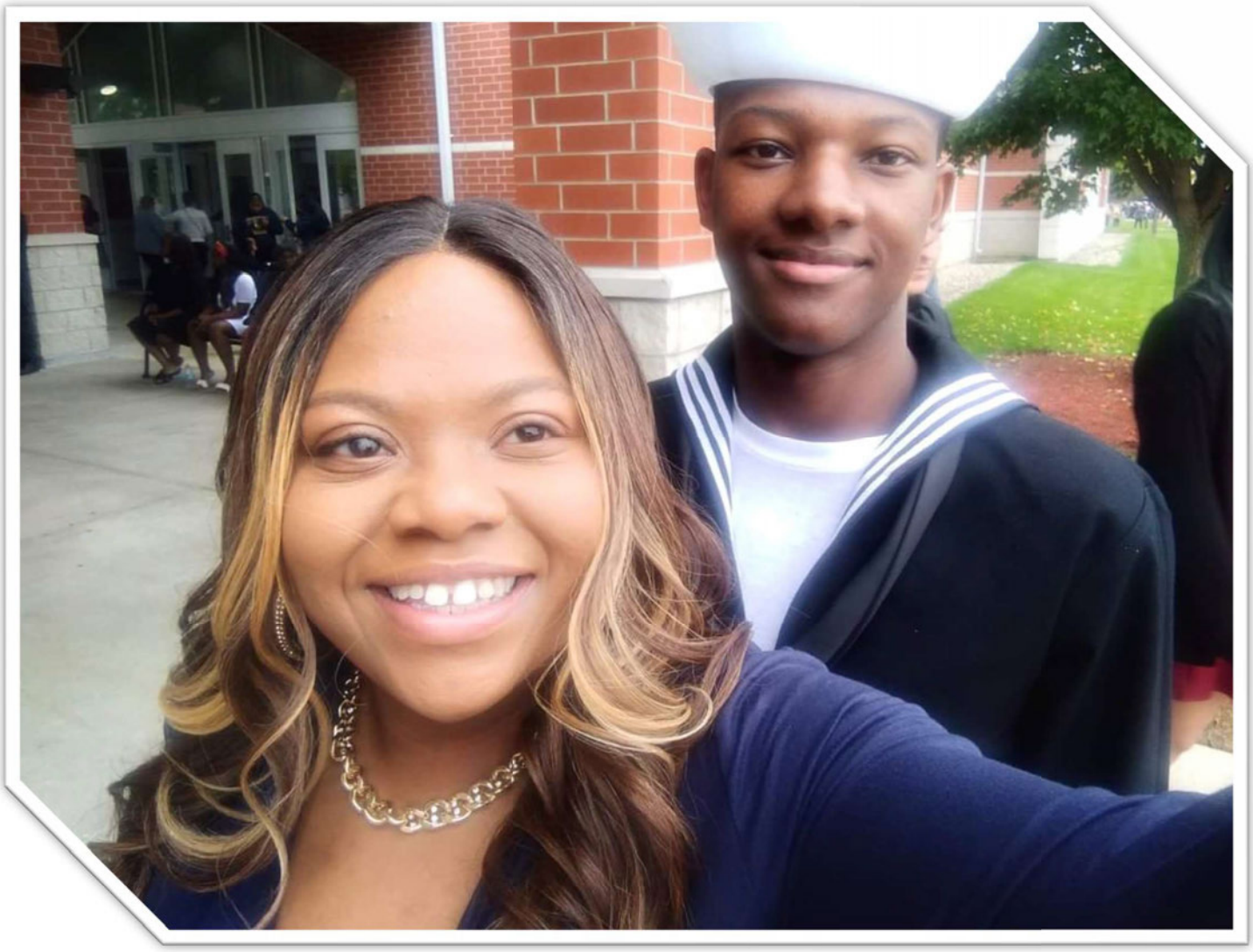

CHS
2023








I love you
I Love You
I Love Daddy
My My!



METIS GROUP LLC

76 SOUTH ORANGE AVENUE
SUITE 204A
SOUTH ORANGE, NJ 07079

May 28, 2026

Affidavit of Daniela LaValva, LCSW

Daniela LaValva, LCSW, being duly sworn, deposes and says:

**Qualifications of Clinician**

1. I am a Licensed Clinical Social Worker in the State of New Jersey, License No: 049271. I currently work for my private practice, Metis Group, LLC as a trauma informed clinician where I provide therapeutic services to individuals, couples, and families. I provide mitigation reports, pre-pleading and pre-sentence reports for individuals involved in criminal court in New Jersey and New York. I also provide Affidavits for asylum in Immigration Court. I am an approved expert for the Federal Criminal Justice Act (CJA) and for the Office of the Public Defender in New Jersey.

2. In September of 2022 I began teaching for Montclair State University where I teach social work at the undergraduate and graduate levels.

3. I was the Mental Health Director at the Hudson County Corrections and Rehabilitation Center. I managed the mental health program, providing supervision to mental health staff, oversaw suicide watch, provided crisis intervention, and therapeutic services.

4. I was the Director of Social Work for the Legal Aid Society, Juvenile Rights Practice where I oversaw the social work component of the Juvenile Rights Practice in the five Boroughs of New York City.

5. I worked for Education Health Centers of America as the Deputy Director of Treatment for a parole violators and county inmate population. I managed the clinical operations of the program and ensured contract compliance. Additionally, I managed all operations of the MSW Internship program.

6. In 2004 I opened a private practice in Millburn, New Jersey where I provided therapeutic services to individuals, couples, and families. I was also a member of the New York City 18b Panel where I was listed as a mitigation expert and provided pre-pleading and pre-sentence reports for defendants in Criminal Court in New York City as well as New Jersey.

7. I received my Master of Science from Columbia University School of Social Work in May of 1995.

8. Additional trainings:
   a. October 2024 - Clinician-Administered PTSD Scale for DSM-5 (CAPS-5) Clinician Training Parts 1 and 2
   b. July 2019 – 2-day training SAMHSA's GAINS Center's Train the Trainer *How Being Trauma-Informed Improves Criminal Justice System Response*s
   c. May 2019 – 3-day training in Complex Trauma (certification course)
   d. March 2019 – 1-day training Rutgers Center for Alcohol Studies *Communities of Color, Substance Abuse, Cultural Awareness and Humility*
   e. January 2019 – 1-day training Family Intervention Services Inc. *Trauma Informed Clinical Supervision*
   f. November 2016 – 1-day training Columbia University *Restorative Retelling*
   g. October 2016 – HealthRight International Human Rights Clinic Forensic Evaluation Training
   *h.* May 2016 – 1-day training Rutgers University *Understanding the Impact of Community Violence and Trauma.*

9. I was retained by LCDR Amanda Serfess of Defense Service Office Southeast to provide a pre-sentence report on behalf of CSSN Jermiah Copeland, herein referred to as CSSN Copeland. In preparation for the report, I reviewed CSSN's discovery materials provided to me by his attorneys, inclusive of: interview transcripts, medical records from Naval Consolidated Brig, text messages, emails, arrest records, military investigations, and Oak Harbor School Records.

10. I met with CSSN Copeland in person at the Naval Consolidated Brig in Chesapeake, Virgina twice to conduct diagnostic interviews; on March 23, 2026 and on March 25, 2026. Each meeting was two hours. I was able to speak with CSSN Copeland on a legal line for thirty minutes on May 20, 2026 and for one hour on May 26, 2026. I also spoke with his mother, Rochell Brown for an hour on April 20, 2026 and his friend Desi Ramirez-Vasquez on April 27, 2026 for about half an hour. I further spoke with his JROTC Commander, Vincent Quidachay for half an hour on May 19, 2026 and his JROTC Chief, William Thiel for half an hour on May 21 2026.

11. The following portion of this affidavit includes CSSN Copeland's personal account of his life. Only information relevant to CSSN Copeland's clinical presentation is included.

**Background and Relevant History**

12. CSSN Copeland was born on March 23, 2005 in Durham, North Carolina to Rochell Brown and James Copeland. He is the middle child of three boys born to this union. He also has three younger sisters.

13. CSSN Copeland's mother moved the boys to Washington state, where she was from, after Mr. Copeland stopped helping support the young family. CSSN Copeland was about four years old.

14. CSSN Copeland had minimal contact with his father when he was a young boy and only speaks with him on occasion now.

15. CSSN Copeland described a close-knit family. His mother returned to her home state because she had family and friends who could help her raise her children. CSSN Copeland recalls time spent with "aunties" and cousins and always having a good time.

16. Ms. Brown described CSSN Copeland as the center of attention and the "life of the party." He was more energetic than his brothers and was more outgoing.

17. Ms. Brown further described CSSN Copeland as the son who had the closest relationship with his father and felt he found it most difficult to move to Washington. Though it was a difficult decision, she decided that North Carolina was too segregated and felt a more integrated environment would be better for her children.

18. Ms. Brown further reported that the move to Washington may have been perceived as a rejection by his father. She felt that CSSN Copeland has unresolved hurt from this perceived rejection. She feels this was amplified by the inconsistent connection via phone calls and Mr. Copeland only came to Washington once when CSSN Copeland was about five years old.

19. When the family first moved to Washington they lived in transitional housing.[1] Ms. Brown looked for work in order to find more stable housing.

20. CSSN Copeland reported that he was sexually abused as a young child, but did not recall details.

21. Ms. Brown corroborated this fact. She explained that CSSN Copeland was in day care while they were living in transitional housing. She reports noticing a change in his behavior appearing angry, crying, and sometimes distraught. As this was not the norm, Ms. Brown asked about his mood. Eventually, CSSN Copeland disclosed having been sexually abused in a club house at school by another child. He was brought to the hospital and evaluated. The other child also lived in transitional housing and ultimately was asked to move out. Ms. Brown removed her children from the program.

22. CSSN Copeland further reported having been sexually abused by his older cousin, starting when he was eight or nine until he went into middle school. He told no one.

23. His cousin was reported to have been caught abusing his own younger brother and moved to live with his grandmother.

24. CSSN Copeland reported being a "decent" student and progressing through school without being placed in any special education classes.

[1] Transitional housing is a structured, temporary living arrangement designed to bridge the gap between homelessness and permanent housing. Typically lasting from 6 to 24 months, it provides individuals and families with a stable roof over their heads and crucial supportive services to help them regain independence.

25. CSSN Copeland described himself as a "bad kid" who would get in trouble for stealing knickknacks from his teacher's desk. His mother corroborated this fact and reported that she would often get called by the school due to his behavior.

26. CSSN Copeland's school records show that he was impulsive by being disruptive in class and at times disrespectful. This behavior went undiagnosed and unattended.

27. Both Ms. Brown and CSSN Copeland report that he was not referred for counseling at any time in his childhood.

28. CSSN Copeland described corporal punishment at home. He explained the punishments were different depending on the behavior. He recalled he would be hit with objects like belts, extension cords, and paddles.

29. CSSN Copeland did not want to disparage his mother and took responsibility for her actions toward him. Moreover, he normalized it by stating that he did not see the punishment as abuse.

30. CSSN Copeland relayed having had a positive male role model in his Uncle Chappy. He was a family friend who looked out for all the children and mentored them. CSSN Copeland recalled his being a presence in his life and he would talk to them and provide guidance.

31. CSSN Copeland played several sports and excelled in football, basketball, and track. In football, his favorite sport, he was a versatile player who could play several positions. He was also a versatile track runner competing in short distances, high jump, and long jump.

32. Commander Quidachay was CSSN Copeland's freshman football coach and described CSSN Copeland as his favorite player. He saw a drive and commitment in CSSN Copeland and admired him for his consistency and determination.

33. That admiration was mutual as CSSN Copeland looked up to and respected Commander Quidachay seeing him as a "father figure."

34. The Wildcats freshman football team went undefeated the season of 2019.

35. Due to his admiration, CSSN Copeland decided to join the Junior Reserve Officers' Training Corp (JROTC), which Commander Quidachay was leading at Oak Harbor High School.

36. Commander Quidachay found that most athletes did not do well in JROTC, CSSN Copeland excelled. He enjoyed wearing the uniform, was attentive, and always respectful.

37. CSSN Copeland recalled taking pride in wearing the uniform which they referred to as "peanut butters" as they would wear a khaki shirt and dark pants. He further reported joining the drill team and enjoyed the competitions.

38. CSSN Copeland's commitment in JROTC was further corroborated by Chief William Thiel. He reported that CSSN Copeland did extremely well in the program. He, however, reported that he noticed CSSN Copeland begin to withdraw in his last year with JROTC and tried to talk to him but he refused.

39. Commander Quidachay felt he and CSSN Copeland had a unique bond and was honored to be seen as a father figure. They shared stories and CSSN Copeland showed curiosity about Commander Quidachay's younger years. Commander Quidachay shared coaching strategies with CSSN Copeland in basketball as well. CSSN Copeland was happy to share his successes due to this feedback.

40. Commander Quidachay was happy to provide a letter of support when CSSN Copeland decided to enlist in the Navy.

41. CSSN Copeland's transferred to Coupeville High School his senior year and completed his senior year coursework online.

42. CSSN Copeland only went to school to play sports. He was able to play basketball and run track. Due to his talent, he could not play football because he was told he would be seen as only transferring to give the Coupeville High School football team an advantage, in essence a "ringer."

43. Though he was upset that he could not play varsity football, he found joy in watching his youngest sister, Haddy, develop. He proudly shared he was there for her first steps and would enjoy her babbling and eventually learning to speak.

44. CSSN Copeland perceived himself as a "somewhat" popular adolescent. His mother confirmed that he made friends easily and was charming.

45. At seventeen he reports having had his first real relationship with Desi Ramirez-Vasquez. They dated off and on his senior year, her junior year, in high school.

46. Desi recalled their relationship as a typical teenage relationship. They would argue and break up and then get back together. She recalled that CSSN Copeland had difficulty with commitment and would often talk to other girls.

47. Desi denied any physical or sexual violence in their relationship and remained friends after the relationship ended.

48. CSSN Copeland had a brief relationship with the niece of his neighbor, Farrah. This relationship resulted in his having a son, born November 22, 2020. He is now five years old.

49. When Farrah's aunt learned of the pregnancy she was asked to leave the home. Farrah was reported to have moved to California, where she gave birth.

50. CSSN Copeland met his son one time, the day before he left for military training.

51. CSSN Copeland proudly reported supporting his son by sending money through Cash App, a mobile financial service platform, but has not been able to send anything since his arrest. He reports his mother continues to assist Farrah and his son.

**Military History**

52. CSSN Copeland reported that he knew he wanted to join the military due to his experience with JROTC and his respect for Commander Quidachay. Uncle Chappy also served in the Navy and told CSSN Copeland that he would help him with making decisions and mentor him.

53. Upon graduating high school in June of 2023, he enlisted on July 13, 2023.

54. The summer of 2023 he went to the Naval Station Great Lakes North Chicago for training. He completed his training in October of 2023.

55. While CSSN Copeland was in Chicago for training, his beloved Uncle Chappy passed away due to cancer. CSSN Copeland was able to watch the funeral online. He recalled this death as profound.

56. CSSN Copeland went to A school in Richmond, Virginia where he trained to be a Culinary Specialist. He completed that training in December of 2023.

57. CSSN Copeland reported being disappointed with his assignment and does not feel like he is a part of the Navy. He had hoped to have a more prominent role.

58. CSSN Copeland relayed being treated poorly due to his assignment. He stated that CSSNs were talked down to and not respected. He recalled the "family chats" when deployed as making many derogatory comments against the cook on the ships and feeling upset about it. He reported not feeling recognized for the work they did to provide meals for up to 4000 sailors.

59. CSSN Copeland had hoped to be part of the Construction Battalion (CB) or "Seabee" as he wanted to help build critical infrastructure.

**Clinical Assessment**

60. At the time of the evaluation, CSSN Copeland was oriented to person, place, and time, demonstrating awareness of his identity, the evaluator, and the nature and conditions of the assessment. He was appropriately dressed and groomed. CSSN Copeland did not present with any disturbance of thought, visual or auditory hallucinations rendering the interviews appropriate to continue. CSSN Copeland was easily engaged and open to the interviewing process.

61. Of note was a bandage wrapped around CSSN Copeland's right hand. When asked about the bandage, CSSN Copeland explained that he has been consistently picking at the back of his hand leading to several cuts and bleeding. The hand was wrapped to protect the open wounds. During our second meeting, the bandage was removed and the scars and more recent cuts were visible, too many to count.

62. CSSN Copeland described his current detainment. After an initial period on precautionary observation, he was transferred to maximum security housing due to the nature of his charges. He reported spending approximately twenty three hours per day in his cell, with one hour outside of his cell, though without access to outdoor yard time. At the time of our meeting, he indicated that his only time outside of the facility had been for transportation to court hearings.

63. CSSN Copeland also described an environment where he has been poorly treated, often denied bandaging for his hand, being served cold meals, and feeling targeted by staff.

64. The seriousness of the charges against CSSN Copeland is fully acknowledged. At the same time, the conditions of his confinement appear notably restrictive for an individual who has not yet been convicted.

65. Research on restrictive confinement indicates that prolonged time in highly controlled and isolating environments may place considerable strain on psychological functioning. Individuals exposed to these conditions can experience increased emotional distress, anxiety, depressed mood, social withdrawal, and greater difficulty coping and regulating emotions. Consistent with this, Craig Haney has written that restrictive housing environments characterized by limited social interaction, diminished autonomy, and minimal stimulation may negatively affect emotional functioning and adjustment over time.[2] It should further be noted that there are very few servicemen currently detained at Naval Consolidated Brig, limiting CSSN Copeland's exposure to peers. Moreover, communication with the few peers on the tier is punished with write ups.

66. Consideration of these conditions are therefore relevant at sentencing when evaluating the punitive impact already experienced.

67. The strain of confinement appears evident in CSSN Copeland's current behavior of repeatedly picking at the skin on his hand, to the extent that it may result in lasting scarring

68. CSSN Copeland reported a childhood where he suffered abuse-both physical and sexual-as well as multiple losses, including separation from his father, the death of beloved Uncle Chappy, and the disconnection with Commander Quidachay.

69. The Adverse Childhood Experiences Questionnaire was administered to ascertain any history of abuse or neglect related to CSSN Copeland's childhood. Scoring on this evaluation is utilized to assist in direction of the diagnostic interview to assess for childhood trauma. CSSN Copeland's score was 3 out of 10 on this scale.

[2] Haney, C. (2002). *The psychological impact of incarceration: Implications for post-prison adjustment*. U.S. Department of Justice, Office of Justice Programs.

70. The original ACE study was an evolutionary study conducted by Kaiser-Permanente in partnership with the Centers for Disease Control, whose findings have been replicated and expanded many times. Much new research has come from this study with consistent results. What these studies uncovered is the correlation between early experiences of childhood abuse and neglect with later in life outcomes on behavior, health, and overall well-being. The ACE questionnaire presents ten adverse experiences, the higher the score the greater the likelihood of future medical and mental health concerns.[3].

71. Although CSSN Copeland's score on the ACE questionnaire was relatively low, his school records suggest that adverse childhood experiences may nevertheless have meaningfully affected his behavior and functioning. Children and adolescents do not respond to adversity in the same way, and the impact of difficult experiences is not always fully reflected by a numerical score alone. In CSSN Copeland's case, documented behavioral patterns in school seem to reflect struggles with emotional regulation, coping, behavior, interpersonal functioning, or adaptation that are consistent with the effects of early stress and adversity.

*CSSN Copeland's behavioral concerns started when he was in first grade, shortly after his first reported account of sexual abuse.*

72. Of note, there is no documentation indicating that CSSN Copeland was ever referred for counseling, behavioral intervention, or school-based support in response to his behavioral difficulties. Instead, it appears his behaviors may have been understood as "typical boy behaviors," rather than potential indicators of emotional distress or unmet developmental needs. Research has shown that externalizing behaviors in boys, including acting out, aggression, impulsivity, defiance, or school misconduct, are at times interpreted as disciplinary problems rather than possible manifestations of underlying stress, trauma, or adverse experiences.[4] Studies on childhood adversity further suggest that behavioral disruptions in school may represent attempts to cope with distress or unmet emotional needs, underscoring the importance of early identification and intervention rather than solely behavioral management.

73. Moreover, studies have also documented disparities in school discipline, with black students more likely than their white peers to receive punitive responses to behavioral issues, potentially reducing opportunities for supportive intervention at critical stages of development. While it cannot be concluded that this occurred in CSSN Copeland's case, the absence of documented counseling, guidance, or behavioral support raises questions about whether his behaviors were understood as a call for additional help rather than solely a disciplinary concern.[5]

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[3] *See*: https://www.acesaware.org/wp-content/uploads/2022/07/ACE-Questionnaire-for-Adults-Identified-English-rev.7.26.22.pdf for the complete list of questions.

[4] Shonkoff, J. P., Garner, A. S., & Committee on Psychosocial Aspects of Child and Family Health, Committee on Early Childhood, Adoption, and Dependent Care, and Section on Developmental and Behavioral Pediatrics. (2012). *The lifelong effects of early childhood adversity and toxic stress*. *Pediatrics, 129*(1), e232–e246.

[5] Fisher, B. W., et al. (2020). *Who belongs in school? Examining the link between Black and White racial disparities in sense of school belonging and suspension*. *Journal of Community Psychology*

74. Children, as may have been the case for CSSN Copeland, sometimes turn to humor or take on the role of the "class clown" as a way of coping with stress or difficult emotions. Research suggests that humor can help young people manage discomfort, reduce tension, and feel more connected to others.[6] When a child's emotional struggles are not fully recognized or addressed, they may find their own ways to cope, and humor can become one of them. For some children, making others laugh or being viewed as funny can create a sense of acceptance, belonging, and positive attention that may otherwise feel difficult to find. In this context, some of CSSN Copeland's behavior may reflect an attempt to cope and connect with others, rather than simply acting out.

75. Furthermore, if these behaviors were not related to trauma or emotional distress, they may also have been consistent with symptoms of Attention-Deficit/Hyperactivity Disorder (ADHD). Difficulties with impulsivity, attention, emotional regulation, frustration tolerance, and acting out are well-documented features of ADHD and can sometimes be mistaken for willful misconduct when not properly assessed.

76. Research indicates that children with untreated or unrecognized ADHD are at increased risk for academic problems, disciplinary action, and negative school outcomes, particularly when symptoms are not identified early or addressed through intervention [7] Based on the available records, there is no indication that ADHD or another neurodevelopmental or behavioral condition was explored through counseling, school intervention, or psychological evaluation.

77. Untreated childhood trauma and neurodevelopmental conditions such as ADHD can both affect how the brain develops, especially in areas involved in impulse control, attention, and emotional regulation. Research on toxic stress shows that chronic early adversity can disrupt the development of brain systems like the prefrontal cortex, amygdala, and hippocampus, which play key roles in decision-making, memory, and regulating emotional responses. Similarly, ADHD is associated with differences in brain networks involved in self-control and attention, which can make it harder for a child to manage impulses, stay focused, and regulate behavior.

78. When either trauma or ADHD goes unrecognized and untreated, children may struggle with behavior, emotions, and school performance in ways that are often noticed first in the classroom. Without proper evaluation or support, these difficulties can be misunderstood as intentional misbehavior rather than signs of underlying developmental or psychological needs.[8]

*CSSN Copeland seemed to find comfort in the structure of the JROTC*.

79. A structured environment can be helpful for individuals with trauma histories or conditions such as ADHD. Clear routines, predictable expectations, and consistent rules can reduce stress and make it easier to understand what is expected. This kind of structure can also support behavior by

[6] Cameron, E. L., Fox, J. D., Anderson, M. S., & Cameron, C. A. (2010). Resilient youths use humor to enhance socioemotional functioning during a day in the life. Journal of Adolescent Research, 25(5), 716–742.
[7] Barkley, R. A. (2015). *Attention-Deficit Hyperactivity Disorder: A Handbook for Diagnosis and Treatment* (4th ed.). Guilford Press.
[8] Shonkoff, J. P., Garner, A. S., & Committee on Psychosocial Aspects of Child and Family Health, Committee on Early Childhood, Adoption, and Dependent Care, and Section on Developmental and Behavioral Pediatrics. (2012).

providing external organization and reminders, which may be especially helpful when self-regulation is difficult. For individuals with trauma, predictability can help reduce feelings of threat or uncertainty, and for individuals with ADHD, structure can help with attention, planning, and impulse control. Overall, structured settings can help improve stability, reduce behavioral difficulties, and support better functioning in daily life.[9] Moreover, it was in this environment where CSSN Copeland found supportive adults who showed him respect and believed in him.

80. CSSN Copeland entered the military in part due to his respect and admiration for trusted adult figures. It may also have reflected a desire for structure, routine, and clear expectations, which, as noted, can be stabilizing for individuals who struggle with emotional regulation.

81. This is not to suggest that CSSN Copeland would necessarily thrive in a prison setting simply because it offers routine or external structure. While correctional environments may involve scheduled wake times, meals, and activities, this structure exists primarily to manage large groups of people rather than to provide individualized support, stability, or development. Prison environments are also often unpredictable, stressful, and at times threatening, conditions that may be especially difficult for individuals with histories of trauma, emotional dysregulation, or difficulties coping with stress. The type of structure in which CSSN Copeland appeared to function best involved mentorship, clear expectations, support, and positive relationships. Loss of freedom should not be confused with the type of structure that promotes emotional stability, growth, or improved functioning.

*CSSN Copeland was eighteen years old, late adolescence, when he enlisted,*

82. For many young service members, entering the military creates a level of independence and freedom they have never previously experienced. At a young age, they are suddenly removed from parental supervision, provided a steady income, surrounded primarily by peers their own age, and exposed to an environment where alcohol use, nightlife, impulsive behavior, and peer influence can become normalized. In many ways, this environment can resemble a college campus atmosphere, young adults living independently and navigating adulthood for the first time, but without the stabilizing structure of academics or long-term educational goals.

83. Psychological research demonstrates that adolescents at this age are particularly vulnerable to impulsive decision making, peer influence, sensation seeking, and emotional reactivity because brain development continues well into the mid-twenties.[10]

84. CSSN Copeland's brief military experience appears to reflect some of the same behavioral patterns seen during his school years. Similar difficulties with impulsivity, emotional regulation, judgment, and behavior appear to have continued across different settings. Again, neither therapeutic support or intervention were recommended or provided.

*CSSN Copeland was twenty years old at the time of the instant offense, emerging adulthood.*

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[9] Ibid

[10] Steinberg, L. (2008). *A social neuroscience perspective on adolescent risk-taking*. Developmental Review, 28(1), 78–106.

85. Psychologist Jeffrey Arnett, who coined the term "emerging adulthood," describes this developmental stage as a distinct period characterized by identity exploration, instability, self-focus, impulsivity, and incomplete emotional maturity. Arnett's research explains that individuals in this age range often experience difficulty with long-term planning and emotional regulation while adjusting to newfound independence and adult responsibility.[11]

86. Elizabeth Cauffman, in her research on psychological maturity, found that maturity is not defined solely by chronological age. Emerging adults often continue developing judgment, emotional regulation, and resistance to outside influence long after reaching what is considered "legal adulthood." Cauffman's research emphasizes that many individuals in their teens and early twenties still function developmentally differently from fully mature adults.[12]

87. Neuroscientific research from the National Institute of Mental Health further supports this conclusion finding that the prefrontal cortex, the area responsible for executive functioning, impulse control, planning, and evaluating consequences, is among the last region of the brain to fully mature. This developmental process continues into the mid-twenties, particularly in environments involving stress, emotional arousal, or peer influence.[13]

88. These developmental vulnerabilities become especially relevant in military environments. Young service members are frequently exposed to intense stress, rigid hierarchy, sleep deprivation, trauma exposure, alcohol culture, and peer pressure while simultaneously attempting to navigate adulthood for the first time. CSSN Copeland further endured feeling like a lesser serviceman, felt criticized and disrespected.

89. Age, therefore, should be considered a significant mitigating factor in military sentencing because emerging adults are neurologically, psychologically, and emotionally different from fully mature adults, even while they are capable of serious misconduct. Modern neuroscience demonstrates that the areas of the brain responsible for impulse control, emotional regulation, foresight, and risk assessment continue developing well into a person's mid-twenties. This developmental reality has direct relevance in the military context, where many service members enter the armed forces between the ages of seventeen and twenty-two, during a period marked by heightened impulsivity, susceptibility to peer influence, emotional reactivity, and identity formation.

90. The United States Supreme Court has repeatedly recognized that youth reduces culpability because adolescents and emerging adults possess diminished judgment and greater capacity for change. In cases such as *Roper v. Simmons*, *Graham v. Florida*, and *Miller v. Alabama,*[14] the Court

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[11] Arnett, J. J. (2000). *Emerging adulthood: A theory of development from the late teens through the twenties*. American Psychologist, 55(5), 469–480

[12] Cauffman, E., & Steinberg, L. (2000). *(Im)maturity of judgment in adolescence: Why adolescents may be less culpable than adults*. Behavioral Sciences & the Law, 18(6), 741–760.

[13] National Institute of Mental Health. (2023). *The teen brain: 7 things to know*. U.S. Department of Health and Human Services, National Institutes of Health.

[14] *Roper v. Simmons*, 543 U.S. 551 (2005); *Graham v. Florida*, 560 U.S. 48 (2010); *Miller v. Alabama*, 567 U.S. 460 (2012)

emphasized that younger individuals are more likely to act recklessly, less likely to fully appreciate long-term consequences, and more capable of rehabilitation than mature adults. Although these cases specifically addressed juvenile sentencing, as noted above, the underlying developmental science does not abruptly end at age eighteen.

91. Moreover, considering age as mitigation is consistent with the military's broader institutional values. The military invests heavily in training, mentorship, leadership development, counseling, and rehabilitation because it recognizes that young service members are still developing. Leaders are expected to correct, mentor, and develop junior personnel, not simply punish them. Sentencing that incorporates age as a mitigating factor reflects this longstanding military principle.

92. Ultimately, recognizing age as mitigation promotes fairness, balance, and rehabilitation without compromising accountability. Young service members should still be held responsible for their actions, particularly when serious harm occurs. However, justice requires acknowledging that emerging adults possess diminished judgment, heightened impulsivity, and extraordinary capacity for change. A sentencing system that considers these realities is more informed, more balanced, and more just.

**Conclusion and Recommendations**

93. It is imperative to emphasize that this report in no way seeks to disparage the memory or character of CS3 A.R., nor does it imply or suggest that she, or anyone else, bore any responsibility for the tragic events that led to her death.

94. The purpose of this report is to provide context and a historical understanding of the factors that may have influenced CSSN Copeland's behavior and decision-making. It is intended to offer a comprehensive view of his developmental, psychological, and environmental background, so that his actions can be understood within a broader framework rather than in isolation.

95. In considering sentencing, it is important to view CSSN Copeland's actions within the context of his life and development. The available information suggests a young man who experienced childhood adversity, struggled with behavior and emotional regulation from an early age, and may not have received the support or intervention he needed. At the same time, he appeared to respond positively to structure, mentorship, and supportive adult relationships. His age and developmental stage at the time of the offense are also important, as research shows that young adults are still developing judgment, impulse control, and emotional regulation. None of these excuses the seriousness of the offense or the harm caused to CS3 A.R. and her loved ones, but it may help provide context for understanding his behavior, level of maturity, and capacity for growth and rehabilitation.

96. CSSN Copeland's false statement to police may be better understood in the context of his developmental stage and how individuals can respond under stress. Research shows that adolescents and young adults often act more impulsively and may have difficulty fully thinking through long-term consequences, especially in high-pressure situations. Conditions such as ADHD

can also affect impulse control and decision-making, making it harder to pause and consider the outcome of actions in the moment.

97. In this context, the false statement more likely reflects a quick, stress-driven attempt to avoid an immediate situation rather than a fully planned effort to mislead investigators with a clear understanding of the long-term consequences. This does not excuse the behavior, but it helps explain how stress and developmental factors can affect judgment during police questioning.

98. Notably, CSSN Copeland has entered a guilty plea. This is significant in that it reflects acceptance of responsibility for a very serious offense and an acknowledgment of his role in the conduct at issue. A decision to plead guilty may also reduce the emotional toll of a trial on the family and friends of CS3 A.R., who would otherwise be required to relive aspects of the case through court proceedings.

99. More impressive is CSSN Copeland's agreeing to meet with CS3 A.R.'s mother. This reflects a level of accountability and engagement that may support healing for those impacted by the offense. It is recommended that, if such a meeting occurs, it be facilitated within a structured Restorative Justice framework.

100. Restorative justice (RJ) aims to address conflict or crime by repairing harm. The principles of RJ are accountability, reintegration, repair, and inclusion. This is accomplished through a facilitated meeting(s) with a trained professional who will mediate the interaction between involved parties.

101. Howard Zehr began using the term "restorative justice" in the early nineties. His approach to the process was to address three main questions: "Who was hurt?", "What are their needs?", and "Whose obligation is it to address those needs?"[15] Restorative Justice practices emphasize safety, preparation, and voluntary participation for all parties, and are designed to provide a controlled setting for acknowledgment of harm, questions from affected family members, and appropriate expressions of responsibility, when clinically and procedurally appropriate. By providing a platform for victims to hear the defendant's perspective and share their own experiences, restorative justice facilitates a cathartic healing process, enabling victims to process their emotions and move towards recovery.

102. It is acknowledged that the Court must carefully balance the competing interests of punishment, accountability, rehabilitation, and community safety. It is also recognized that the charges against CSSN Copeland are among the most serious before the Court and warrant significant consideration. At the same time, sentencing decisions often require an individualized assessment that takes into account developmental history, psychological functioning, and capacity for change, alongside the nature and severity of the offense.

103. It is hoped that presenting context for CSSN Copeland's actions will allow the court to make an informed decision regarding sentencing.

[15] https://jewishcurrents.org/after-the-hit-and-run

104. As stated by Bryan Stevenson, founder of the Equal Justice Initiative, young people should not be permanently defined by their worst decisions because immaturity and developmental limitations reduce culpability while increasing the potential for growth and redemption.[16]

Respectfully Submitted,

*Daniela LaValva, LCSW*

Daniela LaValva, LCSW
*Mitigation Specialist*

[16] Stevenson, B. (2015). Just mercy: A story of justice and redemption. One World.

# Daniela S. LaValva, LCSW, LMSW

204 South Ridgewood Road South Orange, NJ 07079
[redacted] [redacted]

## Employment Experience:

**Montclair State University** August 2022 – Present
*Adjunct Professor*

- Teach bachelors and masters level courses for the School of Social Work and Child Advocacy.
- Teach practicum seminar courses for MSW students.

**Wellpath/Hudson County Corrections & Rehabilitation Center** February 2020 – August 2023
*Mental Health Director*

- Oversee and supervise mental health program and ensure ongoing effectiveness of programming and maintaining compliance with corrections contracts.
- Recruit and train new staff.
- Manage psychiatrist scheduling and collaborate for continuity of care.
- Maintain strong working relationship with medical department and corrections staff.
- Work with judiciary personnel to provide psychiatric assessments and recommendations.
- Oversee Suicide Watch and specialized units: segregation, protective custody, and mental health.
- Develop programming to best assist inmates regarding mental health concerns and reentry.
- Participate in senior management meetings
- Provide trainings.
- Develop internship program.

**Metis Group, LLC** December 2018 – Present
*Co-Founder*

- Provide ongoing clinical counseling to adolescents, couples, individuals and families.
- Provide supervision to LCSW and LPC candidates.
- Contract with agencies to provide trainings around trauma, secondary trauma, suicide prevention, substance use, and mitigation.
- Provide forensic reports for criminal, family, military, and immigration courts.
- Expert Vendor for Office of the Public Defender / NJ since April 2024
- Expert Vendor for the Criminal Justice Act (CJA) / Federal since August 2023

**The Legal Aid Society / Juvenile Rights Practice** April 2017 – February 2020
*Director of Juvenile Services Unit*

- Oversee and supervise social work supervisors and social work staff in five boroughs.
- Recruit, orient and training of new staff and interns.
- Coordinate social work continuing education program.
- Consult on cases and resources.
- Review and implement social work practice standards, forms, procedures and organizational systems.
- Participate in senior management meetings and committees
- Represent JRP at external meetings, task forces and conferences
- Provide assistance to JRP's legal trainers, Appeals Unit, and Special Litigation and Law Reform Unit.

**Education and Health Centers of America** March 2013 – April 2017
*Deputy Director of Treatment / Logan Hall*

- Ensure ongoing effectiveness of programming and contract compliance for NJ State Parole Sanction Programs, STEPS and RESAP, Intensive Supervision Program (ISP), Juvenile Justice Commission (JJC), and Essex and Union County programs for both male and female residents.
- Supervise Unit Managers, Clinical Supervisor and Unit Supervisors.
- Communicate with New Jersey State Parole Board, and Union and Essex County Prisons. Attend meeting and conduct trainings regarding programming.
- Provide on-site job trainings as well as new hire trainings. Develop and conduct trainings for counselor professional development and best practices.
- Participate in Deputy Director meeting to review contract compliance within facilities.
- Serve on the Treatment Leadership Committee as the EHCA representative to review best clinical practices throughout the country.
- Attend meetings in accordance with Division of Child Protection and Permanency to ensure timely notification of incarceration of parents with open cases. Co-lead Quality Assurance meetings.

**Adelphi University,** Garden City, NY / Manhattan Campus November 2011 – June 2016
*Faculty Liaison / NJ Cohort Coordinator / Field Work Department*

- Assist students and field instructors through sequence of field education to maximize learning experience.
- Ensure field instructor, agency liaison, and student accountability for meeting school expectations and standards.
- Mediate between student and field instructor and agency. Monitor special problems in the field.
- Managed NJ Cohort students with field placement. Act as liaison with students and the university. Provide training on registration, field work, NJ licensure among others.

**Community Education Centers** West Caldwell, NJ January 2008 – April 2017
*Social Work Intern Coordinator*

- Developed and implemented successful social work internship program for forensic treatment program in New Jersey.
- Established relationships with New York and New Jersey social work programs both masters and bachelor level.
- Serve on various committees to ensure programming is being delivered consistently throughout the five New Jersey facilities.
- Provided and developed staff trainings on conflict resolution, ethics, suicide, secondary trauma, and sexual harassment.

**Daniela LaValva, LCSW** South Orange, New Jersey April 2004 – December 2018
*Psychotherapist / Forensic Social Worker*

- Provide ongoing therapeutic services to diverse populations including adolescents, children and adults.
- Focus on issues around the changing family and coping with the effects of loss, divorce or separation. Trained in Parenting Coordination.
- Conducted assessments for students who have been suspended from school for disruptive behaviors and prepared return to school reports.
- Prepared Pre-Pleading, Pre-Sentence assessments and letters for Criminal Courts of New York and New Jersey.

**Clark Psychology Center** Clark, New Jersey January 2002 – April 2004
*Psychotherapist*

- Provided ongoing therapeutic services to diverse populations including but not limited to adolescents and school age children. Provided individual as well as family and marital counseling.

**Myles J. McManus Middle School** Linden, New Jersey October 1999 – June 2000
*School Social Worker*

- Provided ongoing counseling for students in $6^{th}$ – $8^{th}$ grade.
- Responsible for conducting assessments of students' adaptive social functioning and emotional development, family functioning, and cultural factors affecting learning and behavior.
- Assisted Principal and Vice Principal with administrative duties and conflict resolution.
- Participated in multidisciplinary CORE team meetings.

**The Center for Children + Families, Inc.** Jamaica, New York November 1997 - January 1999
*Case Management Supervisor*

- Supervised 4 - 5 Bachelor and Master level Case Planners and students.
- Provided weekly supervision to Case Planners and monitored approximately 80 at risk families.
- Maintained all ACS guidelines and internal monthly statistical reports.
- Conducted groups and trainings for staff inclusive of Windows NT and CONNECTIONS computer network.
- Conducted trainings about child abuse and neglect and in services about Preventive Services.

**The Center for Children + Families, Inc.** October 1995 - November 1997
*Case Planner*

- Provided daily case management for a caseload of up to seventeen at risk families to avert foster care placement.
- Provided in-office individual and family counseling, home visits, case coordination, case conferencing, termination, crisis intervention, referrals, educational support, mediation, and advocacy.
- Attended professional trainings. Led Parenting Journey groups for parents.
- Coordinated male, adolescent group trips to East Jersey State Prison, Scared Straight Program.
- Conducted trainings at area high school on awareness and assessment of child abuse and neglect.

## Volunteer:

**Human Rights Clinic, HealthRight International** May 2018 – November 2023
*Volunteer*

- Provide physical and psychological evaluations for survivors of torture and trauma, and author affidavits in support of their applications for immigration relief.

**Juvenile Conference Committee** Maplewood, New Jersey September 2006 – January 2010

- Provide alternative to Family Court involvement for at risk youths. Knowledge of various programs within Essex County to deter youth from future police interaction.

## Certification and Licenses:

- **Parenting Coordination with High Conflict Families** **Completed:** December 2012
- **Certified LSW Supervisor / NJ** **Completed:** June 2008
- **The Center for Dispute Resolution,** Montclair, New Jersey **Completed:** March 2001
- **Adelphi University,** Garden City, New York **Completed:** January 1998 (SIFI)
- **NJ LCSW:** New Jersey - # SC 49271 **NY LMSW:** New York - # 052750

## Education:

**Columbia University School of Social Work,** NY, New York **Graduated**: May 1995
Master of Science in Social Work / Minor in Law

**Brooklyn College, CUNY,** Brooklyn, New York **Graduated**: February 1992
Bachelor of Science (*cum laude*) in Psychology / Minor in Art

## References available upon request.

Prescribed by: DoDI 1325.07

CUI (when filled in)

| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Resilancy, Human Connection | |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

On this date, Jermiah Copeland attended a Life Skills class on Resiliency and the need for human connection. Topics included, but were not limited to:

1. Optimism vs. Realism
2. Coping Mechanisms
3. Sense of Purpose
4. Emotional Regulation
5. Routine and Structure
6. The need for connection
7. Asking for and Accepting help
8. Learning and skill acquisition
9. Mindfulness and self-awareness

| COPELAND, JERMIAH | [redacted] | 20260130 |
|---|---|---|
| Printed Name | Signature | Date |

| Heather Cox | [redacted] | 20260130 |
|---|---|---|
| Facilitator's Name | Signature | Date |

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(Updated 20241213)

**CORRECTIONAL FACILITY CONTINUATION SHEET**

**REPORT DATE** *(YYYYMMDD)*

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: SMART Goals | |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| Copeland, Jermiah [redacted] | |

Jermiah Copeland attended Life Skills: Smart Goals. Topics included but were not limited to:

1. Identifying Life Skills needed
2. Setting realistic, measurable goals to address those needs.
3. Developing a personalized action plan for their life skills development.

Copeland, Jermiah [redacted] 20251212

Printed Name Signature
Date

Cox, Heather [redacted] 20251212

Facilitator's Name Signature
Date

## CORRECTIONAL FACILITY CONTINUATION SHEET

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills for Success: Problem-Solving, Resilience, and Growth | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

Jermiah Copeland attended Life Skills for Success: Problem-Solving, Resilience, and Growth which included the following topics:

1. Problem-Solving & Critical Thinking
2. Planning & Goal-Setting
3. Persistence & Resilience
4. Teamwork & Collaboration
5. Stress & Pressure Management
6. Communication & Trust
7. Self-Reflection & Growth

COPELAND, JERMIAH COPELAND, JERMIAH.T [redacted] 7/025 10 03
Printed Name Signature Date

_Heather Cox_ [redacted] 20251003
Facilitator's Name Signature Date



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**CORRECTIONAL FACILITY CONTINUATION SHEET**

**REPORT DATE (YYYYMMDD)** 20250925

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Building Social Skills &Empathy | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

Jeramiah Copeland attended Life Skills: Building Social Skills & Empathy. Topics included, but were not limited to,:

1. Develop active listening, clear communication, and empathy.
2. Practice turn-taking and respectful conversation.
3. Analyze social interactions and emotional experiences in The Martian.
4. Reflect on personal empathy and communication skills.

Copeland, Jermiah [redacted] 20250925
Printed Name Signature Date

Heather Cox [redacted] 20250925
Facilitator's Name Signature Date

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| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20250912 |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Hands on Communication practice | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

Jermiah Copelan attended a Communication course. During this course, SNP:

Analyzed the function of log entries as a form of communication.
Discussed the difference between communicating thoughts and communicating with others.
Evaluated how humor and rational thinking to cope with isolation.
Discussed the human need for connection.

COPELAND, JERMIAH T [redacted] 20250912

Printed Name Signature Date

Heather Cox [redacted] 20250912

Facilitator's Name Signature Date

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| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20250905 |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Communication | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| Copeland, Jermiah | 00165476CJ |

Jermiah Copeland attended an individual course on communication on this date. Topics covered included the importance and how to Communicate through writing.

COPELAND, JERMIAH.T [redacted] 2025 09 05

Cox, Heather [redacted] 20250905

Facilitator

* Course ended at 1515 due to Command Visit.

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| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20250829 |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Hands On Resume Writing | 2719 |
| **3. PRISONER NAME** (Last, First, Middle) | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

Jermiah Copeland attended Life Skills: Hands on Resume Writing on this date. Topics included:

1. Introduction to Resume Writing
- Purpose and importance of a resume
- Understanding the job search process
- Types of resumes: chronological, functional, combination

2. Resume Formats & Layout
- Choosing the right format for your experience level
- Structuring sections effectively (contact info, summary, experience, education, skills, etc.)
- Design tips: fonts, spacing, readability, and ATS-friendly formatting

3. Personal Branding
- Identifying your unique value proposition
- Writing a compelling resume summary or objective
- Tailoring your resume to your industry

4. Job Analysis & Customization
- Reading and analyzing job descriptions
- Matching resume content to keywords and job requirements
- Customizing resumes for specific roles or industries

5. Writing Effective Content
- Using action verbs and quantifiable results (e.g., STAR method)
- Avoiding vague or generic phrases
- Turning duties into accomplishments

6. Highlighting Key Sections
- Work Experience: achievements vs. responsibilities
- Skills: hard vs. soft skills, relevant tools and technologies
- Education & Certifications: how much detail to include
- Optional Sections: volunteer work, publications, languages, etc.

7. Applicant Tracking Systems (ATS)

8. Editing and Proofreading
- Common resume mistakes and how to fix them
- Grammar, spelling, and consistency checks
- Peer review and feedback

9. Practical Activities / Hands-On Exercises
- Resume diagnostics (reviewing and critiquing existing resumes)
- Resume building from scratch or revamping current versions
- One-on-one feedback sessions
- Mock resume submissions and evaluations

10. Digital Tools & Resources
- Resume builders and templates
- Tools like Grammarly, Jobscan, or Canva
- Saving and sending resumes (PDF, Word, LinkedIn upload, etc.)

COPELAND, JERMIAH T [redacted] 29 Aug 25
Printed Name Signature Date

Heather Cox [redacted] 29 Aug 25
Facilitator's Name Signature Date

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## CORRECTIONAL FACILITY CONTINUATION SHEET

**REPORT DATE** *(YYYYMMDD)*: 20250822

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Employment | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH | 00165476CJ |

Jermiah Copeland attended Life Skills: Employment on this date. Topics included the importance of and how to:

1. Search for jobs
2. Network
3. Write a resume
4. Interview

Jermiah Copeland — [redacted] — 2025 08 22

Prisoner's Name — Signature — Date

Heather Cox — [redacted] — 20250822

Facilitator's Name — Signature — Date

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| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20250815 |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Hands On Financial Planning | |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH | 00165476CJ |

Jermiah Copeland attended Life Skills: Hands on Financial Planning on this date. Topics included, but were not limited to,:

Understand Income and Expenses
- Identify all sources of income and categorize expenses (fixed vs. variable).
- Recognize mandatory payments (rent, bills, debt) versus discretionary spending.

Calculate Surplus or Deficit
- Learn to subtract total expenses and debt from income to determine monthly surplus or deficit.
- Understand how surplus can be allocated toward savings or discretionary spending.

Plan for Financial Goals
- Learn to set realistic savings goals.
- Determine how much needs to be saved monthly to reach the goal in a set timeframe.

Prioritize Spending
- Make decisions about which expenses can be reduced or delayed to meet financial goals.
- Understand the impact of debt payments on available funds for savings.

Practice Hands-On Budgeting
- Gain experience filling out a budget worksheet.
- Apply calculations to a real-life scenario to make the exercise practical and interactive.

Develop Problem-Solving Skills
- Explore options for handling unexpected costs or shortfalls.
- Encourage critical thinking about money management and planning.

| Printed Name | Signature | Date |
|---|---|---|
| COPELAND, JERMIAH | [redacted] | 20250805 |
| Heather Cox | [redacted] | 20250815 |
| Facilitator's Name | Signature | Date |

Prescribed by: DoDI 1325.07

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## CORRECTIONAL FACILITY CONTINUATION SHEET

**REPORT DATE** *(YYYYMMDD)*: 20250808

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Life Skills: Financial Planning | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

Jermiah Copeland attended Life Skills: Financial Planning on this date. Topics included, but were not limited to,:

Foundations of Financial Planning

1. Understanding Needs vs. Wants
2. Setting Financial Goals (Short-Term, Mid-Term, Long-Term)
3. Creating and Sticking to a Budget
4. Understanding Income (Gross vs. Net, Paychecks, Taxes)
5. Banking Basics (Checking vs. Savings Accounts, Online Banking)

Smart Spending & Saving

6. Developing Smart Spending Habits
7. Saving Strategies (Emergency Funds, Automatic Saving)
8. How Interest Works (Compound vs. Simple Interest)
9. Couponing, Discounts, and Smart Shopping
10. Impulse Buying and Emotional Spending

Credit and Debt Management

11. Understanding Credit Scores and Reports
12. How to Use Credit Cards Responsibly
13. Types of Loans (Student, Auto, Personal, Payday)
14. Managing Debt and Avoiding Debt Traps
15. How to Build Credit Wisely

Investing and Wealth Building

16. Basics of Investing (Stocks, Bonds, Mutual Funds)
17. Risk vs. Return in Investing
18. The Power of Compound Interest Over Time
19. Diversifying Your Income (Side Hustles, Passive Income)
20. Emergency Financial Preparedness

| Jermiah Copeland COPELAND, JERMIAH T | [redacted] | 2025-08-08 |
|---|---|---|
| Printed Name | Signature | Date |
| Heather Cox | [redacted] | 20250808 |
| Facilitator's Name | Signature | Date |

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| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20250801 |
|---|---|

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| 1. TITLE OF FORM | 2. DD FORM |
|---|---|
| Personal Communication/Building Healthy Relationships/Parenting | 2719 |
| **3. PRISONER NAME** *(Last, First, Middle)* | **4. REGISTRATION NUMBER** |
| COPELAND, JERMIAH T | 00165476CJ |

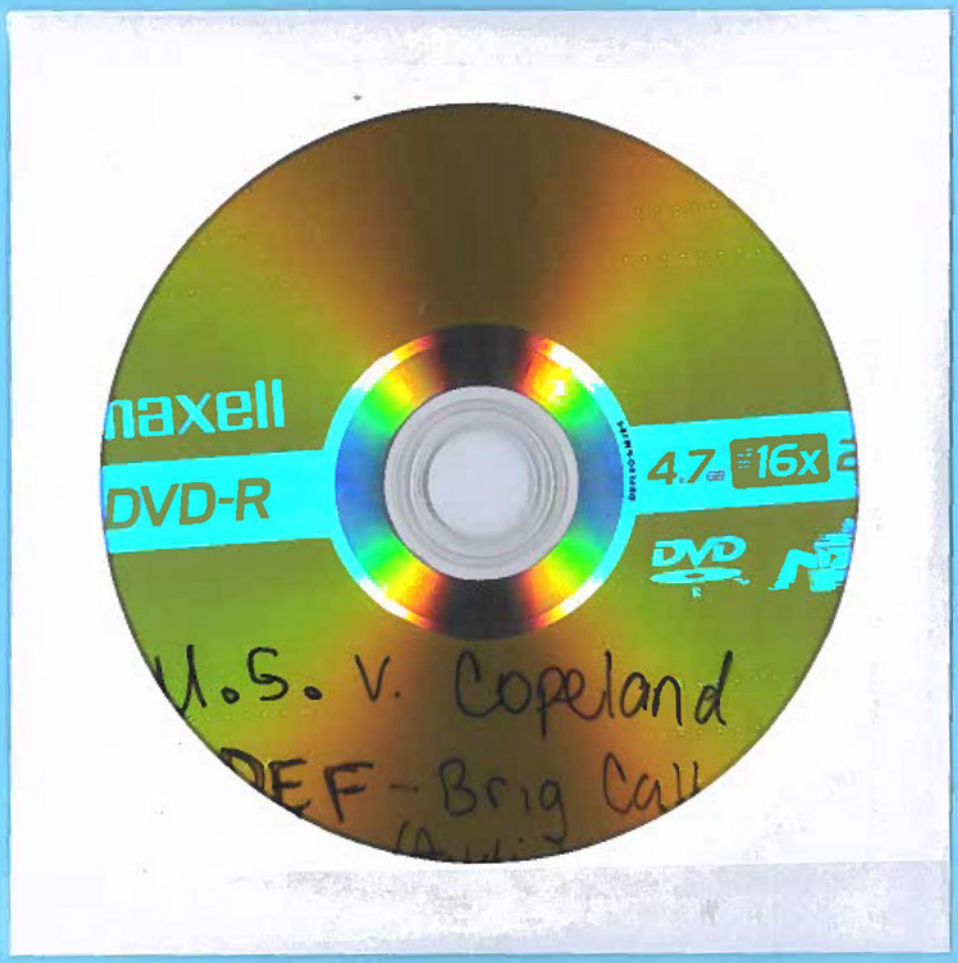
Jermiah Copeland attended Life Skills: Hands On Personal Communication/Relationship Building on this date. Topics included, but were not limited to,:

Personal Communication:
- Active Listening Skills
- Nonverbal Communication and Body Language
- Giving and Receiving Constructive Feedback
- Conflict Resolution Techniques

Relationship Building:
- Trust and Honesty as Core Relationship Values
- Respecting Diversity and Cultural Differences
- Relationship Skills for Romantic Partnerships
- The Importance of Apologizing and Forgiveness

Parenting
- Positive Discipline vs Punishment
- Effective Communication with Children and Teens
- Helping Children Build Social Skills
- Parental Self-Care and Managing Stress

| Jermiah Copeland | [redacted] | 20250801 |
|---|---|---|
| Printed Name | Signature | Date |
| Heather Cox | [redacted] | 20250801 |
| Facilitator's Name | Signature | Date |




DEFENSE EXHIBIT F
1 of 1



# APPELLATE EXHIBITS

**UNITED STATES**
**v.**
**JERMIAH T. COPELAND**
**CSSN/E-3**
**USN**

**TRIAL MANAGEMENT ORDER**
**8 OCT 2025**

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1. **Trial Dates and Milestones**. The following are due on or before 1630 on the ordered date:

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| a. **Arraignment (and appointment of victim's designee if applicable)** | **9 OCT 25**[i] |
| b. Defense request for discovery | 15 OCT 25 |
| c. Government disclosure obligations[ii] | 28 OCT 25 |
| d. Defense reciprocal disclosure obligations[iii] | 29 OCT 25 |
| e. Defense expert consultant request | 29 OCT 25 |
| f. Defense witness request | 29 OCT 25 |
| g. Government response to Defense expert consultant request | 5 NOV 25 |
| h. Government notices pursuant to M.R.E. 404(b), 413(b), 414(b) | 5 NOV 25 |
| i. Government response to Defense witness request | 5 NOV 25 |
| j. **Pre-Trial Status Conference**** | **12 NOV 25** |
| k. Motions filed and notice pursuant to M.R.E. 412[iv]***** | 26 NOV 25 |
| l. Responses to motions***** | 5 DEC 25 |
| m. **Article 39(a)** | **10 DEC 25** |
| n. **Pre-Trial Status Conference**** | **29 JAN 26** |
| o. Motions filed | 18 FEB 26 |
| p. Responses to motions***** | 26 FEB 26 |
| q. **Article 39(a)** | **5 MAR 26** |
| r. **Pre-Trial Status Conference**** | **2 APR 26** |

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| s. Motions filed | 8 APR 26 |
| t. Responses to motions* | 15 APR 26 |
| u. **Article 39(a)** | **23 APR 26** |
| v. Written notice of certain defenses[v] | 1 MAY 26 |
| w. Written notice of pleas and forum[vi]* | 1 MAY 26 |
| x. Notice for Government and Defense Expert Witnesses | 1 MAY 26 |
| y. Final pretrial matters[vii]* | 8 MAY 26 |
| **z. Final 39(a)** | **2 JUN 26** |
| **aa. Trial Dates at <u>Naval Station Norfolk Bldg A-50</u>** | **3-26 JUN 26** |

**2. Timeliness.** A party shall seek leave of court to make a notice or filing after the ordered milestone or the written pleading shall include an explanation for good cause. If a continuance is necessary, counsel will seek relief as soon as possible.

**3. Victims' Legal Counsel (VLC) and other Non-Party Counsel**. VLC and other non-party counsel shall file a notice of appearance with the court, stating the court circuit, applicable case caption, name of the respective client (using initials only if the client is a minor), and name, rank, address, phone number and email address of the counsel. The notice shall contain a brief statement as to the qualifications to practice and oath status of the counsel. The notice must be served on all parties, and prior to any 39(a) session at which the VLC desires to be heard. VLC and other non-party counsel's appearance and filings must be filed in accordance with this Order's milestones, including responses to motions upon which the counsel desires to be heard, and in consideration of the Circuit Rules. Failure to comply with this Order will constitute waiver by the VLC or other non-party counsel's right to be heard, subject to a good cause determination by the Court.

So **ORDERED** this 8th day of October, 2025.

[redacted]
Military Judge

*Filed with the Clerk of Court and served on counsel consistent with the NMCTJ Uniform Rules. Trial counsel is responsible for service upon named victims in the absence of a victims' legal counsel where such service is necessary.

** Pre-trial conferences will be conducted between government counsel and defense counsel in the presence of the military judge pursuant to R.C.M 802. The parties will report on case status to include, but not limited to: the status of discovery, production, and plea discussions, if any.

[i] All times are Eastern time.
[ii] Discovery obligations are continuous. R.C.M. 701 & 703 disclosures: papers accompanying the referred charges; convening and amending orders; statements in the possession of the trial counsel; names and addresses/contact information of witnesses the trial counsel intends to call in the prosecution's case-in-chief and to rebut certain defenses when notified; notice of records of prior convictions of the accused to be offered on the merits; sentencing information when required; and evidence that is favorable to the defense; notice of any immunity or leniency to prosecution witnesses (M.R.E. 301(c)(2)). Disclosure of evidence seized from or the property of the accused, if any (M.R.E. 311(d)(1)). Disclosure of evidence of prior identification of the accused, if any (M.R.E. 321(c)(1)). Disclosure of relevant statements made by the accused, if any, is required prior to arraignment (M.R.E. 304(d)(1)).
[iii] Discovery obligations are continuous. Upon request of trial counsel, the defense shall permit the trial counsel to inspect the documents, tangible objects and relevant reports prepared by expert witnesses that it intends to introduce as evidence in its case in chief or of relevant reports prepared by expert witnesses the defense intends to call at trial upon Government compliance with such requests made by the defense. (R.C.M. 701 (b)(3)&(4)).
[iv] Counsel should strive to litigate all ripe motions at the first motions date, including those required for M.R.E. 412, allegations of errors in the Article 32, preferral and referral process, appointment of expert consultants, witness production, and discovery.
[v] Particulars of defenses of alibi, innocent ingestion, lack of mental responsibility, or the defense's intent to introduce expert testimony as to the accused's mental condition. (R.C.M. 701(b)(2)).
[vi]Note that forum selections of judge alone or members with enlisted representation must be personally signed by the accused or declared on the record.
[vii] Member questionnaires, requests for judicial notice, voir dire, combined witness list with units, company sized unit, proposed instructions, cleansed charge sheet, findings and sentencing worksheets, and any motions for preadmission of evidence. Notice will be provided to the Court and opposing counsel when a party intends the use of electronic media or to take testimony by telephone or video-conferencing.

| | |
|---|---|
| **From:** | Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) |
| **To:** | Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LCDR USN (USA); Mihill, Todd M LCDR USCG (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **Cc:** | Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Crossley, Shelley L CIV (USA); Vanetti, Kathleen E PO1 USN (USA); Kim, Jason Jinhong Lee LCDR USN (USA); TRIJUDAC_CENTRAL_COURT_REPORTERS; Gomez, Jocelyn M PO2 USN (USA); Port, Juana J PO1 USN (USA); TRIJUDAC_Central |
| **Subject:** | RE: Request to Amend TMO ICO U.S. v. CSSN Copeland |
| **Date:** | Friday, March 27, 2026 8:32:45 AM |

Counsel – The defense motion to amend the TMO is granted as follows:

s. Motions filed **15 APR 26** vice **8 APR 26**
t. Responses to motions* **22 APR 26** vice **15 APR 26**
u. Article 39(a) 23 APR 26 **30 APR 26** vice **23 APR 26**

Court reporting, please mark this email chain as an AE amending the TMO.

Thanks,
R/
CAPT Hutchison

_____
Frank D. Hutchison
CAPT, JAGC, USN
Circuit Military Judge
Central Judicial Circuit
(757) 341-4576

CONTROLLED UNCLASSIFIED INFORMATION / PRIVACY SENSITIVE / ATTORNEY WORK PRODUCT. The information contained in this e-mail and/or accompanying documents was prepared by the Circuit Military Judge, Central Judicial Circuit and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited. Any misuse or unauthorized disclosure can result in both civil and criminal penalties.

**From:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Sent:** Thursday, March 26, 2026 4:17 PM
**To:** Hutchison, F D (Frank) CAPT USN NAVMARJUDIC DC (USA) <frankie.d.hutchison.mil@us.navy.mil>

**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <disable.shelley.l.crossley.civ@us.navy.mil>; Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>; Kim, Jason Jinhong Lee LCDR USN (USA) <jason.j.kim22.mil@us.navy.mil>; TRIJUDAC_CENTRAL_COURT_REPORTERS <trijudac_court_reporters@us.navy.mil>; Gomez, Jocelyn M PO2 USN (USA) <jocelyn.m.gomez.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Port, Juana J PO1 USN (USA) <juana.j.port.mil@us.navy.mil>; TRIJUDAC_Central <trijudac_central@us.navy.mil>
**Subject:** Request to Amend TMO ICO U.S. v. CSSN Copeland

Your Honor,

Good afternoon. Defense respectfully requests to amend the following dates on the TMO in the case of U.S. v. CSSN Copeland:

s. Motions filed ~~8 APR 26~~ **15 APR 26**
t. Responses to motions* ~~15 APR 26~~ **22 APR 26**
u. Article 39(a) ~~23 APR 26~~ **30 APR 26**

For the Court's awareness, Defense and the Government agree to the proposed date changes. Pursuant to the court rules, the Defense has filed the attached motion formalizing this request. Additionally, the proposed dates have been added in NCORS as well. Please let me know if anything additional is needed. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
☎: 757-341-4486

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **United States**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM: Ms. Esmerelda Castle**<br><br>**8 OCT 25** |

## APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM

1. The Government respectfully submits this request for an order pursuant to Article 6b(c), Uniform Code of Military Justice (U.C.M.J.) and Rule for Court-Martial (R.C.M.) 801(a)(6) designating Ms. Esmerelda Castle to assume the rights of a deceased victim in the above-captioned case.

## LEGAL BACKGROUND

2. "In the case of a victim of an offense under this chapter who is under 18 years of age (but who is not a member of the armed forces), incompetent, incapacitated, or deceased, the legal guardians of the victim or the representatives of the victim's estate, family members, or any other person designated as suitable by the military judge, may assume the rights of the victim under this section." Article 6b(c), U.C.M.J.

3. "In this section, the term 'victim of an offense under this chapter' means an individual who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense under this chapter." Article 6b(b), U.C.M.J.

4. "At the military judge's discretion, in the case of a victim of an offense under the UCMJ who is under 18 years of age and not a member of the armed forces, or who is incompetent, incapacitated, or deceased, designate the legal guardian(s) of the victim or the representative(s) of the victim's estate, family members, or any other person deemed as suitable by the military judge to assume the victim's rights under the UCMJ." R.C.M. 801(a)(6).

## FACTS

5. On 29 May 2025, CS3 A.R., USN, went missing and was never heard from again. On 9 June 2025, her body was located in a wooded area after evidence was found linking CSSN Jermiah Copeland, USN, the Accused, to her murder and disappearance.

6. A thorough investigation revealed several other victims of violence and sexual misconduct perpetrated by the Accused. On 22 August 2025, Charges were preferred. These Charges include

four Specifications of Article 120, one specification of Article 128, one specification of Article 117a, two Specifications of Article 120c, three specifications of Article 131b, two Specifications of Article 128b, two specifications of Article 107, and one Specification of Article 118, UCMJ.

7. On 3 September 2025, Commander, Navy Region Mid-Atlantic, appointed CDR John Butler, JAGC, USN, as a Preliminary Hearing Officer to conduct a preliminary hearing into the charges against CSSN Copeland.

8. The Article 32 preliminary hearing was held on 18 September 2025.

9. On 1 October 2025, charges were referred to a general court-martial. Five Specifications of alleged misconduct relating to the death of CS3 A.R. were referred. This includes a Specification of Article 118 for the premeditated murder of CS3 A.R., two Specifications of Article 131b for disposing of her body and hiding his phone from investigators, and two Specifications of Article 107 for making false statements about his knowledge of CS3 A.R.'s whereabouts.

9. Ms. Esmerelda Castle is CSSN Resendiz's mother.

**REQUEST FOR ORDER**

10. The Government respectfully requests that a military judge issue an order designating Ms. Esmerelda Castle to assume the rights of a deceased victim in this case, specifically, CS3 A. R. CS3 A.R. is a "victim of an offense under this chapter" pursuant to Article 6b, U.C.M.J., because she suffered direct physical harm as a result of the commission of an offense under the U.C.M.J. as described above. Ms. Esmerelda Castle is CS3 A.R.'s mother (*i.e.*, family member), and her designation to assume CS3 A.R.'s rights in this case is proper because she is deceased.

Respectfully submitted,

[redacted]

C. B. DEMPSEY
LT, JAGC, USN
Trial Counsel

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **United States**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **APPLICATION FOR DESIGNATION TO ASSUME THE RIGHTS OF A VICTIM: Ms. Esmerelda Castle**<br><br>**8 OCT 25** |

**ORDER**

The Government has submitted an application pursuant to Article 6b(c), Uniform Code of Military Justice, and Rule for Court-Martial 801(a)(6), requesting that the military judge issue an order designating Ms. Esmerelda Castle to assume the rights of a deceased victim in this case, specifically, CS3 A.R.

The Court finds that CS3 A.R. is a victim under Article 6b, Uniform Code of Military Justice, who suffered direct physical harm as a result of the commission of an offense under the Uniform Code of Military and is deceased.

The Court also finds that CS3 A.R. was unmarried and had no children at the time of her death, and that Ms. Esmerelda Castle is the mother of CS3 A.R. and thereby is a suitable individual to assume CS3 A.R.'s rights in this case.

IT IS THEREFORE ORDERED, pursuant to Article 6b(c), Uniform Code of Military Justice, and Rule for Court-Martial 801(a)(6), that Ms. Esmerelda Castle is hereby designated to assume the rights of CS3 A.R. in this case as articulated in Article 6b(a) and any other Navy rule, regulation, or instruction.

[redacted]

CAPT F.D. Hutchison, JAGC, USN
Military Judge

8 October 2025

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **LIST OF ARTICLE 30a MATTERS**<br><br>**8 October 2025** |

1. The following Article 30a matters were ruled on in this case. A record of these matters will be attached to the record:

a. An investigative subpoena for Navy Federal Credit Union was issued by CAPT Frank Hutchison, JAGC, USN, on 2 June 2025.

b. An order for store communications from AT&T was issued by LCDR Paul LaPlante, JAGC, USN on 4 June 2025.

c. An order for store communications from T-Mobile was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

d. A warrant for AT&T was issued by LCDR Paul LaPlante, JAGC, USN on 2 June 2025.

e. A warrant for T-Mobile was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

f. A warrant for Google was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

g. A request for an order for stored communications from TransUnion was denied by LCDR Paul LaPlante, JAGC, USN, on 5 June 2025.

h. An order for stored communications from Uber was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

h. An order for stored communications from Uber was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

i. An investigative subpoena for Navy Federal Credit Union was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

j. An order for stored communications for Apple was issued by LCDR Paul LaPlante, JAGC, USN was issued on 5 June 2025.

k. An order for stored communications for Apple was issued by LCDR Paul LaPlante, JAGC, USN on 5 June 2025.

l. An investigative subpoena for Snapchat was issued by LCDR Paul LaPlante, JAGC, USN, on 5 June 2025.

m. A warrant for Snapchat was issued by LCDR Paul LaPlante, JAGC, USN, on 5 June 2025.

n. An investigative subpoena for Cox Communications was issued by LCDR Paul LaPlante on 5 June 2025.

o. A request for a warrant for Snapchat was denied by LCDR Paul LaPlante, JAGC, USN on 6 June 2025.

p. An investigative subpoena for Cox Communications was issued by LCDR Paul LaPlante, JAGC, USN on 6 June 2025.

q. A warrant for Apple was issued by LCDR Paul LaPlante, JAGC, USN on 6 June 2025.

r. An investigative subpoena for Equifax was issued by LCDR Paul LaPlante, JAGC, USN on 6 June 2025.

s. A warrant for Apple was issued by LCDR Paul LaPlante, JAGC, USN on 6 June 2025.

t. An order for stored communications from Verizon was issued by LCDR Paul LaPlante, JAGC, USN on 7 June 2025.

u. An order for stored communications from Verizon was issued by LCDR Paul LaPlante, JAGC, USN on 7 June 2025.

v. An investigative subpoena for Navy Federal Credit Union was issued by LCDR Paul LaPlante, JAGC, USN on 8 June 2025.

w. An order for stored communications from T-Mobile was issued by LCDR Paul LaPlante, JAGC, USN on 8 June 2025.

x. An investigative subpoena for Cash App (Block, Inc.) was issued by CDR Jason Pfeil, JAGC, USN on 10 June 2025

y. An investigative subpoena for Langley Federal Credit Union was issued by CDR Jason Pfeil, JAGC, USN on 12 June 2025.

z. An investigative subpoena for Cash App (Block, Inc.) was issued by CDR Jason Pfeil, JAGC, USN on 16 June 2025

aa. A warrant for Google was issued by CDR Jason Pfeil, JAGC, USN on 20 June 2025.

bb. A warrant request for Snapchat was denied by CDR Jason Pfeil, JAGC, USN, on 20 June 2025.

cc. An investigative subpoena for Reddit was issued by LCDR Paul LaPlante, JAGC, USN on 17 July 2025.

dd. A request for an order for stored communications from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 14 July 2025.

ee. A request for an order for stored communications from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 14 July 2025.

ff. A request for an order for stored communications from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 14 July 2025.

gg. An investigative subpoena for Reddit was issued by CDR Jason Pfeil on 18 July 2025.

hh. An order for stored communications from T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 21 July 2025.

ii. An order for stored communications from T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 21 July 2025.

jj. An order for stored communications from T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 21 July 2025.

kk. A warrant for Apple/iCloud was issued by CDR Jason Pfeil, JAGC, USN on 12 August 2025.

ll. An investigative subpoena for Oak Harbor High School was issued by CDR Jason Pfeil, JAGC, USN on 11 August 2025.

mm. An investigative subpoena for Reddit was issued by CDR Jason Pfeil, JAGC, USN on 11 august 2025.

nn. A warrant for AT&T was issued by CDR Jason Pfeil, JAGC, USN on 13 August 2025.

oo. A request for a warrant for Meta was denied by CDR Jason Pfeil, JAGC, USN on 13 August 2025.

pp. A request for a warrant for Sony was denied by CDR Jason Pfeil, JAGC, USN on 18 August 2025.

qq. A warrant for Meta was issued by CDR Jason Pfeil, JAGC, USN on 18 August 2025.

rr. An investigative subpoena for Equifax was issued by CDR Jason Pfeil, JAGC, USN on 18 August 2025.

ss. An investigative subpoena for Life360 was issued by CDR Jason Pfeil, JAGC, USN was issued on 26 August 2025.

tt. A request for a warrant from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 1 September 2025.

uu. A request for a warrant from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 2 September 2025.

vv. A request for a warrant from T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 2 September 2025.

ww. A motion for release of the Accused from pretrial confinement was heard and denied by CAPT Frank Hutchison, JAGC, USN on 15 September 2025.

xx. A warrant for Sony was issued by CDR Jason Pfeil, JAGC, USN on 2 September 2025.

yy. An investigative subpoena for Life360 was issued by CDR Jason Pfeil, JAGC, USN on 4 September 2025.

zz. An investigative subpoena for Coupeville High School was issued by CDR Jason Pfeil, JAGC, USN on 4 September 2025.

aaa. An investigative subpoena for Google was issued by CDR Jason Pfeil, JAGC, USN on 9 September 2025.

bbb. A warrant for T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 10 September 2025.

ccc. A warrant for T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 11 September 2025.

ddd. A warrant for T-Mobile was issued by CDR Jason Pfeil, JAGC, USN on 11 September 2025.

eee. An investigative subpoena for Epiarx was issued by CDR Jason Pfeil, JAGC, USN on 16 September 2025.

fff. A request for a warrant for T-Mobile was denied by CDR Jason Pfeil, JAGC, USN on 17 September 2025.

ggg. A warrant for T-Mobile was issued by CDR Mishonda Mosley, JAGC, USN on 30 September 2025.

hhh. A warrant for T-Mobile was issued by CDR Mishonda Mosley, JAGC, USN on 30 September 2025.

iii. An order for the designation of a victim representative under Article 6b, UCMJ was denied on 8 October 2025 by CAPT Frank Hutchison, JAGC, USN.

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **LIST OF ADDITIONAL ARTICLE 30a MATTERS**<br><br>**13 November 2025** |

1. The following *additional* Article 30a matters were ruled on in this case. A record of these matters will be attached to the record:

a. An investigative subpoena for Meta Platforms, Inc. was issued by CDR Jason Pfeil, JAGC, USN, on 10 June 2025.

b. An investigative subpoena for Meta Platforms, Inc. was issued by CDR Jason Pfeil, JAGC, USN, on 16 June 2025.

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br>**v.**<br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **VICTIMS' LEGAL COUNSEL**<br>**NOTICE OF APPEARANCE**<br><br>**9 OCT 2025** |

1. I, LCDR Jason Kim, JAGC, USN, Victims' Legal Counsel Program, Navy Victim's Legal Counsel Program, Naval Station Norfolk, Virginia admitted to practice law and currently in good standing in the State of Georgia, and although not appearing as a Defense Counsel or Trial Counsel, certified in accordance with Article 27(b), Uniform Code of Military Justice (UCMJ) and sworn under Article 42(a), UCMJ, hereby enter my appearance in the above captioned court-martial on behalf of the CSSN S.S., a named victim in the charges.

2. I have formed an attorney-client relationship with CSSN S.S.. I have not acted in any manner which might disqualify me in the above captioned court-martial.

3. I have reviewed the Navy-Marine Corps Trial Judiciary Rules of Practice and the Central Judicial Circuit Rules of Practice.

4. CSSN S.S. reserves the right to be present throughout the court-martial in accordance with Military Rule of Evidence 615 and Article 6(b), UCMJ.

5. To permit a meaningful exercise of CSSN S.S.'s rights and privileges, I respectfully request that this court direct the defense and government to provide me with informational copies of motions and accompanying papers filed with the Court that implicate Military Rules of Evidence 412, 513, 514, and 615 and/or in which CSSN S.S.'s rights and privileges are addressed.

6. CSSN S.S. has limited standing in this court-martial, and she reserves the right to make factual statements and legal arguments themselves, or through counsel when permitted by law.

7. CSSN S.S by and through counsel formally asserts all of her rights and privileges as a victim under the UCMJ, Military Rules of Evidence and other applicable law.

8. My current contact information is as follows:

LCDR Jason Kim, JAGC, USN
1221 Bellinger Blvd. Building U-111
Naval Station Norfolk, Virginia 23511
Work Cell: [redacted]
Jason.j.kim22.mil@us.navy.mil

Respectfully submitted this 8th day of October 2025.

/s/
Jason J. Kim

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Appearance was served upon the Court, Trial Counsel, and Defense Counsel on 8 Oct 2025.

/s/
Jason J. Kim

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN / E-3**<br>**U.S. NAVY** | **Notice of Appearance**<br><br>**8 October 2025** |

1. Pursuant to Rule 5.1 of the Navy-Marine Corps Trial Judiciary Uniform Rules of Practice (Uniform Rules) of the Central Circuit Rules of Practice (Circuit Rules), I, S. Marshall Griffin, Jr., hereby provide notice of my appearance in the above-captioned case on behalf of A.R.., a named victim in this case, and representatives asserting the rights afforded to A.R. under Article 6b, UCMJ. My contact information is as follows:

S. Marshall Griffin, Jr.
999 Waterside Drive, Suite 2525
Norfolk, VA 23510
Phone: 757-434-0198
Email: marshall@griffinlawdefense.com

2. I am licensed to practice law, and in good standing, in the Commonwealth of Virginia, the District of Columbia, the Federal District Court of the Eastern District of Virginia, the Courts of the Armed Forces, The Court of Appeals for the Armed Forces, and the Supreme Court of the United States.

3. I understand that practice in the Central Circuit requires me to be familiar with the Uniform and Circuit rules. Additionally, I am aware of the standards of professional conduct required of counsel practicing in Navy-Marine Corps courts-martial as contained in JAG Instruction 5803.1E. I have not acted in any manner that might tend to disqualify me from participating in this court-martial.

[redacted]
S. Marshall Griffin, Jr.
Civilian Defense Counsel
VA 87585

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3**<br>**U.S. NAVY** | **DEFENSE MOTION FOR APPROPRIATE RELIEF**<br><br>**(Illegal Pre-Trial Punishment - Article 13)**<br><br>**26 Nov 2025** |

## MOTION

Pursuant to Rules for Courts-Martial Article 13, UCMJ, and the 6th Amendment to the U.S. Constitution, the defense moves the Court to grant CSSN Copeland three-for-one administrative credit (in addition to day for day credit pursuant to *United States v. Allen*, 17 M.J. 126 (C.M.A. 1984)) for unduly harsh, inflexible, and arbitrary conditions which interfere with his 6th Amendment right to counsel, and constitutes illegal pre-trial punishment.

## SUMMARY

On 9 June 2025, CSSN Copeland was ordered into pretrial confinement. On 16 June 2025, a 7-day reviewing officer held a hearing and approved continued confinement. That same day, the defense began requesting to confer privately with CSSN Copeland. The trial counsel, the brig, and CSSN Copeland's commanding officer denied those requests. In the intervening period, CSSN Copeland was able to meet face to face and confidentially with his counsel at an Article 30a proceeding, his Article 32 hearing, and a single other time on 29 October 2025. CSSN Copeland remains in a "maximum custody" status at the brig which has prevented contact visits based solely on the nature of the brig's classification system. CSSN Copeland is a pretrial prisoner and the interference with his right to counsel, his sustained incarceration in what is tantamount to solitary confinement, and the unlikely event he will ever be released from "maximum custody" constitutes illegal pre-trial punishment and this Court should grant administrative credit at a rate of 3 to 1 for each day CSSN Copeland has served in "maximum custody" solely because of the severity of his charges.

## BURDEN

As the moving party, the Defense bears the burden of proof by a preponderance of the evidence with regard to each factual issue necessary for resolution of this matter. R.C.M. 905(c).

## FACTS

1. On 9 June 2025, CSSN Copeland was ordered into pre-trial confinement after being suspected of violating Article 118- Murder, under the UCMJ.[1]

2. CSSN Copeland is currently confined at the Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a "maximum custody" prisoner. This means, he is in his cell, alone, for between 21 and 22 hours per day. There have been two recent cases in this area in which the military judges (one USCG and one USN) have ruled that this type or classification of confinement constitutes illegal pretrial punishment.[2]

3. Pretrial confinees are classified as "maximum custody" for the first week they are at the brig and then, generally, are converted to "Medium-In," or colloquially "general population." That reclassification has not been afforded to CSSN Copeland.[3]

4. In some instances, despite being otherwise qualified for "Medium-In" status, the brig OIC can "override" the points system and keep a pre-trial prisoner in "maximum custody" status based on the severity of the ***alleged*** charges alone.[4]

5. While in "maximum custody" guards are required to check in on the inmates every 15 minutes and document their rounds on 509 forms.[5] These inmates do not have contact with one another, conduct recreation call by themselves, and eat meals by themselves in their cells.

6. On 16 June 2025, an Initial Review Officer (IRO) hearing was held at the NCBC, where the defense team met in-person with CSSN Copeland for the first time. During the IRO hearing and then CSSN Copeland's visit with his counsel, CSSN Copeland remained in shackles. That same day, a 7-day reviewing officer approved continued confinement.[6]

7. Noncontact visits make it difficult, if not impossible, for the attorneys to hear our client and make it difficult for CSSN Copeland to hear his attorneys. Additionally, communications from outside this room can be heard while inside, which means communications within the room can also be heard. Further, there is no means to review discovery with CSSN Copeland in this room as there are only tiny slots to pass a few sheets of folder paper and no way for CSSN Copeland to review a video or electronic evidence.[7] This case encompasses thousands of pages of discovery and countless hours of videos and interviews.

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[1] Encl A of Def MFAR (Change of Venue): Confinement Order of 9 Jun 25.
[2] Encl A: Ruling from *United States v. DC3 Reimonenq* of 14 Mar 25; *See also United States v. HM3 Thian Pate, USN*.
[3] Encl B: Prisoner Regs handbook; Encl C: Classification SOP; At the time of this filing the Defense has requested all documentation related to these proceedings and is awaiting responsive materials from the Government.
[4] Encl D: Brig OIC 701 Disclosure.
[5] These forms have been requested, though responsive materials have not yet been received.
[6] Encl E: IRO Memo of 17 Jun 25.
[7] Encl F: Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 16; Encl G: Mrs. Hoffmeister Affidavit; Encl H: Brig OIC Email.

8. On 16 June 2025, the defense demanded a speedy trial and requested that CSSN Copeland be brought to building A-50 to meet with his defense counsel.[8]

9. On 24 June 2025, after the defense followed up on our initial request, the trial counsel responded to inquire as to why the defense wanted to meet with our client in-person. The defense responded and explained. The same day, the Staff Judge Advocate for the USS JAMES E. WILLIAM's ISIC stated that the command was standing by to assist. However, on 30 June 2025, the trial counsel stated that "the government would not be able to support…." The defense asked the trial counsel for justification as to why the government would not support our request. However, the trial counsel never responded.[9]

10. On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential, in-person setting.[10]

11. On 7 August 2025, USS JAMES E. WILLIAMS denied CSSN Copeland's request and later refused to provide any justification or reasoning.[11]

12. On 13 August 2025, CSSN Copeland filed a complaint pursuant to Article 138, UCMJ.[12]

13. On 22 August 2025, the government preferred charges in this case. On that same day, the defense reached out about scheduling the Article 32 hearing and meeting with our client in preparation for the hearing.[13]

14. On 15 September 2025, an Article 30(a) hearing was held at building A-50. Prior to the hearing, defense counsel met with CSSN Copeland in the "PTC Room" in A-50 without incident.

15. No in-person visits with the CSSN Copeland were allowed or facilitated between preferral of charges and the Article 30(a) hearing nor the Article 32 hearing.

16. On 18 September 2025, an Article 32 preliminary hearing was held in this case in court room one in building A-50. Prior to the hearing, the defense met with CSSN Copeland in the "PTC room" without incident.

17. On 25 September 2025, in response to a plea offer made by the government, the defense requested to meet in-person with CSSN Copeland to discuss the offer. On 29 September 2025,

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[8] Encl F: Complaint Pursuant to Article 138 of 13 Aug 25 w/encls at 10; Encl C of Def MFAR (Change of Venue): Demand for Speedy Trial of 16 Jun 25.
[9] Encl F at 4-6.
[10] *Id.*at 13.
[11] *Id.* at 21.
[12] *Id.*
[13] Encl I: Emails with the trial counsel of 22 Aug 25.

having not received a response, the defense counsel followed up suggesting to schedule a time near the arraignment when defense counsel would already be in Norfolk.[14]

18. On 30 September 2025, the brig emailed CSSN Copeland's command to inform them that CSSN Copeland had requested an in-person legal visit with his defense team.[15]

19. On 1 October 2025, the trial counsel responded to the defense counsel's email.[16]

20. CSSN Copeland submitted a "510-request" to be temporarily released for a legal meeting.[17] Prior to arraignment on 6 October, CSSN Copeland was able to meet in person with his attorneys.[18]

21. On 29 October 2025, CSSN Copeland was granted a contact visit with two of his three detailed counsel but had to remain shackled throughout the duration of the meeting.

22. Between 9 June and the date of this filing, CSSN Copeland has met with his counsel in person three times- twice for court hearings and once post-Article 32 hearing on 29 October 2025. In that same time period CSSN Copeland was expected to to fully participate in his own defense at an Article 30(a) hearing, an Article 32 hearing, and fully and fairly assess a plea offer made by the government. Importantly, given the lack of communications when attempting to set up these meetings- CSSN Copeland has yet to meet simultaneously with all three of his detailed attorneys.

23. There have been no documented disciplinary issues with CSSN Copeland during the entire duration of his time in pre-trial confinement.[19]

24. CSSN Copeland remains "maximum custody" as of this filing, however the brig OIC states that he gets an extra hour each day – in which he "is allowed" to clean the passageways and showers – as an "opportunity to prove his good behavior."[20]

25. CSSN Copeland spent 22 hours a day in his cell, where he ate alone, exercised alone, and had no contact with anyone except his guards, from 9 June 2025 until 11 August 2025. Now, despite no misconduct and two reclassification boards, CSSN Copeland spends 21 hours a day by himself in his cell, with no outside interactions, eating and exercising alone.[21]

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[14] Encl J: Emails between trial and defense counsel of 23 Sep to 1 Oct 25. Detailed defense counsel in the case are assigned to Norfolk, Virginia and Pensacola, Florida.
[15] Encl K: Email from brig to the command of 30 Sep 25.
[16] Encl J.
[17] Encl L: DD Form 510 Brig Documents.
[18] Encl M: Brig CO Letter
[19] Encl D.
[20] *Id.*
[21] *Id.*

26. The brig OIC acknowledges it is unlikely, based solely on the nature of the alleged offenses, that CSSN Copeland will ever be reclassified for "maximum custody" status, effectively keeping him in solitary confinement until his pending charges have been adjudicated.[22]

27. Trial is not scheduled to begin, pending any unforeseen issues, until 3 June 2026. CSSN Copeland will have been in solitary confinement for almost a year at the start of trial, convicted of nothing.

28. Extended periods of solitary confinement have come under scrutiny on a global scale. The impacts of solitary confinement have been studied thoroughly and demonstrate that mental health challenges, both temporary and permanent, arise from the use of solitary confinement.[23]

## LAW

### 6th Amendment

29. "In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense."[24] Necessarily included in the Sixth Amendment right to counsel is the right of an accused to *confer privately* with his attorney.[25]

30. The accused has the right to be represented by counsel during an investigation under Article 32, UCMJ, and before a general or special court-martial.[26] In the military justice system, the right to counsel includes the right to counsel detailed under Article 27, UCMJ. The right to the services of detailed counsel "is substantial and extends to both the pretrial and the trial proceedings."[27]

31. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel…. [A defendant] is unfamiliar with the rules of evidence…. He lacks both the skill and knowledge adequately to prepare his defense, even though he [may] have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him."[28] Courts have concluded that an order preventing a defendant from consulting his attorney even during an overnight recess infringes upon this substantial right.[29]

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[22] Encl D.
[23] *See generally* Grassian, S. (2006). Psychiatric effects of solitary confinement. Washington University Journal of Law & Policy, 22, 325-383; Reiter, K., Moss, D., & Ben Dror, O. (2024). Overview of the international guiding statement on alternatives to solitary confinement. Criminal Justice, Winter 2024.
[24] U.S. CONST. amend. VI.
[25] *United States v. Brooks*, 66 M.J. 221, 223 (C.A.A.F. 2008) (citing *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996); *Geders v. United States*, 425 U.S. 80, 88-91 (1976)) (emphasis added).
[26] Article 38(b)(1), UCMJ. *See* U.S. CONST. amend. VI; *United States v. Davis*, 60 M.J. 469, 473 (2005).
[27] *United States v. Tellier*, 13 C.M.A. 323, 327 (1962); s*ee United States v. Eason*, 21 C.M.A. 335, 337-39 (1972).
[28] *Geders v. United States*, 425 U.S. 80, 88-89 (1976) (quoting *Powell* v. *Alabama,* 287 U.S. 45, 68-69 (1932); *see also Argersinger* v. *Hamlin,* 407 U.S. 25, 31- 36 (1972); *Gideon* v. *Wainwright,* 372 U.S. 335, 343-345 (1963).
[29] *Id.* (referencing *United States* v. *Venuto,* 182 F. 2d 519 (CA3 1950); *People* v. *Noble,* 42 Ill. 2d 425 (1969); *Commonwealth* v. *Werner,* 206 Pa. Super. 498 (1965)).

32. "A concomitant right is the right to confidential communications between the attorney and client."[30] M.R.E. 502(a) requires confidential communications "for the purpose of facilitating the rendition of professional legal services to the client."

33. "Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of offenses."[31] It is "not punishment and shall not be used as such."[32] Moreover, "[a] person should not be confined as a mere matter of convenience or expedience."[33] In fact, "[p]retrial confinement inevitably makes defense of a case more difficult," so "unless there is a need for it, pretrial confinement should be avoided."[34]

34. An accused is presumed innocent until proved guilty, and, therefore, punishment for an alleged offense is prohibited before trial.[35]

## Article 13, UCMJ

1. An accused is presumed innocent until proved guilty, and, therefore, punishment for an alleged offense is prohibited before trial.[36] Article 13, UCMJ prohibits the imposition of punishment prior to trial and conditions of arrest or pretrial confinement that are more rigorous than necessary to ensure the accused's presence for trial. Any rule to the contrary would deny an accused due process of the law.[37] Confinement itself is a form of penal servitude.[38]

2. Hence, unless confinement prior to trial is compelled by a legitimate and pressing social need sufficient to overwhelm the individual's right to freedom—given the fact that probable cause exists to believe he has committed a crime—restrictions unnecessary to meet that need are in the nature of intolerable, unlawful punishment. Thus, "the Government must make a strong showing that its reason for incarcerating an accused prior to his trial on the charged offenses reaches such a level, for otherwise the right to be free must be paramount."[39]

3. The presumption of innocence "is a fundamental component of due process" and "[p]retrial release has long been recognized as a vital concomitant of that presumption."[40] "If a person may be arbitrarily confined before his trial, then in truth the *punishment precedes conviction* and the presumption of innocence avails the defendant little."[41]

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[30] *United States v. Godshalk*, 44 M.J. 487, 490 (C.A.A.F. 1996) (citing Mil. R. Evid. 502).
[31] R.C.M. 304(a)(4).
[32] R.C.M. 304(f).
[33] R.C.M. 305(i)(B), Discussion.
[34] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[35] E.*g.,* 10 U.S.C. § 813.
[36] *See e.g.,* 10 U.S.C. § 813.
[37] U.S. CONST. amend. V.
[38] *United States v. Heard*, 3 M.J. 14, 20 (C.M.A. 1977) (citing *United States v. Bayhand*, 21 C.M.R. 84, 88 (C.M.A. 1956).
[39] *Id.*
[40] *Courtney v. Williams*, 1 M.J. 267, 271 (C.M.A. 1976).
[41] *Id.* (emphasis added)

4. "Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of offenses."[42] It is "*not punishment and shall not be used as such.*"[43] Moreover, "[a] person should not be confined as a mere matter of convenience or expedience."[44] In fact, "[p]retrial confinement inevitably makes defense of a case more difficult," so "unless there is a need for it, pretrial confinement should be avoided."[45]

**Navy Corrections Manual**

5. The Department of the Navy Corrections Manual (SECNAV M-1640.1 of May 2019) permits military judges to make exceptions to brig policies. This includes allowing a confinee in any status (including "MAX" and "MDI") to meet without escorts or restraints.[46]

**ARGUMENT**

**The circumstances surrounding CSSN Copeland's continued confinement as a "maximum custody" prisoner constitute illegal pretrial punishment under Article 13, UCMJ and interfere with his 6th Amendment right to counsel.**

1. On 9 June 2025, CSSN Copeland entered pre-trial confinement based on a suspected violation of Article 118-Murder, UCMJ. The confinement followed a period of increased media coverage of the disappearance of CS3 A.R. Importantly, CSSN Copeland was not placed into pretrial confinement for the other alleged offenses which now find their way onto his charge sheet. Allegations, which at the time of his pretrial confinement, were months to almost a year old and apparently, not the subject of NCIS investigations or prosecutorial consideration.

2. CSSN Copeland should have entered the brig at "maximum custody" classification to determine if he was a harm to himself or others and to acclimate and adjust to life in the brig. However, unlike other similarly situated individuals he was never reclassified to "Medium-In" status which would place him in general population where he could engage with other inmates, participate in groups and rec calls, as well as eat in the galley together. Instead, based on the nature of his charges alone, he has been repeatedly reclassified as "maximum custody" and kept in what is tantamount to solitary confinement since 9 June 2025.

3. The arbitrary and continuing assignment of CSSN Copeland as a "maximum custody" inmate serves no legitimate purpose (beyond the first week period described in the prisoner handbook) and does not advance any important governmental priority. What it does is keep him from having normal human interactions, single him out from the general population, keep him by himself for 21 or 22 hours a day, and serve to punish him before he has ever been convicted of anything.

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[42] R.C.M. 304(a)(4).
[43] R.C.M. 304(f). (emphasis added)
[44] R.C.M. 305(i)(B), Discussion.
[45] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[46] Department of the Navy Corrections Manual at 4-6, 4-7.

5. In *United States v. King*, the Government placed the accused, a pre-trial detainee, in segregation and cited space constraints within the brig as the reason segregation was necessary.[47] The Court held that "[p]lacing King in a segregated environment with all the attributes of severe restraint and discipline, without an **individualized demonstration** of cause in the record, was so excessive as to be punishment".[48]

6. In this case there is absolutely no individualized demonstration of cause warranting CSSN Copeland's continued classification as maximum custody. Based on the charges alone the brig OIC has made it clear- CSSN Copeland is never likely to be classified lower than "maximum" while he awaits trial for offenses for which he is ***presumed innocent***.

7. Similarly, in *United States v. Hancock*, the trial court awarded confinement credit for time the accused spent in "special quarters" as part of pre-trial detention.[49] The award of confinement credit was not premised on intent to punish, instead focusing on conditions that were unduly harsh.[50] NMCCA concurred with the trial court's determination.

8. In *United States v. Contreras*, NMCCA held that the trial court had not erred in awarding confinement credit for being forced to clean while wearing restraints.[51] In determining if the award was appropriate the Court looked a totality of the circumstances to determine if conditions were unduly harsh.[52]

9. Similarly to *Hancock*, there need not be an intent to punish when conditions of pre-trial detention are unduly harsh- here, CSSN Copeland's conditions of confinement coupled with those outlined below, amount to rigorous and unduly harsh conditions which represent punishment as it is described by the *Hancock* court.

10. Aside from what will be 171 days (at the time of filing, and continuing) of solitary confinement, CSSN Copeland's arbitrary and inflexible classification as "maximum custody" has interfered with his 6th Amendment right to counsel and constitutes "unduly harsh" conditions. CSSN Copeland has yet to meet with his entire defense team simultaneously, and when he was granted the ability to have a face to face visit with members of the team, he was forced to remain shackled "in accordance with brig SOP."

11. The brig OIC references reclassification procedures and indicates that CSSN Copeland has never appealed a reclassification decision.[53] Importantly, since there has been no misconduct on the part of CSSN Copeland, his classification is necessarily the product of an "override" in which the brig OIC makes a determination that the charges are so egregious they warrant solitary confinement and maximum custody classification. While the brig may argue that there is a

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[47] *United States v. King*, 61 M.J. 225 (C.A.A.F. 2005)
[48] *Id.* at 229. (Emphasis added).
[49] *United States v. Hancock*, NMCCA 201000400, 2011 WL 2557622 (N. M. Ct. Crim. App.)
[50] *Id.*
[51] *United States v. Contreras,* NMCCA 201100003, 2011 WL 2864311 (N. M. Ct. Crim. App.)
[52] *Id.*
[53] Encl D.

"Special Handling" classification which is truly solitary confinement- the circumstances surrounding CSSN Copeland's confinement demonstrate that he is currently subject to solitary confinement, and he is there because the brig OIC believes the charges are very severe. One person making a determination about alleged offenses. Presumably the brig OIC is not even privy to the investigation, discovery, or materials generated in the investigation. His opinion is likely confined to his review of the charge sheet (which he couldn't have gotten until well into CSSN Copeland's pretrial confinement, because it didn't exist yet) and whatever he has gleaned of the case from the news.[54]

12. An intent to punish is not essential for the requested relief in this case, however. CSSN Copeland's continued confinement represents an inflexible and arbitrary classification which has now impacted his 6th Amendment right to counsel. By continuing CSSN Copeland, foreseeably until the date of his trial, as a maximum custody inmate the brig has made it all but impossible to have meaningful in person discussions with his counsel regarding the evidence, status of the case, alternate resolutions, and general communications regarding CSSN Copeland's participation and trial strategy. This pretrial confinement period has also been marked by conditions that are far more rigorous than necessary to ensure his continued presence at proceedings. Those conditions are more rigorous than necessary and constitute punishment prior to trial. Both prongs of the Article 13 analysis are met and thus a remedy in the form of administrative credit, at a rate of three-to-one, is appropriate.

13. CSSN Copeland has served the entirety of his detention under conditions that do not serve a legitimate purpose and he has faced unduly rigorous and harsh conditions that are tantamount to illegal pre-trial punishment. He has been arbitrarily assigned a "Maximum" security classification without the due process, because of the b rig OIC's "override" ability, outlined within brig SOPs and regulations. Because of the increased restrictions, CSSN Copeland's ability to meet with and meaningfully interact with his counsel has been limited. The totality of these factors, as discussed in *Contreras*, demonstrate that a remedy is required to correct for illegal pre-trial punishment under Article 13.

14. The appropriate remedy for this illegal pre-trial punishment is three-for-one credit for the time CSSN Copeland has served (and continues to serve) and had to endure the unduly harsh conditions. CSSN Copeland should be credited with his time served, plus administratively credited three days for every one he served based upon Article 13 illegal punishments.

## RELIEF REQUESTED

This Court should order day for day credit, plus administrative credit for every day CSSN Copeland has been subject to inflexible, arbitrary classification decisions that have kept him in solitary confinement for more than 170 days.

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[54] *See* Defense Motion for Change of Venue.

## EVIDENCE

The Defense offers the following enclosures as evidence in support of this Motion:

a. Enclosure (A): Ruling from *United States v. DC3 Reimonenq* of 14 Mar 25; Ruling from *United States v. HM3 Thian Pate, USN*
b. Enclosure (B): Prisoner Rules and Regulations Handbook
c. Enclosure (C): Classification SOP
d. Enclosure (D): Brig OIC R.C.M. 701 Disclosure
e. Enclosure (E): IRO Memo of 17 Jun 25
f. Enclosure (F): Complaint Pursuant to Article 138 of 13 Aug 25 w/encls
g. Enclosure (G): Mrs. Hoffmeister Affidavit
h. Enclosure (H): Brig OIC Email
i. Enclosure (I): Emails with the Trial Counsel of 22 Aug 25
j. Enclosure (J): Emails between trial and defense counsel of 23 Sep to 1 Oct 25
k. Enclosure (K): Email from Brig to the command of 30 Sep 25
l. Enclosure (L): DD Form 510 Brig Documents
m. Enclosure (M): Brig CO Letter

## WITNESSES

The Defense requests the production of the following witnesses for in person testimony in support of this motion:

(1) CDR Brian Flanagan, OIC, NAVCONBRIG Chesapeake

CDR Flanagan will testify that CSSN Copeland remains in maximum custody status based on his override of the "points system" and based solely on the nature of the alleged charges in this case. CDR Flanagan will also testify about what (likely nothing) CSSN Copeland could ever do (above and beyond 170+ days of good behavior) to have his classification reduced from maximum status. CDR Flanagan will also testify about what informs his decision to continually override the points system, to include what he has been shown regarding discovery and the investigation of this case, and any impact his consumption of local media has had on the formation of his decision to keep CSSN Copeland in solitary confinement. As the defense awaits additional discovery, CDR Flanagan can speak to the reclassification process specifically as it applies to CSSN Copeland. CDR Flanagan will testify as to why the Defense was granted a contact visit on 29 October 2025, despite no change to the maximum custody status of CSSN Copeland and after months of defense requests.

Unless the Government concedes the motion or this Court grants the relief on the basis of pleadings alone, the Defense requests a hearing to present evidence and argument on this matter.

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T. M. MIHILL
LCDR, USCG
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **U N I T E D S T A T E S**<br><br>**V.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3**<br>**U.S. NAVY** | **SUPPLEMENT TO DEFENSE MFAR**<br><br>**(Illegal Pre-Trial Punishment – Article 13)**<br><br>**21 May 2026** |

## MOTION

The Defense files the following supplement to address the persistent and ongoing illegal pre-trial punishment faced by CSSN Copeland at NAVCON Brig Chesapeake. The Defense adopts the Facts and Law sections from its previous filing of 26 November 2025. Given the persistent nature of the illegal punishment faced by CSSN Copeland, the Defense must amend the requested relief sought in the November filing (which remains pending before the Court).

The defense seeks three-for-one administrative credit (in addition today for day credit pursuant to *United States v. Allen*, 17 M.J. 126 (C.M.A. 1984)) for the unduly harsh, inflexible, and arbitrary conditions of pre-trial confinement which far exceed anything required to ensure CSSN Copeland's continued participation in these proceedings. These conditions have also inhibited CSSN Copeland's 6th Amendment right to counsel.[1]

The Defense amends its requested relief as follows:

9 June 2025- 9 June 2026: **366 days-** Day for Day credit for time served in pre-trial confinement

9 June 2025- 9 June 2026: **1098 days -** Three for One Administrative credit for illegal pretrial punishment.

## BURDEN

As the moving party, the Defense bears the burden of proof by a preponderance of the evidence with regard to each factual issue necessary for resolution of this matter. R.C.M. 905(c).

[1] The Court has already taken up the specific issue of the interference with the 6th Amendment right to counsel. *See* Appellate Exhibit XCII. However, when assessing illegal pre-trial punishment, the Court needs to consider all factors and context surrounding the illegal punishment.

## FACTS

1. The Defense adopts the facts from its initial filing and incorporates them by reference herein.[2]

2. Since the initial Defense Motion filed on 26 November 2025, CSSN Copeland has remained classified as a "Maximum Custody" prisoner with no chance or hope of having his classification lowered.

3. Having spent nearly a year in solitary confinement, CSSN Copeland exhibited some instances where brig staff believed he may be dangerous ***to himself***, their solution was to keep him in continued maximum custody status, which had already demonstrably affected his mental health.[3] In fact, clinicians at the brig recommended CSSN Copeland be removed from "POI" or prevention of injury status.

4. Despite zero indications of violence towards staff or other inmates, and contrary to clinical recommendations that CSSN Copeland was not a threat even to himself, the brig OIC continued to speculate about "what if" something happened if CSSN Copeland was placed in general population.[4]

5. The Brig OIC, contrary to relevant evidence, continued to keep CSSN Copeland as a "maximum custody" prisoner using his authority to override reclassification board "points system" findings.[5]

6. In prior testimony before this Court, the brig OIC noted that the nature of the charges alleged against CSSN Copeland, without anything further, would keep him in maximum custody while in pre-trial confinement.[6]

7. CSSN Copeland was the subject of one Disciplinary Report on 10 February 2026. Importantly this incident did not threaten the safety of any staff members or other inmates; it was not physical or aggressive in nature; and centered on disrespectful language.[7] Importantly, this "disrespect" came after CSSN Copeland had spent 247 days in maximum custody, solitary confinement.

8. During the pendency of these proceedings, the parent-command, NAVCON Brig Charleston, underwent a change of command wherein CDR Brisco was replaced by CDR Howard. This individual provides direct oversight of the Brig OIC at NAVCON brig Chesapeake.[8]

9. While in "maximum custody" CSSN Copeland is not allowed to speak on with any other

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[2] AE 6: Defense MFAR – Article 13 Illegal Pre-trial Punishment.
[3] Enclosure N – Brig OIC Email of 15 Jan 26.
[4] *Id.*
[5] Enclosure Q – Custody Classification Documents.
[6] *See* Article 39a Testimony – CDR Flanagan; *See also* Enclosure S - Photos Provided by the Brig for documentation of the cell that CSSN Copeland occupies, alone, for 22 hours a day.
[7] Enclosure O – Prisoner Disciplinary Report of 10 Feb 26.
[8] Enclosure P – Ms. Welch Email of 19 Feb 26.

inmates. He is confined to his cell 22 hours a day, eats his meals alone, and is only allowed to utilize recreation areas specifically for maximum custody inmates. The brig OIC has testified that certain "incentives" were in place to get CSSN Copeland out of his cell (but still by himself), these "incentives" included cleaning other areas of the brig.[9]

10. The recreation areas specifically for "maximum custody" inmates include an outside "cage" with a concrete floor and no workout equipment, or in the event of inclement weather a slightly larger cell with a shower, no windows, and an elliptical machine. Maximum custody inmates would use these areas by themselves with no other contact aside from their guards. Importantly, during most of the winter CSSN Copeland was confined, he was not afforded outside recreation due to the weather.[10]

11. Despite attempts by defense counsel to secure in-person meetings between CSSN Copeland and expert consultants appointed to the defense team, the brig OIC refused such requests (premised upon safety and security of staff and visitors) until ordered by this Court to permit such visitation.[11]

12. On 13 March 2026, CDR Flanagan had a negative interaction with another defense attorney visiting the brig in which the topic of "contact visits" for defense attorneys was discussed. While this would not necessarily be relevant to CSSN Copeland's case- the brig OIC went out of his way to note that he had "rescinded "Copeland's" ability to have contact visits." Importantly, the attorney he was speaking with is in no way affiliated with CSSN Copeland's defense team.[12]

13. The interaction with the brig OIC was perceived as "extremely aggressive." The brig OIC also stated words to the effect that "You lawyers are all the same." The subject of contact visits prompted the brig OIC to make more loud and aggressive comments regarding his frustration with attorneys attempting to have contact visits with their clients.[13]

14. The brig OIC concluded the interaction by expressing that "[the inmate] murdered and dismembered someone so he's not getting contact visits;" and that he "testified before, I don't care" when informed this would likely be subject to further litigation.[14]

15. CDR Flanagan appears to have assumed the inflexible and unassailable position that allegations equal criminality despite the presumption of innocence and the fact that those in his charge are being held in ***pre-trial*** confinement. It also appears that he currently has, and openly exhibits, an animosity towards defense attorneys attempting to best serve their clients. It has now become clear that his animus towards counsel has become an operative fact in the way he treats the inmates at NAVCON brig Chesapeake.

16. When meeting with CSSN Copeland in the "no-contact room," which is currently the only

[9] *See* Article 39a Testimony.
[10] Enclosure S - Photos Provided by the Brig.
[11] Enclosure R - Trial Counsel and OIC Emails of 20 Mar 26.
[12] Enclosure T - Paralegal Affidavit S.L. Smith.
[13] *Id.*
[14] *Id.*

approved method for him to meet with his attorneys, CSSN Copeland has expressed that he does not feel like he can speak freely; that he believes the brig staff are listening to his conversations. Further, he does not feel he can accept or maintain legal documents for fear that the guards are going to read or confiscate them, as they have done in the past.[15]

17. CSSN Copeland's belief that brig staff are attempting to listen to his conversations is not unfounded. He experienced this firsthand after a conversation with his attorneys in the PTC room aboard Naval Station Norfolk and Building A-50, when guards commented on the conversation he had just had with his attorneys. And also, subsequently, when confronted by other trial teams about their proximity to the "no contact room"(at NAVCON brig) while attorney client meetings are occurring, brig staff have indicated that watching and "overhearing [attorney client communication] was their job."[16]

## LAW

The Defense incorporates the statement of the law provided in the initial filing.

## ARGUMENT

CSSN Copeland deserves humane treatment despite the allegations made against him. The entirety of his pre-trial incarceration has deprived him of humane treatment which constitutes illegal pre-trial punishment under Article 13, UCMJ.

Article 13 prohibits punishment of an accused prior to a full and fair trial, with its attendant constitutional protections and presumptions. Conditions of pre-trial confinement that are beyond the scope of what is necessary to ensure the accused's presence for trial stray from a proper function into the realm of unduly harsh and onerous punishments prohibited by Article 13.

CSSN Copeland has been the subject of one disciplinary infraction the entire time he has been in the brig. That infraction? Disrespect. CSSN Copeland has not demonstrated violent tendencies, has not engaged in any physical altercations with guards or anyone else, and has not threatened the peace or safety at NAVCON Brig Chesapeake. CSSN Copeland had been in solitary confinement for 240+ days at the time he vented his frustration to his jailers; 240 days of limited human interaction, meals alone in his cell, limited recreation or exercise ability. CSSN has not been the subject of any other disciplinary actions since that "disrespect" on 10 February 2026.

There need not be an intent to punish in order for this Court to find that the conditions experienced by CSSN Copeland are unduly harsh or rigorous and beyond what is required to secure his participation at trial. As with the initial filing in this matter, the conditions of CSSN

[15] Enclosure U: Copeland Affidavit. This issue has been previously raised by the defense in this case. Despite the Court's finding that the 6th Amendment right to counsel was not infringed by these requirements, the defense maintains that CSSN Copeland, among other inmates, have experienced a "chilling effect" related to their ability to meaningfully participate in their defense when not able to speak to counsel "face to face."
[16] Enclosure T: Paralegal Affidavit S.L. Smith.

Copeland's incarceration remain unduly harsh and have preceded any finding of guilt- the very definition of illegal punishment.

The totality of circumstances demonstrates the unduly harsh and rigorous conditions put in place without an "individualized demonstration" of cause:[17]

**a.** The arbitrary assignment to and continuation of "maximum custody" classification. The duration of CSSN Copeland's pre-trial incarceration has been defined by the allegations on the charge sheet and the brig OIC's speculation about "what if" something happened. This speculation and assignment are directly contrary to the relevant and available evidence. CSSN Copeland has been peaceful, non-violent, and has not demonstrated a threat to the safety of any other inmate or guard during his almost 366 days of pre-trial confinement.

The nature of the allegations in this case coupled with the brig OIC's perception of the alleged crime (informed by his own viewing of media reports)[18] led to CSSN Copeland's ongoing placement in maximum custody/solitary confinement. A placement which surely operates to the detriment of his mental health and has not produced any corresponding threat to safety or security within NAVCON Brig Chesapeake.[19]

**b.** Maximum custody classification for CSSN Copeland has also operated to the detriment of his 6th Amendment right to counsel. It is recognized that an incarcerated individual has a more challenging time participating in their defense, and here, CSSN Copeland has faced an uphill battle since the inception of his case.[20] CSSN Copeland does not feel secure in maintaining legal documents at the brig because early in the process his materials were reviewed and confiscated.

As part of his classification, brig guards maintain line of sight and stay within earshot of everything that CSSN Copeland does, including attorney-client meetings, while at the brig and at A-50 with the pre-trial confinement room.[21] Brig staff have even indicated that it is "their job" to watch and listen, a clear infringement of the 6th Amendment right to counsel and infringement upon the attorney client privilege.

**c.** The brig OIC has demonstrated disdain for the defense counsel in this case, and it appears his frustrations with counsel in this case have spilled over into his communications with other attorneys unrelated to this case. It is unclear whether the OIC's position regarding defense counsel for CSSN Copeland has now impacted his decision-making process regarding CSSN Copeland's continued classification as maximum custody. What is clear is that the brig OIC believes that defense counsel, serving the best interests of their clients, are questioning his authority to run the brig as he sees fit; instead of what is actually occurring- the enforcement of constitutional protections and the presumption of innocence that must be afforded to those being held in pre-trial confinement.

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[17] *United States v. King,* 61 M.J. 225 (C.A.A.F. 2005).
[18] *See* Article 39a Testimony- CDR Flanagan discussed the fact that CSSN Copeland was "max custody" partially for his own protection because the other inmates may have seen the news coverage of the alleged crime.
[19] *See* Footnote 23, AE 6: Defense MFAR – Illegal Pre-trial Punishment.
[20] *Berta v. United States*, 9 M.J. 390, 393 (C.M.A. 1980) (mem.).
[21] Enclosure U: Copeland Affidavit.

**d.** There is no way for CSSN Copeland to have his custody classification reduced. The nature of his charges, standing alone, preclude any reduction in his status.[22] At the time of trial, CSSN Copeland will have effectively spent 366 days in solitary confinement. It should not be surprising that during that time his mental health was strained and he was frustrated, but most importantly he has not lashed out a single time. CSSN Copeland is simply not the threat the brig OIC perceives him to be based upon the charged allegations. Despite this clear and abundant evidence, the brig OIC remains committed to ensuring CSSN Copeland remains in maximum custody.

No personalized determination of necessity, no presumption of innocence, no correlation between classification and the available evidence, and no chance to ever have his classification reduced. CSSN Copeland, regardless of what he charged with, has been punished before he ever gets his day in court. It is of no merit whether he is headed for trial on the merits or for a guilty plea hearing, Article 13 prohibits exactly the type of punishment he has already received in this case.

The facts of CSSN Copeland's case and treatment parallel to multiple other cases of inmates held in maximum custody at NAVCON Brig Chesapeake. Those cases have yielded months of administrative credit for the inmates involved, and yet, the brig has taken little to no action to rectify what has been **judicially determined** to be illegal punishment. In fact, the trial counsel in this case knew about these cases, the Court knows about these cases, CDR Flanagan's predecessor certainly knew of these cases after testifying multiple times, but for whatever reason CDR Flanagan has testified to this Court that he was simply unaware of them- this strains credulity. CSSN Copeland deserves to be treated with humanity and dignity despite the allegations against him. He has not been afforded that, and the remedy is three-for-one credit, on top of time served credit, for the time he has spent arbitrarily classified as a "maximum custody" inmate.

## RELIEF REQUESTED

The defense amends its requested relief as follows:

9 June 2025- 9 June 2026: **366 days-** Day for Day credit for time served in pre-trial confinement

9 June 2025- 9 June 2026: **1098 days -** Three for One Administrative credit for illegal pretrial punishment.

## EVIDENCE & ORAL ARGUMENT

The Defense offers the following enclosures as evidence in support of this motion:

Enclosure N – Brig OIC Email of 15 Jan 26
Enclosure O – Prisoner Disciplinary Report of 10 Feb 26
Enclosure P – Ms. Welch Email of 19 Feb 26

[22] *See* Article 39a Testimony of CDR Flanagan.

Enclosure Q – Custody Classification Documents
Enclosure R - Trial Counsel and OIC Emails of 20 Mar 26
Enclosure S - Photos Provided by the Brig
Enclosure T - Paralegal Affidavit S.L. Smith
Enclosure U – Copeland Affidavit

Unless conceded by the government or granted by the Military Judge based on pleadings alone, the Defense requests oral argument on this matter. The defense requests an Article 39(a) hearing to held on 5 June 2026.

MIHILL.TODD.MICHAEL.[redacted]
Digitally signed by MIHILL.TODD.MICHAEL.[redacted]
Date: 2026.05.21 16:42:34 -04'00'

T. M. MIHILL
LCDR, USCG
Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION FOR APPROPRIATE RELIEF**<br><br>**(Illegal Pre-Trial Punishment -Article 13)**<br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure A: Ruling from *United States v. DC3 Reimonenq* of 14 Mar 25; Ruling from *United States v. HM3 Thian Pate, USN*.
b. Enclosure B: Prisoner Rules and Regulations Handbook
c. Enclosure C: Classification SOP
d. Enclosure D: Brig OIC R.C.M. 701 Disclosure
e. Enclosure E: IRO Memo of 17 Jun 25.
f. Enclosure F: Complaint Pursuant to Article 138 of 13 Aug 25 w/encls
g. Enclosure G: Mrs. Hoffmeister Affidavit
h. Enclosure H: Brig OIC Email
i. Enclosure I: Emails with the Trial Counsel of 22 Aug 25
j. Enclosure J: Emails between trial and defense counsel of 23 Sep to 1 Oct 25
k. Enclosure K: Email from Brig to the command of 30 Sep 25
l. Enclosure L: DD Form 510 Brig Documents
m. Enclosure M: Bristol Letter

The Defense cites the following enclosures from other defense motions:

a. Enclosure A of Def MFAR (Change of Venue): Confinement Order of 9 Jun 25
b. Enclosure C of Def MFAR (Change of Venue): Demand for Speedy Trial of 16 Jun 25

**GENERAL COURT-MARTIAL**
**UNITED STATES COAST GUARD**

| | |
|---|---|
| UNITED STATES<br>v.<br>DC3 RUDOLPH P. REIMONENQ IV,<br>U.S. Coast Guard | RULING on Defense Motion for Appropriate Relief (Confinement Credit)<br><br>14 March 2025 |

**1. Relief Sought**

The Defense filed a motion for administrative credit for various alleged violations of Article 13, UCMJ. AE 46. The Government filed a response opposing the Defense motion. AE 48. An Article 39(a) session was held to hear arguments on this motion on 28 January 2025.

**2. Issues Presented**

a. Did the Government violate Article 13, UCMJ, when it placed and kept the accused as a maximum-security prisoner, and, if so, what administrative credit is the accused entitled to, if any?

b. Did the Government violate Article 13, UCMJ, when it kept the accused shackled during his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

c. Did the Government violate Article 13, UCMJ, when it failed to provide the accused a Coast Guard uniform for his Article 32, UCMJ, preliminary hearing, and, if so, what administrative credit is the accused entitled to, if any?

**3. Findings of Fact**

In reaching its findings of fact and conclusions of law, the Court considered all legal and competent evidence presented and the reasonable inferences drawn therefrom and resolved all issues of credibility. The Court finds the following facts by a preponderance of the evidence.

a. Procedural History

(1) DC3 Rudolph Reimonenq, USCG, is accused of attempted premeditated

murder, two specifications of carrying a concealed weapon, and one specification of dereliction of duty. The charges and specifications arise from an incident when the Accused brought a rifle, revolver and ammunition with him when he reported to duty aboard the United States Coast Guard Cutter (USCGC) LEGARE in the early morning hours of 26 March 2024. The accused later admitted to CGIS that he intended to kill the Commanding Officer of the *Legare*.

(2) The accused was ordered into Pre-Trial Confinement (PTC) at NCBC DET Chesapeake on 28 March 2024. He has remained in PTC since that time.

b. NCBC DET Chesapeake

(1) The Naval Consolidated brig in Chesapeake, Virginia, is a brig detachment under the supervision of NCBC (NCBC), South Carolina. NCBC DET Chesapeake does not have an independent Commanding Officer (CO). Instead, it has an Officer-in-Charge (OIC) that is subordinate to the Commanding Officer of NCBC.

(2) CDR IM is the OIC for NCBC DET Chesapeake. He reports to CDR JB as the CO for NCBC.

(3) CDR IM testified that on 28 January 2025 there were 14 prisoners housed at NCBC DET Chesapeake, which is a typical number for that facility.

(4) CDR IM's career has been as a Navy helicopter pilot. His current assignment is the first in the Military corrections field. In addition to a generic leadership course offered to all entering a command position, CDR IM also attended a Brig Officer Management course, which was either 4 or 5 days.

(5) Similarly, CDR JB's background has not been in military corrections, instead he entered his current position after a career as a Surface Warfare Officer.

(6) Both NCBC and NCBC DET Chesapeake have civilian corrections professionals to advise the command on corrections matters and corrections policy. Ms. RR is the Technical Director for NCBC, and Mr. PM is the Program and Service Department Head at NCBC DET Chesapeake. He also serves as the Facilities Manager and the Safety Manager.

c. Prisoner custody classification

(1) Medium-In (MDI)

(a) MDI is the lowest level of classification for a pre-trial confinee.

(b) Generally, an MDI prisoner is in their cell overnight from 2130 until 0530. Once they wake up, an MDI prisoner exits their cell and remains outside

of it until they go back in at 2130.

(c) An MDI prisoner is not required to wear restraints while moving within the brig, and there are generally no restrictions on their interactions with other prisoners.

(d) An MDI prisoner will work in assigned work details from after breakfast until approximately 1530.

(e) After 1530, MDI prisoners get to participate in rec call, where they can work out or play sports with other prisoners.

(f) After dinner (generally around 1700), prisoners can enjoy personal time until they must return to their cells at 2130. During personal time MDI prisoners can be outside of their cells in their housing unit, watch TV, make phone calls, or talk with other prisoners.

(g) MDI prisoners are permitted to have contact visits with family and counsel.

(2) Maximum (MAX)

(a) MAX prisoners are confined to their cells for up to 22 hours a day. They are permitted one hour of recreation, and one hour of personal time. Both recreation time and personal time are performed alone without any other interaction with other prisoners.[1]

(b) MAX prisoners are not permitted to make contact with anyone other than the brig staff. Brig staff must physically observe a MAX prisoner every 15 minutes and record their observations on a DD 509 form.

(c) MAX prisoners eat all of their meals in their cell.

(d) MAX prisoners are fully restrained (hand irons, leg irons, and transport belt) and escorted by two brig staff members when outside of their housing unit – even within the brig's fenceline. They are not required to wear restraints during their recreational or personal time; however, they must be restrained and escorted to the recreation yard.

(e) Only a military judge or the brig OIC can order a MAX prisoner's restraints removed.[2]

(f) MAX prisoners may not have any contact visits with either family or counsel, which means a MAX prisoner must be separated from their

[1] CDR IM testified that MAX prisoners were permitted additional personal time if there were sufficient staff resources to support it.
[2] MAX prisoners may move unrestrained in emergency situations.

visitor by some form of partition.

(3) Classification & Adjustment (C&A) Board

(a) Each brig is required to have a C&A Board which must meet daily (excluding weekends and holidays). The board evaluates the classification status for each prisoner, generally once every 30 days or at the prisoner's request, using objective criteria:

| 5. CLASSIFICATION CRITERIA *(Enter point values)* |
|---|
| a. OFFENSE SEVERITY = 1 - 8 |
| b. NUMBER OF DISCIPLINARY BOARDS *(Last 90 days)*<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS *(Last 90 days)*<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS *(Last 90 days)*<br>NONE = 0 ONE OR MORE = -1 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 *(only if no program completed)*<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE *(See DoDI 1325.07, Severity Code Tables)* |
| j. TOTAL POINTS |

(b) After adding up the points assigned to the objective criteria, the C&A board can recommend reduction in classification (for 0-6 points), remain the same (7-10 points), or increase the classification (11 or more points).

(c) There are also subjective criteria which the board can use to override the recommendation generated by the objective criteria. To override a reduction in classification, the board may consider the following:

i. Assaultive behavior;

ii. Disruptive behavior;

iii. Serious drug abuse;

iv. Serious civil or military criminal record (convicted or alleged);

v. Low tolerance of frustration;

vi. Intensive acting out or dislike of the military;

vii. History of previous escape(s);

viii. Pending civil charges or detainers filed;

ix. Serving a sentence that the individual considers unjust or severe;

x. Poor home conditions or family relationships;

xi. Emotional or mental instability;

xii. Indication of unwillingness to accept responsibility for personal actions, past and present;

xiii. Demonstrated pattern of poor judgment;

xiv. Length, or potential length, of sentence;

xv. Gang affiliation or ties with disruptive organizations;

xvi. Awaiting transfer;

xvii. A sentence length exceeding the designated length of confinement authorized at the MCF; and

xviii. Refusal to accept or participate in recommended treatment or education programs.[3]

(d) To override an increase in classification, the board may consider the following:

i. Clear military record, aside from present offense;

ii. Close family ties - good home conditions;

iii. The offense(s) charged is not serious;

iv. Emotional and mental stability;

v. Comparatively short sentence to confinement; however, length of sentence will not be a sole overriding factor;

vi. Behavior during confinement, and

vii. Successful completion of, or active participation in, offense-related treatment programs or groups.

(e) Finally, the facility commander may override the C&A board's recommendation using the same criteria.

d. Navy & NCBC policies

(1) Navy Corrections policy

(a) Section 4202 of SECNAVINST M1640.1 addresses classification criteria. It notes that "Ultra-conservative custody classification results in a waste of prisoner and staff manpower. … Classification systems must follow established, but flexible, procedures." It also states that "Prisoners will be placed in a lower custody classification as soon as practical and as warranted."

[3] Pre-Trial Confinees are generally ineligible to participate in treatment programs.

(2) NCBC policy

(a) NCBC has a policy that any pre-trial confinee who is charged with a "serious crime" will be classified as a MAX prisoner.

(b) This policy is not written. CDR IM testified that CDR JB relayed to them that "most people who are accused of murder, they're normal, they have a bad day and then something bad happens," and that they were going to keep those accused of murder classified as MAX prisoners to keep everybody safe, both staff and prisoners.

(c) There was no evidence of data supporting CDR JB's assertion that, as a general matter, prisoners accused of murder were more likely to do "something bad" and that they posed a safety risk for brig staff and inmates.[4]

(d) Further, as the policy was not written, there was not a definition of "serious crime," however, CDR IM understood that murder and attempted murder qualified as "serious."

(e) At the time the accused was ordered into PTC, CDR IM was not aware of this policy. In June 2024 there was a use-of-force incident with a different pre-trial confinee accused of a serious crime that brought to light NCBC DET Chesapeake's non-compliance with NCBC's policy.

e. The accused's confinement at NCBC DET Chesapeake

(1) When the accused was ordered into PTC, the confinement order specified he was suspected of violating Articles 80 (attempted murder), 92 (failing to obey an order or regulation), 114 (endangerment offenses) and 115 (communicating a threat), UCMJ.

(2) Because NCBC DET Chesapeake was not classifying pre-trial confinees accused of serious crimes as MAX prisoners, the accused was initially classified as an MDI inmate.

(3) From 28 Mar 2024 until 19 July 2024 the accused performed as an MDI prisoner without any disciplinary incidents.

(4) On 19 July 2024 the accused was served with the preferred charge sheet. At that point, the NCBC DET Chesapeake staff and OIC realized he had been

[4] The only evidence in the record of a pre-trial confinee acting in a manner that threatened other staff or prisoners occurred in June, 2024, when HM3 Pate (another pre-trial confinee accused of a serious offense) had an adverse interaction with a staff member. However, the evidence is not clear about whether the staff member bore some responsibility for instigating the incident, and, in any event, the staff member involved did not regard the prisoner as a physical threat.

misclassified and reclassified the accused to a MAX prisoner.[5]

(5) At the following C&A board on 20 Aug 2024, the board recommended again reclassifying the accused to an MDI prisoner. The OIC overrode the board's recommendation and ordered the accused remain as a MAX prisoner.

(6) At every subsequent C&A board (occurring approximately every 30 days), the board recommended downgrading the accused's classification to MDI. Every time the OIC overrode the board's recommendation and ordered the accused remain a MAX prisoner.[6] At times, the OIC noted the seriousness of the crime as the justification, others he merely noted that the accused should "remain MAX." The OIC was unaware of the specifics of the accused's offense, only that he was accused of attempted pre-meditated murder.

(7) In November 2024, the licensed clinical social worker assigned to NCBC DET Chesapeake informed the OIC of the following concern:

> Based on a brief assessment that was conducted recently with SNP Reimonenq, SNP is demonstrating/expressing an increased level of emotional [decompensation] due to being isolated and confined in a cell for an [extended] period of time. In my clinical judgement, SNP Reimonenq would benefit from increased interaction with others to reduce [further] decompensation.

(8) In each of the DD Form 2711-1 documenting the accused's C&A board results, the board noted the accused was dealing with mental health challenges.

(9) Mr. PM disagrees with the NCBC's policy about keeping prisoners accused of serious crimes as MAX prisoners. He termed the policy "cookie cutter" and expressed concerns about being unable to justify the decisions based upon the prisoner's observed behavior.

f. <u>The Article 32 hearing</u>

(1) On 9 October 2024, CDR KW presided over an Article 32, UCMJ, hearing into the charges against the accused.

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[5] At the C&A board that led to the accused's reclassification to a MAX prisoner, the board had to recommend overriding the objective criteria because, based upon his lack of disciplinary issues since being confined, the objective criteria directed that his classification remain the same (i.e. MDI). The OIC concurred with the board's recommendation.

[6] Prior to the Article 39(a) session where this motion was litigated, the OIC again overrode the C&A board's recommendation on 13 Jan 2025. The C&A board's evaluation on 13 January 2025 noted the objective criteria—for the first time—should require the accused to remain in his current classification. However, the board overrode the objective criteria to recommend reclassification to MDI due to "period of observation and evaluation." The OIC overrode the board's recommendation.

(2) The hearing was conducted in the Coast Guard courtroom in Main Street Tower in Norfolk, VA. The hearing was open to the public and members of the public attended the hearing, including members of the accused's family.

(3) By agreement of the parties, CDR KW participated remotely, as did civilian defense counsel. Detailed defense counsel was present with the accused.

(4) The accused was attired in a brown prisoner's uniform and remained shackled throughout the proceeding.

(5) Defense counsel requested that the shackles be removed. Government counsel joined in this request. However, the brig personnel refused to do so because it was not a "court proceeding" and the Preliminary Hearing Officer was not a judge.

(6) At the outset of the hearing, CDR KW noted that the accused was not attired in the proper uniform but noted that he would take into consideration the fact that the accused was a third-class petty officer in the Coast Guard and also took note of his awards.

(7) Shortly before he was ordered into PTC, the accused was re-assigned to LANTAREA. In July 2024, the LANT staff received notice that the *Legare* command had sent the accused's personal effects to his mother in Louisiana, however, they were unaware that his personal effects included his uniforms.

(8) The accused did not ask the LANT staff about his uniforms for upcoming proceedings during their weekly brig visits. Neither the LANT legal staff nor Government counsel asked the accused new command (i.e. LANT-1) about his uniforms.[7]

(9) The accused was in the proper uniform for all subsequent court-martial proceedings.

*Further facts necessary for an appropriate ruling are contained within the Analysis section.*

## 4. Principles of Law

a. Burden

As the moving party, the Defense bears the burden of persuasion by a preponderance of the evidence. R.C.M. 905(c).

[7] While there isn't direct evidence that the LANT legal staff or government counsel engaged with LANT-1 about the accused's uniforms, given the commendable efforts expended by the LANT-1 staff to ensure the accused was properly attired for his court-martial, the Court infers that no such inquiries were made prior to the Article 32 hearing.

b. Article 13

Article 13, UCMJ provides that:

> No person, while being held for trial, may be subjected to punishment or penalty other than arrest or confinement upon the charges pending against him, nor shall the arrest or confinement imposed upon him be any more rigorous than the circumstances required to insure his presence, but he may be subjected to minor punishment during that period for infractions of discipline.

"Article 13, UCMJ prohibits two things: (1) the imposition of punishment prior to trial, and (2) conditions of arrest or pretrial confinement that are more rigorous than necessary to ensure the accused's presence for trial." *United States v. King*, 61 M.J. 225, 227 (C.A.A.F. 2005).

A service member may not be detained under conditions that amount to punishment prior to trial. *United States v. James*, 28 M.J. 214, 215 (C.M.A. 1989). One significant factor in determining whether the conditions or terms of confinement violate Article 13 is the intent of the detention officials. *Id.* at 216. Thus, "[a] court must decide whether the disability is imposed for...punishment or whether it is but an incident of some other legitimate governmental purpose." *Id.* (quoting *Bell v. Wolfish*, 441 U.S. 520, 538 (1979). In *United States v. Howell*, 75 M.J. 386 (C.A.A.F. 2016), the court held that for an Article 13 violation to occur the record "must disclose an intent to punish on the part of the Government."

If there was not an intent to punish, the court must then decide whether the government action furthered a legitimate, non-punitive government interest. *Id.* at 393. Irrespective of the intent to punish, Article 13 may still be violated if the activity serves no legitimate, non-punitive purpose. *Id.* This analysis is exclusive to the intent of the government's action and is not informed by the impact of the action, even if punitive in nature. *Id.* at 393-94.

Confinement in violation of service regulations does not create a *per se* entitlement to relief but can shed light on whether impermissible intent to punish should be attributed to confinement officials. A command's disregard for service regulations may lead a military court to infer an improper purpose, such as to punish, even where an accused's status as a flight risk or a threat of continuing misconduct justifies the decision to confine him. *United States v. West*, No. 201200189, 2013 WL 1209934, at *4 (N-M. Ct. Crim. App. Mar. 21, 2013).

**5. Analysis**

a. The accused's continued classification as a MAX prisoner did not further a legitimate government interest

As an initial matter, there was no evidence presented that the NCBC classification policy was intended to punish the accused, and the Defense disclaimed any such claim. Therefore, the Court may only find a violation of Article 13 if the continued classification of the accused as a MAX prisoner did not serve a legitimate government interest.

The Court finds that the *initial* classification of a prisoner accused of a serious crime to a MAX prisoner to serve a legitimate government interest. The concerns articulated by the NCBC DET Chesapeake OIC (albeit vaguely) could be present when a member is placed in pre-trial confinement for serious crimes, and those factors are also captured in the SECNAVINST (seriousness of the alleged crimes and potential sentence). This interest is heightened at the imposition of confinement because the brig staff lack information about how the confinee will react to being incarcerated.

In this case, though, prior to reclassifying the accused as a MAX prisoner, they had nearly four months of data on how the accused responded to incarceration, during which the accused had no disciplinary infractions. Nonetheless, the Court is loath to second-guess brig staff in ensuring they were following their parent command's policies for classifying prisoners, especially where the initial classification furthers a legitimate government interest.

However, the Court finds the *continued* classification of the accused in face of repeated recommendations from corrections professionals to downgrade his status to MDI does not serve a legitimate governmental interest. The C&A board's repeated recommendations to return the accused to MDI status undercuts the government's theory that prisoners accused of serious crimes "might" pose to staff and other prisoners. It does so because the objective criteria not only consider the seriousness of the crime (the only source for the government's concern)[8] as well as the observations of this *particular* accused.

The legitimate government concern is further undercut by the informality and lack of support of the NCBC policy. While a formally issued (and presumably legally reviewed) policy may not overcome the persistent recommendations of the C&A board (based upon repeated interactions with the accused), the fact that the policy was communicated to the NCBC DET Chesapeake OIC orally with scanty support weakens the government's purported interest.

Finally, while the SECNAVINST does permit overriding of the objective classification recommendation based upon the seriousness of the crime and the potential

[8] The Court does not minimize the seriousness of the crimes with which the accused has been charged. However, the charge of attempted premeditated murder can encompass a wide range of conduct, from arriving at a location with the means and motive to kill an individual to grievously injuring the victim (while not causing the victim's death). The fact the OIC was unaware of the facts of the accused's alleged conduct and thus could not take that into account in his classification decision, further detracts from the government's asserted interest.

length of the sentence, the SECNAVINST also directs that classification should follow "established, but flexible, procedures." Further, the SECNAVINST commands that "Prisoners *will* be placed in a lower custody classification as soon as practical and as warranted." (emphasis added). NCBC's policy is anything but flexible, as the OIC testified that there was no circumstance where the accused would be eligible for a lower classification.

Having found a violation of Article 13, the Court must determine the appropriate credit to be awarded. As an initial matter, the accused was confined for 22 hours each day, as compared with 8 for a typical MDI prisoner, resulting in the accused spending 175% more time locked in his cell (22 hours is 175% of 8 hours). However, a credit of only 1.75 days for each day in MAX after 20 August 2024 doesn't adequately encompass the additional hardships imposed upon the accused, because the accused was also denied the opportunity to interact with other prisoners in social settings. This restriction has caused psychological harm. Further, it is harm that was made known to the brig command. Additionally, his status has prevented him from contact visitation with his family and his attorneys. Thus, the Court finds that an appropriate amount of credit is 3 days for each day after 20 August 2024, resulting in 438 days of confinement credit.[9]

b. Shackling of the accused during the Article 32 hearing furthered a legitimate government objective

The SECNAVINST restricts who may order restraints removed from a MAX prisoner, limiting it to Brig command staff and a military judge. In doing so, it furthers a legitimate government objective to maintain security over a prisoner who, by some criteria, is deemed to be a danger to himself or others. Additionally, it avoids having the brig chasers make case-by-case determinations and prevents any arguments from strong willed advocates from swaying either junior personnel or the brig staff.

The defense arguments to the contrary are unpersuasive. First, even though an Article 32 hearing is a legal proceeding, the PHO is not a military judge and thus does not meet the objective criteria outline in the SECNAVINST. Second, the rules cited in the defense motion apply before *courts-martial*, and not any legal proceeding. The accused is not entitled to credit for being shackled during the Article 32 hearing.

c. Forcing the accused to appear in a prisoner's uniform at his Article 32 hearing did not further a legitimate government objective

As an initial matter, the Court does not find an intent to punish the accused by forcing him to wear a prisoner's uniform to his Article 32 hearing. As is clear from the affidavit submitted by Mr. TL of LANT-1, once alerted to the accused's lack of uniforms took

[9] This is calculated from 21 August 2024 up to and including 13 January 2025, the last day for which the Court has evidence of the OIC overriding the C&A board's recommendation.

appropriate measures to ensure the accused was appropriately attired, evincing a lack of intent to punish.

Even assuming, as the Court does, that the government's inability to ensure the accused had access to his uniforms was an oversight, it nonetheless decided to proceed with the Article 32 hearing with the accused in a prisoner's uniform. While it is true that the accused (and Defense counsel) agreed to go forward with the accused attired in a prisoner's uniform, the accused should not have been put into that position. When it imposes pre-trial confinement, the government has a responsibility to ensure the accused is attired in the proper uniform.[10] Further, they had 195 days from when they imposed pre-trial confinement and 83 days from when they preferred charges to ensure the accused had a proper Coast Guard uniform.

The government's decision to proceed is mitigated somewhat by the accused not inquiring about his uniforms during the weekly command brig visits because a military member bears responsibility to appear in the prescribed uniform of the day.

Nonetheless, the lion's share of the responsibility falls upon the government, a responsibility they failed to uphold (albeit without any malice towards the accused). In so doing, they did not further any legitimate government objective and thus violated Article 13. The accused shall be awarded an additional 4 days of confinement credit.

**6. Conclusions of Law**

a. The Government violated Article 13 by continuing to classify the accused as a MAX prisoner after 20 August 2024 and until and including 13 January 2025. The accused shall be awarded 438 days of confinement credit.

b. The Government did not violate Article 13 when the accused remained shackled for his Article 32 hearing.

c. The Government violated Article 13 when it failed to provide the accused with a proper Coast Guard uniform. The accused shall be awarded 4 days of confinement credit.

[10] The Court takes judicial notice of Article 1.F.5.e of the Coast Guard Discipline and Conduct Manual, COMDTINST M1600.2(series), which states that "Prisoners shall be delivered in the appropriate Service Dress uniform," and "Accordingly, it is important that the prisoner be delivered with a sufficiently full seabag to sustain his/her needs during the anticipated period of confinement."

**7. Ruling and Order**

The Defense motion is **GRANTED IN PART** and **DENIED IN PART,** consistent with the above conclusions of law.

**So ordered this 14th day of March, 2025.**

[redacted]

Digitally signed by BARNUM.JEFFERY.C.[redacted]
Date: 2025.03.14 17:19:53 -04'00'

Jeffery C. Barnum
Commander, U.S. Coast Guard
Military Judge

| | |
|---|---|
| **From:** | Mosley, Mishonda M CDR USN NAVY JAG WASH DC (USA) |
| **To:** | Mihill, Todd M LCDR USCG (USA); TRIJUDAC_Central |
| **Cc:** | TRIJUDAC_CENTRAL_COURT_REPORTERS; Bullock, Travis L LCDR USN (USA); Brandon Fellers; Cary, Kaitlyn R PO1 USN JNTEXPB LCR FTS VA (USA); Hochmuth, Paul T Jr CDR USN NAVY JAG WASH DC (USA); Abel, Emily E PO1 USN DEFSVCOFF SE NOR VA (USA); Stark, Aiden J LCDR USN COMNAVLEGSVCOM DC (USA) |
| **Subject:** | US v. Pate NOTICE OF RULING |
| **Date:** | Tuesday, September 9, 2025 12:14:30 PM |
| **Importance:** | High |

Good Morning Counsel,

The Court was intending to wait until trial to notify the parties of its Ruling on this motion, however in light of your request the court provides the following NOTICE OF RULING:

**The Court finds that the reclassification to maximum by the brig on 18 September 2024 based soley on the Accused's offense severity was a violation of Article 13 and constituted illegal pretrial punishment. The Court orders an additional two for one credit for the time between and including 18 September 2024 and his release from PTC on 4 November 2024. This is a total of 48 days at two for one, for a total of 96 days. This is in addition to the one-for-one Allen credit for that same time period. Thus, the Court will add 96 days to the existing 393 days of pretrial credit under United States v. Allen which includes Pate's initial civilian confinement on the same charges (which began on 9 Oct 2023) that are the subject of this court-martial before he entered into Navy custody. The court calculates a total of 489 days of total credit.**

The court will provide its findings of fact and conclusions of law at the next 39a.

CR…please mark this email as the next AE. Thanks.

Very Respectfully,

Mishonda Mosley
CDR, JAGC, USN
Trial Judge, Central Judicial Circuit
Navy-Marine Corps Trial Judiciary
Mishonda.m.mosley.mil@us.navy.mil

**From:** Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>
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# NAVAL CONSOLIDATED BRIG CHARLESTON, DETACHMENT CHESAPEAKE

# PRISONER
# RULES AND REGULATIONS

**JULY 2021**

Enclosure B
Page 1 of 138

APPELLATE EXHIBIT VII
16 of 218

DEPARTMENT OF THE NAVY
NAVAL CONSOLIDATED BRIG CHARLESTON DETACHMENT CHESAPEAKE
1548 WILDERNESS ROAD
CHESAPEAKE, VIRGINIA 23322-4513

**THIS DOCUMENT MAY BE RELEASED TO PRISONERS**

UNITED STATES NAVAL CONSOLIDATED BRIG
CHARLESTON DETACHMENT CHESAPEAKE
CODE: 30
DATE:

SOP: 509
SUBJECT: DISCIPLINE
TITLE: PRISONER RULES AND REGULATIONS

Ref: (a) SECNAV M-1640.1

Encl: (1) Naval Consolidated Brig Charleston, Detachment Chesapeake Prisoner Rules and Regulations

1. Purpose. To publish the Prisoner Rules and Regulations handbook.

2. Cancellation. The Prisoner Rules and Regulations cancels and supersedes the previous Prisoner Rules and Regulations published April 2019 Revision 4 and should be read in its entirety.

3. Effective Date. Effective upon signature.

4. Applicability. To all staff, volunteers and prisoners.

5. Policy. Enclosure (1) is the updated Prisoner Rules and Regulations for Naval Consolidated Brig Chesapeake.

6. Procedures. The Programs and Services Department will collate all updates to the Prisoner Rules and Regulations as needed and recommend revision as required.

7. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

8. Review and Effective Date. Per OPNAVINST 5215.17A, NAVCONBRIG Chesapeake will review this instruction annually on the anniversary of the effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after effective date unless reissued or otherwise canceled prior to the 5-year anniversary date, or an extension has been granted.

W. P. SOMMER

Releasability and distribution:
Electronic only, via NAVCONBRIG Chesapeake sharedrive; NWCH/ALL HANDS/SOP'S

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# SECTION 1 - GENERAL INFORMATION

Ref: (a) SECNAV M-1640.1

**101. Policy**

1. It is the Secretary of the Navy's policy that the treatment of all persons in naval confinement facilities is uniform and in full accord with the provisions of the Uniform Code of Military Justice (UCMJ) and SECNAV M-1640.1.

2. You are now legally confined in Naval Consolidated Brig Charleston, Detachment Chesapeake(NCBC Det Chesapeake). You are here as a result of a court-martial, detained as a Pre-Trial Prisoner to await legal action, or awaiting transfer to another activity. You have been confined **AS** punishment and not **FOR** punishment. It is the brig's responsibility to ensure you are treated in a fair and humane manner. You will be safe, protected, and provided all basic necessities. It is **YOUR** responsibility to abide by **ALL** the rules, regulations, and orders contained herein and as issued by brig staff. It is also your responsibility to ensure you expend every effort to derive all possible benefit from the programs available to you. You are strongly encouraged to take advantage of every positive opportunity available to you and to use your confinement time to start building a more productive life.

3. Unless otherwise stated, from this point forward the word "prisoner" includes both pre-trial prisoners and post-trial prisoners.

4. While in confinement, you are required to adhere to the Brig Rules and Regulations as outline herein. Failure to follow these policies or failure to obey the orders of brig staff may be punishable under administrative, disciplinary, and/or management actions. There are three "basic rules" that you will remain in strict compliance with at all times. Any violations of the regulations concerning these actions may be considered a direct threat against public safety:

**a. Do not escape, attempt to escape, or aid another to escape.**

**b. Do not have contraband in your possession.**

**c. Do not engage in or contribute to disruptive behavior.**

5. The principle goal of NCBC Det Chesapeake is to assist you in your restoration to honorable service, or to return you to civilian life as a productive citizen. Our programs provide an environment where positive change is possible. These programs are designed to encourage you to develop or re-affirm a favorable attitude toward yourself, the military service, and society. What you choose to take with you when you leave this facility is in large part up to YOU. You are strongly encouraged to take advantage of every opportunity available to you and use this situation to start building a more positive and productive life. In short, you are being offered a "hand up," not a "hand out." There is much available to you, but it must be earned. You must choose it or earn it.

6. Any changes to the Prisoner Rules and Regulations will be briefed by a unit staff, posted for all to see and included in the next revision of this publication.

**102. Chain of Command**

The Officer-in-Charge (OIC) has established a chain of command within the brig to ensure orderly administration and operation. You will resolve the great majority of your issues with your unit staff. If your problem requires the attention of a staff member outside of your unit staff, follow the procedures in Article 608 concerning the submission of DD Form 510 (See Appendix C). There is NO requirement for the Command Duty Officer (CDO) to personally respond to your request for a personal interview. The Quarters Supervisor or other staff may convey concerns to the CDO, who will determine the appropriate response. You will follow the last order given, regardless if you agree with it or not. Attach correspondence to the chain of command to a DD Form 510 for an orderly processing of the request/information.

**103. Action**

1. This order contains information essential to your welfare and proper conduct. STUDY IT CAREFULLY. This Rules and Regulations has been issued to you and is an official document and shall be treated as such. You are not permitted to write in, remove or alter any part of this document. Failure to follow this order will be considered "damaging or destroying property," and will result in a Disciplinary Report (see Appendix G). You must retain it in your possession and return it upon release of confinement.

2. By cooperating fully, following orders and obeying rules, each individual is preparing themselves for an improved future and successful release from confinement. Failure to comply with this order may result in administrative or disciplinary proceedings under these rules and/or the UCMJ.

3. Should you lose your issued copy of the Prisoner Rules and Regulations while in confinement, you are required to immediately notify Brig staff for a replacement copy.

## SECTION 2 - CONDUCT AND BEHAVIOR

### 201. General

1. While confined, you are expected to maintain the highest standards of military discipline and appearance. Confined personnel retain all of the rights, privileges, and responsibilities of other servicemembers in duty status, except those which are expressly, or by implication, taken away by the UCMJ and such regulations as may be issued by competent authority. (See Article 202 below for a list and description of such rights).

2. The rules and regulations contained in this handbook are for guidance during your stay at this brig. They list and describe general rules to be followed. They are for information, guidance, and compliance by ALL prisoners and do not exclude punishment for unlisted acts or omissions which are prejudicial to good order and discipline.

3. Rules cannot be established to govern every situation nor can every institutional rule be included in this handbook. Basic common sense and compliance with orders are the keys to success. If you are unsure about the appropriate action to take or do not understand any part of this regulation seek clarification from your unit staff. Changes, clarifications and additional rules and regulations will be provided by:

a. Updates to this handbook posted in the Quarters Supervisor's Rules and Regulations binder desk copy. You may ask to view these updates.

b. Notices posted on unit bulletin boards. A hardcopy of changes is maintained within each housing unit.

4. **Incentives**. Tangible and intangible opportunities, beyond the scope of privileges, available within the confinement facility's corrections program to encourage and motivate positive attitude, behavior, and accomplishment. Incentives recognize both individual and group attainment. The ultimate goals are to build self-discipline and self-reliance in the individual/group and improve the functioning of the brig. Incentives are not associated with authorized disciplinary actions but may be applicable or affected as a related management action as implemented within confinement facility policy and procedures. (Appendix D and section 604)

5. **Privileges.** Privileges are services that are not, by law or policy, considered to be an essential service. Privileges are benefits afforded to you over and above minimum statutory requirements. Privileges in corrections serve as a practical method of reducing your tension and motivating positive behavior. You can lose a privilege, or privileges, as a result of punishment for a rules violation, but only after a due process hearing [e.g.,

Disciplinary and Adjustment (D&A) Board]. Privileges often include, but are not limited to: store [Health & Comfort (H&C)] visits, visitation, phone calls, television, radio, movies, recreation, special events, and special visits. Privileges are distinctly separate from incentives and identified as such, in writing, to staff and prisoners.

6. **Mixed Gender Population**. NCBC Det Chesapeake confines both male and female prisoners. What does this mean to you?

a. You will:

(1) Encounter prisoners and staff of the opposite gender at this facility.

(2) Be supervised by staff of the opposite gender. YOU WILL NEVER BE SUPERVISED BY STAFF OF THE OPPOSITE GENDER DURING TIMES WHEN NUDITY ROUTINELY OCCURS. Same-gender staff will be on watch in the units during routine times of nudity, for example shower call, or while changing clothes.

(3) Hear an opposite-gender staff member announce "MALE/FEMALE ON DECK" whenever they enter an opposite-gender area where routine nudity occurs. If you happen to be in any state of nudity (e.g., changing, using the toilet, etc.) you need to attempt to cover yourself and/or ensure the opposite sex staff are aware of your status.

(4) Be permitted to make verbal greetings related to work/program environment you are in. At no time will conversation with opposite-gender prisoners be casual or personal in nature.

(5) Understand accommodations have been made where cameras do not observe places of routine nudity.

b. You will not:

(1) Be permitted to work with the opposite-gender prisoners outside the security perimeter.

(2) Normally be placed in work/programming with mixed-gender prisoners. In those situations, where it does happen, it will be noted on the Prisoner Plan of the Day and/or specific restrictions will be enforced. Males and females will be physically separated by the assigned supervisor. All attempts will be made to have females assigned work in groups of 2 or more and receive separate work assignments while attaining the same certifications as males.

(3) Be frisked or strip-searched by an opposite-gender staff member except as necessary in the event of an emergency affecting safety and/or security.

(4) Initiate or involve yourself in unduly familiar relationships with staff, volunteers, or other prisoners.

(5) Engage in other unspecified behaviors that prejudice good order and discipline.

7. Now that you have been informed, you are equally responsible, as is staff, to ensure you do not place yourself into compromising situations that will be interpreted by staff as a violation of the above stated requirements.

**202. Prisoner Rights**

Your rights are an essential service that must be provided to you. Your rights are established in the Constitution of the United States and defined by Department of Defense (DOD), Secretary of the Navy (SECNAV), and other naval operating instructions. Your rights are not removed from you as punishment for a rules violation, but may be restricted when there is a legitimate penological interest, such as safety and security. Rights in confinement include, but are not limited to: minimum standard of living, freedom from discrimination on the basis of race, religion, creed, national origin, or sex, limited rights to practice speech and religion, prohibition of cruel and unusual punishment; duty to protect; due process in their right to administrative appeals; meals; health care; correspondence or other access to corresponding or consulting with counsel; and due process hearing for disciplinary actions.

**203. Escape**

1. Do not attempt to escape. Experience has proven such forced freedom or escape from confinement does not last long. Apprehension will be sure, usually swift, and will result in significant additional punishment.

2. Article 95 of the UCMJ provides for the following maximum punishment for escape: Dishonorable discharge, forfeiture of all pay and allowances and additional confinement for not less than one year. Escapes may also be charged under Article 85 UCMJ (Desertion).

3. Aiding or covering up the escape of another prisoner qualifies you as equally guilty of the offense and liable for the same maximum punishment.

**204. Military Courtesy and Bearing**

You shall always render military courtesies in accordance with customs, traditions, and usage in your service. All officers shall be addressed by "Sir" or "Ma'am", respectively. Civilians shall be addressed as Mr. or Ms., as appropriate and enlisted staff members by their rank i.e., Master Chief, Senior Chief, Chief, Petty Officer, Sergeant, Corporal, Senior Airman, etc., as appropriate. You are required to maintain a courteous military attitude in your contact with staff personnel including your language, bearing, and behavior. You will maintain a professional military demeanor when addressing staff with hands clasped behind and located at the small of the back.

**1. Attention.** You will immediately assume and maintain the position of attention whenever the command "Attention" or "Attention on Deck" is given. When placed at the position of attention, you will not move or talk unless directed to do so. When seated (except at meals), you shall rise when the OIC, Assistant Officer-in-Charge (AOIC), or an O-5 or above officer of any service enters the area. You shall remain at attention until the officer departs or you are directed to "carry on." When conversing with any commissioned or warrant officer, you will stand and come to attention, unless told to be seated.

**2. Reporting.** Any prisoner directed to report to any staff member or visiting official will report in an official manner. He or she will come to the position of attention and state their last name and "reporting as ordered." If reporting to an officer, the word "Sir" or "Ma'am" will be used in conjunction with your report (i.e., "Sir/Ma'am, prisoner DOE reporting as ordered."). All intercom communications will be in like fashion accompanied by specific request (e.g. Prisoner Name request to have the cell door opened).

**3. Giving Way.** If you are in a passageway or doorway, you will immediately give way (by stepping back away and standing still) in such a manner that an approaching officer or staff member can proceed on his/her way.

**4. Head Covering.** You shall wear the appropriate approved head covering at all times when outside the brig. You will remove your head covering when entering any building, or at any other time as directed by a staff member. Covers shall not be twirled or thrown. You will only wear covers authorized for wear with your work uniform. No altered covers are authorized at any time. If you are assigned specific work assignments (such as

grounds crew), you may be provided unique head covers to protect you against prevailing environmental conditions. Such head covers shall ONLY be worn while actually performing specific work assignments.

**205. Relations with Staff & Volunteers**

**1. Disobedience.** Orders given by staff personnel (military or civilian) or written orders are not subject to argument, discussion or negotiation. Orders will be obeyed immediately and without question. If you feel you have been given an order that is unfair or unlawful you may submit a "Request for Interview (DD Form 510)," via the chain of command, after you have complied with the order. In cases of conflicting orders, you will obey the last order given. Do NOT question orders given by staff at the time of the order.

**2. Provocation.** Do NOT argue in any manner with staff personnel or volunteers. This includes being argumentative; using provoking, challenging, demanding, lewd, indecent, insulting, or threatening language, including threats to write Requests for Interview (DD Form 510); posturing in a threatening position; or making a threatening gesture. The explanation or excuse of "talking to yourself or another prisoner" is NOT acceptable.

**3. Assault.** You must NOT assault, attempt to injure, touch with any object, lay hands on, scuffle with, horseplay, spit toward, or brush up against staff members or volunteers.

**4. Deception.** You shall NOT deceive or mislead staff personnel or volunteers through actions, false statements, or in any other manner, which would prevent staff personnel or volunteers from knowing the true facts concerning any situation.

**5. Bribery.** DO NOT LEND any article, give, or make promise of gifts, perform personal services, or do anything which may be construed as an attempt to bribe or reward staff personnel or volunteers; nor request, seek, or knowingly receive any article or consideration (favor or special treatment) from staff personnel or volunteers.

**6. Personally Identifiable Information (PII).** Possession of staff, volunteer, or current or former prisoner addresses, pictures/photographs, email addresses, telephone numbers, Personal Identification Number (PIN), account numbers, computer access information codes, license numbers, or their family's information is strictly prohibited. You shall NOT provide this information to other prisoners. If you use, or are found in possession of this information in any form, you will be administratively processed for the following violations: Attempts (Category III, Rules Violation (Category III), and Trafficking (Category III).

**7. Harassment.** Any comment, conversation, question, or other communication (verbal or non-verbal expressions) intended to or which may reasonably be expected to anger, irritate, or demean a staff member. Such communications will be considered staff harassment, when directed to a staff member or to another, and overheard or observed by a staff member.

**8. Contacting Staff.** You shall NOT contact staff in writing, by telephone or through another person for personal communication. All staff contacts shall be solely related to official business.

**9. Physical Contact.** Any physical and/or sexual contact with staff is prohibited.

**10. Disrespect.** Disrespect shown toward any staff will NOT be tolerated. Talking back, being argumentative, name-calling, using profane language or gestures, etc. will result in disciplinary action.

**11. Favors.** Do NOT solicit from individual staff members or volunteers any letters of support or reference (such as for parole board packages), nor any favors (such as soft drinks, coffee, money, etc.). These examples are considered asking for favors and staff and volunteers are prohibited from providing such. Do NOT give gifts/favors to individual staff or volunteers or for an individual's office (such as work products, brig-raised flowers, or personal services) unless assigned/directed to do so by a staff supervisor.

**206. Relations with Prisoners**

**1. Provocation.** You shall NOT use provoking, insulting, threatening, indecent, lewd, racially-charged, sexual orientation or improper language or gestures toward another prisoner. Do NOT converse with another prisoner in an unusually loud or boisterous tone of voice.

**2. Hazing.** Any derogatory personal comments or behaviors against another prisoner regarding their race, offense, religion, physical attributes, gender, mental health, sexual orientation, addictions, or any other aspect of their being is contrary to good order and discipline and will NOT be tolerated. Such behavior will result in disciplinary action.

**3. Deception.** Do not deceive or mislead another prisoner through action, false statements, or in any other manner which might influence a prisoner to violate any rules or regulations, or to suffer physical or mental harm.

**4. Physical Contact.** Physical contact with another prisoner is prohibited. This includes fighting, horseplay, spitting, wrestling, sexual contact, or any type of contact that may cause injury, touching with an object, touching with hands or other body parts, hugging and kissing. It does not include controlled forms of physical contact during worship service or other supervised activities like graduation ceremonies where a brief handshake or a custom during activities including Baptism, Communion, prayer, etc. is a norm. During a religious service, "passing the peace" is NOT permitted across an aisle or between male and female prisoners. Unintentional or inadvertent physical contact is accepted in mild forms during recreational events, for example basketball and volleyball games.

**5. Disorder.** Disorder of any kind is prohibited. This includes excessive noise at any time, jeering at other prisoners or staff, mass actions, singing, whistling, or other activities which disrupt the good order and discipline of the facility.

**6. Conspiracy.** Do not combine, associate, or enter into a conversation with any other person or persons for the purpose of conspiracy against the good order and discipline of the brig.

**7. Gambling.** Do not participate in any form of gambling at any time, including the use of game pieces for gambling. The development and/or possession of sports "brackets" or "pools" is prohibited at any time.

**8. Trafficking.** The exchange of money, property, or services in considered to be trafficking and is prohibited. Transfer of funds, either directly or through an intermediary, to another prisoner is prohibited. Performance of any service for another prisoner is strictly prohibited. Giving or passing notes, letters, PINs, pictures, or other articles between prisoners is a violation of this rule. You are not authorized to remove any items from the trashcans anywhere in the facility and, if found doing so you will be in violation of rules and regulations. Any person who assists or facilitates the movement or passing of notes or contraband is also guilty of trafficking. ***Loaning of any item or "inheriting" items from ex-prisoners (or prisoners being released immediately) is considered TRAFFICKING (to include book, magazines, uniform items, clothing, H&C items, etc.).***

**9. Stalking.** The willful, malicious, and repeated following and harassment or actions that instill fear or injury are prohibited.

**10. Sexual Contact.** Sexual contact between prisoners is prohibited.

**11. Pre-Trial/Post-Trial Prisoner.** It is necessary to recognize the difference in status of pre-trial prisoners from post-trial prisoners. Pre-trial prisoners shall not be required to undergo punitive duty hours or training, perform punitive labor. Duties shall not be demeaning and unnecessary. however, performance of necessary duties is authorized. When employed, pre-trial prisoners must work separately from post-trial prisoners. Pre-trial prisoners may be assigned to various police, fatigue, and work details which may be assigned to duty personnel in the maintenance and operation of the command.

**207. Disturbances**

1. In the event of a disturbance, the order will be passed to "LOCK DOWN". Upon hearing this order, you shall remain in place and wait for further direction from staff personnel. IT SHOULD BE CLEARLY UNDERSTOOD THAT, UNDER THIS EMERGENCY, MOVEMENT OF ANY KIND INVOLVES PERSONAL DANGER. To verbally encourage a fight or disturbance is considered "participating in the event" and all participants will be subdued and disciplined/charged as appropriate.

a. If in the dorm area, you must immediately stop what you are doing, return to your cell, secure the cell door after you enter, move away from the cell door and stand by for further instruction.

b. If a disturbance takes place in the dining area while you are present, remove yourself from the immediate area and sit on the deck facing away from the disturbance. You will be directed by staff to proceed when safe. Remain quiet. (Encouraging a disturbance verbally is considered "participating.")

c. If outside (recreation call, PT, working party, etc.), remove yourself from the immediate area of the disturbance and sit on the ground facing away. You will be directed to move by staff personnel when safe to do so.

d. If in any passageway, stop where you are, turn and face the bulkhead and do not look around. You must stay in place until told to carry-on unless given instructions from another staff member.

e. If any other area, you must follow any verbal instruction given by any staff member. Failure to immediately comply with this will result in disciplinary action.

f. If you are convicted by a General Court-Martial for acts of civil disturbance or rioting, you could receive 10 years confinement, forfeiture of all pay and allowances, and a Dishonorable Discharge.

**208. Contraband**

1. Do NOT accept or possess contraband. It is your responsibility to know what you are authorized to have and what you have in your cell. Any article found on your person, in your cell, or at your place of work that is not specifically authorized for your use will be confiscated as contraband and will result in disciplinary action. You are authorized to possess only the articles of personal or government property listed in this handbook (See Appendices A and B). You may not retain gear in your cell that is not specifically authorized to remain in your cell beyond the period of use (i.e., cleaning gear). If an article is not listed, you may not have it, unless you have an approved written authorization (DD Form 510) from the Programs and Services Department Head or higher authority.

2. Contraband taken from you will be inventoried and a receipt will be provided. Contraband will be destroyed after 30 days, unless an appeal is filed showing just-cause why the item should not be destroyed. The OIC will decide all appeal actions.

**209. Use of English Language**

English is the only language spoken within the facility or used when conversing with staff, visitors, volunteers, or prisoners. Conduct all correspondence and phone conversations in English, unless approved by the Programs and Services Department Head, or his appointed designee (exceptions are usually approved for immediate family only). Submit request using a DD Form 510 per requirements of Article 608 via Chain of Command (P&S Department Head). Approved foreign language educational course may be used in the cell or classroom when an approved course is supervised; however, the language may not be spoken in conversation outside of the cell or classroom.

**210. Other Prohibited Behavior**

**1. Malingering.** You will not pretend an illness in order to avoid work assignments, physical exercise, treatment, or other duties. Malingering will be determined by a medical officer and will result in disciplinary action.

**2. Negligence or prohibited possession.** Do not permit any item if your property, government property, or another prisoner's property to be lost, damaged, or destroyed

through negligence on you part. You may not possess any item belonging to another prisoner, volunteer, or staff and you must secure your own personal items at all times. Any situation involving missing property will be reported immediately to your supervisor.

**3. Pornography/Obscenity/Slurs.** You must not possess, create, or assist in creating any type of obscene literature, writings, markings, sketches, or articles. This includes any item containing slurs against any ethnics, racial, sexual orientation or minority group. Literature/drawings (including nude sketches), gestures or statements which advocate or condone abuse of others (e.g., sexual, emotional, or physical abuse) are not authorized. Final appeal action of pornographic material will be made by the OIC via either the Literary Review Board or the Discipline and Adjustment Board.

**4. Indecent Exposure.** Do not expose yourself to another person in an indecent manner. You shall wear PT gear to and from the shower. Sleeping nude is NOT authorized. You shall sleep in service Brig authorized PT gear at all times.

**5. Straggling.** You must not straggle to or from any formation or assignment. When directed to "fall in," do so immediately, at the position of attention, without talking.

**6. Mutilation.** You will not tattoo, mark, score, cut, brand, deface, or pierce any part of your body while in confinement. Do not place any foreign object into your ear lobe or other body part while in confinement.

**7. Assuming Authority.** You are never in a position of authority or leadership while confined. You are not authorized to assume a position of authority or to issue orders to another prisoner, volunteer, or staff member.

**8. Correctional Files.** You may have access to certain information contained in your correctional files. Send any such request, DD Form 510 to the Parole and Release Department.

**9. Fraternization.** Do not become "unduly familiar" with any prisoner. Conversations will only be in content of work assignment or education or treatment class/group or activity when expressly authorized by staff. When participating in co-ed groups or classes, do not mingle with opposite sex prisoners. You will sit in separate areas. Interactions with others outside the brig will be restricted to official business (work, healthcare, legal/personnel matters) and not of a social nature.

**10. Computers.** Do not operate any computer, unless specifically authorized by the Administration Department Head, Work Supervisor or Training Instructor. You may use "prisoner only" computers (Lexus-Nexus legal computers) in your housing unit subject to requirements outlined in each unit and your "computer user agreement." You may not work on any staff computer equipment. You may not have a personal computer nor possess any electronic storage media (e.g. disks, drives, or flash memory devices). The Reentry Coordinator will maintain DVDs issued for Reentry programming/job search purposes. In order to use available computers, coordinate scheduled times with the Reentry Coordinator. Tampering with a prisoner computer or its components will result in disciplinary measures.

**11. Doors.** Do not prop open any doors. Upon exit ensure the door is closed.

**12. Musical Instruments.** Personal musical instruments are not allowed due to limited storage space. Do not request exception to this rule.

**13. Tobacco Use**

a. Tobacco use is prohibited and not authorized in any area of the brig, while on temporary release with any escorts, or on work details outside the brig. Possession or use of any tobacco product or incendiary device (matches, lighters, and strikers) is prohibited at all times.

b. Tobacco cessation assistance is available through the Clinical Services Department. If you desire assistance to quit tobacco use, submit a DD Form 510 request to Medical.

**14. Control Panels.** You must stay at least an arm's length away from all control panels. (See also Article 409.1)

**15. Gear Adrift.** You are responsible for ensuring your gear remains properly stowed in your cell and locker. Your locker will be locked at any time when you are not in your cell. You are not to leave any of your gear unattended anywhere outside your cell. Other prisoners cannot "watch your gear" for you while you do something else.

**16.** See Appendix G, pages 129-139 for other prohibited behaviors.

**211. Prison Rape Elimination Act (PREA)**

**1. Introduction and Summary.** Congress passed the Prison Rape Elimination Act (PREA) on September 4, 2003, and standards were placed into effect August 20, 2013. The Brig has a zero tolerance policy concerning sexual abuse, sexual harassment, or sexual misconduct regarding prisoners and/or staff members.

**2. Definitions**

a. **Sexual abuse of a prisoner by another prisoner**. Sexual abuse of a prisoner by another prisoner includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

(1) Contact between the penis and the vulva or the penis and the anus, including penetration.

(2) Contact between the mouth and the penis, vulva, or anus.

(3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

(4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

b. **Sexual abuse of a prisoner by a staff member.** Sexual abuse of a prisoner by a staff member, contractor, or volunteer includes any of the following acts:

(1) Contact between the penis and the vulva or the penis and the anus, including penetration.

(2) Contact between the mouth and the penis, vulva, or anus.

(3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

(4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse. Arouse, or gratify sexual desire.

(5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttock, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

(6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in the paragraphs above.

(7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a prisoner.

(8) Voyeurism by a staff member, contractor, or volunteer. ***NOTE: Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of a prisoner by staff for reasons unrelated to official duties, such as requiring a prisoner to expose his or her buttocks or genitals, or taking images of all or part of a prisoner's naked body or of a prisoner performing bodily functions.*** Photographs may be taken to document an injury that occurs to you while in confinement in order to document the injury you sustained. Standard security checks are not considered voyeurism or an invasion of your privacy, regardless of the status of your normal routine. (e.g., performing bodily functions, getting dressed, showering, etc.)

c. **Sexual Misconduct**. Soliciting, threatening, or engaging in sexual or lewd conduct with another whether or not consensual (e.g., horseplay of a sexual nature, language of a sexual nature, soliciting sexual favors, exposing his or her genitals, or female breasts, under circumstances likely to cause affront or alarm, masturbating in open/plain view or continuing to masturbate in view of staff or prisoners).

d. **Sexual Harassment.** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one prisoner directed toward another; or repeated verbal comments or gestures of a sexual nature to a prisoner by a staff member, contractor, or volunteer, including demeaning references to gender, sexual orientation, sexually suggestive or derogatory comments about body or clothing or obscene language or gestures.

(1) The term "sexual misconduct" also expressly includes the terms "sexual abuse" and "sexual harassment" as defined by reference (a). The term "sexual misconduct" also expressly includes the criminal behaviors proscribed by Articles 120-120c UCMJ, reference (b).

(2) Sexual misconduct includes any behavior or act of a sexual nature directed towards a prisoner by a prisoner or staff member, volunteer, visitor, contractor, agency representative, or other person while confined to the Brig. This includes, but is not

limited to, acts or attempts to commit acts of sexual battery, sexual assault, sexual abuse, activities to provide for the sexual gratification of another, sexual harassment, sexual conduct, obscenity or an unreasonable invasion of privacy; and also includes conversations or correspondence that suggests a romantic sexual relation between a prisoner and any person referenced above.

e. **Dynamics.** Sexual assault, sexual abuse, sexual harassment, and sexual misconduct have stricter connotations in a confinement setting. Sexual acts between prisoners are prohibited and prisoners can never consent to sexual acts with a staff member. All allegations of sexual misconduct, sexual harassment, and sexual abuse will be investigated.

f. **Prisoner's Rights.** You have the right to be free from intimidation or pressure from staff, prisoners or any other person to perform and engage in sexual behavior regardless of your current situation or sexual orientation. In order to reach this goal, it is important that you understand prevention, self-protection, intervention, reporting of an incident and treatment available in case an incident occurs as outlined here, during orientation, or by request from trained staff members. It is illegal for any pre-trial prisoner, post-trial prisoner, staff member, or other personnel in this facility to sexually assault, sexually abuse, or harass any pre-trial or post-trial prisoner.

g. **Prevention and Warning Signs.** To reduce the risk of being a victim of sexual misconduct, be aware of your surroundings. Do not accept gifts or favors; most come with strings attached. Do not accept offers for protection; that is why staff in here. Be alert. Be direct and firm when saying "NO" to unwanted activity. Trust your instincts, or "gut," about a situation. Do not be afraid to hurt someone's feelings if you find yourself in an uncomfortable position. If you fear for your safety, report it to staff immediately.

h. **Duty to Report.** If you witness or experience sexual misconduct, or if you have suspicions thereof, you are required to report it immediately. Failure to report may result in disciplinary action. Be very clear about the type of report (e.g., witnessed, suspicion, etc.), as well as any details that may be pertinent to the situation to include specific violations, date, time, location, parties involved, and other information that will aid investigators.

i. **Reporting Options and Resources.** You can report sexual assault, sexual abuse, or harassment to any staff member. Your information will only be shared on a need to know basis to ensure your safety. You will not be retaliated against for reporting, anonymous reporting, or for third party reporting. Family members and others also have access to the 24 hour hotlines and they can find procedures on the command website. Reporting of sexual misconduct may be accomplished verbally or in writing. No specific

form is required. You will be protected from the assailant and the incident will be referred for investigation. All reports concerning the identity of the victim of sexual misconduct and the facts of the report are limited only to those with a "need to know" to make decisions concerning your welfare and for investigative purposes. The brig has a PREA Facility Coordinator, PREA Compliance Manager, and a Sexual Assault Victim Advocate for your assistance throughout the process to include such areas as the grievance process, questions about PREA, referrals, any third-party reporting information to prisoners, and publicly available information and data. You can request more information from these resources, or via other private means to include medical/clinical staff or the Chaplain.

**3. If you are assaulted**. It is important to inform someone as soon as possible. If at all possible, **DO NOT** take a shower, change clothes, brush your teeth, urinate, defecate, wash your hands, or straighten up the site where you were victimized. This will help to preserves evidence. A Sexual Assault Prevention & Response (SAPR) advocate is assigned to the brig and is on call 24 hours a day. The SAPR can explain the rules/regulations regarding the reporting of sexual assault or sexual abuse. You have many victim advocacy options if requested along with others that are from community-based organizations no affiliated with the brig or military that will accompany and support you throughout the process. Outside agency advocates such as the Safe Helpline are available and maintain 24 hour hotlines along with anonymous reporting. The Chaplain will also be contacted if requested.

**4. Intervention.** The following representative will assist as requested. Contact any staff member to request to speak with:

a. **Brig Points of Contact.** The PREA Compliance Manger, Command SAPR (Sexual Assault Prevention & Response) Advocate, Command Managed Equal Opportunity (CMEO) Officer, and Chaplain are available upon request.

b. **Outside Agency Advocates.** The DoD Safe Helpline (877)-955-5247 is pre-programmed in the prisoner phone system and is available to you at no cost. The Safe Helpline is operated by the Rape, Abuse, & Incest National Network (RAINN), is considered privileged correspondence, and is NOT recorded or monitored.

c. **Treatment and Counseling.** Treatment will be provided by qualified medical and mental health practitioners. Upon request, you will also be referred to a Victim Advocate. In the event you desire/require more assistance coping with the event, treatment and counseling will be made available to you.

d. **Informed Consent.** Any information related to sexual victimization or abusiveness shall be strictly limited to medical and mental health practitioners and other staff, as necessary (e.g., OIC, AOIC, Programs and Services, PREA Compliance Manager), for assignment, work, education, and program assignments, or as otherwise required by Federal, State, or local law (i.e., 28 C.F.R. 115).

**5. Brig Policies and Procedures for responding to allegations of Sexual Misconduct.** The Brig shall respond to all allegations of sexual misconduct. All allegations of sexual misconduct, regardless of severity or merit, will be immediately reported to the Naval Criminal Investigative Service (NCIS). Should NCIS decline investigative jurisdiction, the Brig CO/OIC will assign the case to qualified investigators.

**6. Polygraph exemption.** You will never be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation or an allegation of sexual misconduct.

**7. Retaliation Prevention.** You have right to be free from retaliation for reporting alleged sexual abuse, sexual harassment, and sexual misconduct incidents. There is an assigned Retaliation Monitor who ensures follow-on actions regarding prisoners who report all allegations are in accordance with the same opportunities afforded other prisoners. A Department of Justice certified auditor verifies the conduct of this monitoring in accordance with required PREA auditing procedures. Be aware, however, that reports made in bad faith, and revealed by investigation, may result in disciplinary action.

**8. Prohibited Activities.** Sexual activity between prisoners is **PROHIBITED.** ***Prisoners CANNOT consent to sex with staff or each other.***

## SECTION 3 - ADMINISTRATION OF DISCIPLINE

**301. Philosophy**

1. Self-discipline is the best form of control of any group of individuals regardless of the setting or situation. Experience indicates that military personnel, though confined, are still capable of, and are expected to exercise a high degree of self-discipline. It is expected upon initial confinement that all persons possess this trait of self-control by displaying proper military customs, courtesy and bearing.

2. When persons confined do not exercise self-discipline and control, it is the duty and responsibility of the staff to enforce standards, correct improper behavior and ensure good order and discipline within the facility.

3. NCBC, Det Chesapeake promulgates rules and regulations to ensure and support an environment conducive to self-improvement, and to maintain good order and discipline. Common sense, daily courtesies, as well as military regulations and the UCMJ shall be observed/followed at all times.

4. You are expected to comply with the brig rules and regulations. Any attempt to circumvent the rules and regulations shall be punishable as a breach of discipline. You are subject to the UCMJ, relevant federal laws, and brig rules and regulations, even after discharge from the military service, while in confinement.

**302. Administrative Disciplinary Actions/Reports**

1. The following disciplinary actions may be administered in any order.

a. **On-the-Spot Correction.** This action will normally be employed by staff when the offense is minor and a verbal warning is appropriate. Verbal warnings will be documented in your Prisoner Hard Card. All actions documented in your Hard Card will be shown to you and require your initials. Initials are not an admission of guilt. It is simply an acknowledgement that you are aware of the entry. A slightly more serious offense or repeated offenses may result in an Observation Report (OR) or a Disciplinary Report (DR) which can result in an administrative disciplinary hearing leading to sanctions. This action will be recorded in you record for future reference.

b. **Prisoner Hard Card Entries.** These may be positive or negative in nature. You will initial to acknowledge receipt of the entry. This is not an admission of guilt, only an acknowledgement that the entry has been made.

(1) **Positive Hard Card Entry.** Staff may recognize extraordinary positive performance for appearance, work, volunteering, or any other positive action.

(2) **Negative Hard Card Entry.** A negative entry can be issued for minor offenses or repeated violations of any kind. Entries will be initialed by the you as acknowledgement of having seen the entry only and initialed by a staff witness.

c. **Observation Reports (DD Form 2713).** These reports may be either positive or negative in nature. They are corrective in nature and do not result in a punishment being awarded for the violation.

(1) **Positive Observation Report.** Used by staff members to recognize outstanding performance and positive behavior, whether it is for appearance, work, program accomplishment, volunteering for extra details, or any other action considered extraordinary and meritorious. Only one positive OR may be awarded by your work supervisor per day. This report is given for outstanding efforts beyond that which is normally required.

(2) **Negative Observation Report (OR).** A negative OR is used when an incident warrants more severe consequences than an on-the-spot correction, but does not meet the level of severity warranting a disciplinary report. You will be shown the OR and asked to sign this report to acknowledge that they have been counseled by a staff member (normally the staff member awarding the negative OR). Your signature (or refusal to sign) does not admit guilt/agreement with the OR.

d. **Administrative Measures/Restrictions**

(1) You may be placed in Special Quarters for control, protection of others, self-protection, or for such periods under such provisions as may be required for orderly administration of Good Order and Discipline. Assignment to Special Quarters (other than for disciplinary segregation) is NOT a punishment. Normal privileges and incentives will be observed (unless removed "for cause" by the OIC); however, due to management of the unit, some changes in daily routine and incentive entitlements can be expected.

(2) "Cool Down" period inside cell. You may be restricted to your cell "for cause" by a unit staff member, the Command Duty Officer, or higher authority. This action may be taken based on:

(a) circumstances of the situation,

(b) due to an event that involves you and this action is necessary in the best interest of your personal safety and security, or

(c) to maintain good order and discipline. The CDO will be notified immediately upon restriction being imposed and this restriction may only be for a period of 30 minutes, unless extended by the CDO or higher for an additional 30 minutes.

e. **Disciplinary Report (DR) (DD Form 2714).** For more serious violations (see appendix G) or repeated disregard for brig rules and regulations you will receive a DR. You will be verbally advised of the nature of the alleged rules violation by a staff member. An investigation into the facts and circumstances of the alleged violation will be accomplished by an uninvolved staff member (normally the Brig Investigator). If you receive a DR, you may elect to make a statement on your behalf after being informed of your rights. You may waive your rights and request a hearing by a Discipline and Adjustment (D&A) Board without consulting counsel. If the alleged violation is determined to warrant a board hearing, you can elect to appear before the Discipline and Adjustment (D&A) Board and have an opportunity to state you side of the case; see appendix G for a list of rule violations that may result in a DR and, if found guilty, a list of corresponding punishments.

1) **Administrative Discipline and Adjustment (D&A) Boards.** When a DR is referred to a board by the Reviewing Officer, a D&A Board will be convened to evaluate all facts and circumstances surrounding your alleged misconduct, infractions, violations of confinement rules, and violations of the UCMJ.

(a) You will have written notice of the board at least 24 hours in advance. The 24-hour advance notice requirement may be removed if you are within imminent release from confinement (i.e., an offense is committed the day before or on the day of scheduled release). You may waive, in writing, your appearance at this board or the 24-hour waiting period. While you may consult legal counsel prior to the board hearing, there is no right for counsel to appear during the hearing or to represent you.

(b) You may request staff and/or prisoner witnesses; if you do request such witnesses, the request must be as early as possible in the investigation and at least by the "24-hour notice" of the scheduled board.

(c) Board hearings are held to evaluate all facts and circumstances surrounding alleged misconduct, infractions, violation of brig rules and violations of the

UCMJ. This board is not a criminal trial; it is an administrative proceeding. The board's purpose is to determine whether an offense was committed and to recommend authorized disciplinary and/or management actions, if appropriate.

(d) Legal counsel is limited to assisting you in preparing for and representing him/herself at the D&A board. You may request a delay in the board by submitting a written request to the D&A Board Chairman. Reasons for the request of delay must be fully explained and arranged before being granted. Such delays typically encompass no more than a week, based on individual circumstances and the review of the board chair. There is no right to a particular attorney when seeing legal counsel.

(e) At the D&A board, you may plead "guilty," "not guilty" or "no plea" to the alleged violations. Regardless of your plea, you may explain the circumstances surrounding the infraction and the board will consider your explanation(s) and ultimately determine your guilt or innocence. The board will determine a finding of "guilty," "not guilty" or "dismissal" of the charge(s).

b. **Boards.** A "guilty" determination is based on a "preponderance of evidence" (the weight of evidence provided is more convincing, even if minimally, than the evidence presented by the other party) supporting the committal of the charged violation or a lesser-included offense of the charged violation. You will be briefed on the determination of the D&A board and the sanctions that will be recommended to the TD/AOIC. The TD/AOIC is not limited by or bound to the board's recommendation(s) and may reduce or reverse the findings and increase or decrease the board's recommended sanctions. The TD/AOIC is the only authority authorized to increase any board's recommended sanction(s).

c. This section does not completely describe all the rights and procedures related to a D & A board. If a DR is written, you will be given additional information during the investigation process.

**303. Punishment**

1. The TD/AOIC approves and imposes any of the applicable disciplinary and management actions for offenses reviewed by the D&A board. See Appendix G for the list of possible sanctions for those offenses. Suspension of any disciplinary actions for a probationary period, not to exceed 6 months, is authorized. One or more of the following disciplinary actions may be imposed:

a. **Reprimand or Warning (verbal and/or written).** These are official punishments and are recorded on your permanent conduct record.

b. **Loss of Privileges (LOP).** Privileges such as television (including the use of the brig-issued personal musical device), gym/outdoor rec call, movie call, telephone use, computer use, or after-hours voluntary activities (such as Alcoholic Anonymous) which are established to encourage good conduct may be restricted. Attendance at Sunday worship service, receiving visitors and correspondence, and extended legal computer use may be restricted if the misconduct is directly related to those privileges. Personal reading materials already in one's cell are permitted. LOP is served during non-duty hours in your cell with the cell door closed. You may sit on the stool/chair or bed, but you may not recline nor sleep before 2200 hours (except galley workers who may recline or sleep after 2100). Loss of privileges is affected when recommended by the administrative D&A board, and then approved by the TD/AOIC. Punishments imposed begin immediately upon the TD/AOIC's approval and run concurrently.

c. **Extra Duty.** Extra Duty can be awarded for a period of 2 hours nightly (non-duty hours) for no more than 14 consecutive days (excluding Sunday, or your day of worship, and holidays, although they count in the computation of the punishment period).

d. **Forfeiture of Good Conduct Time (GCT), Earned Time (ET)/Special Acts Abatement (SAA) (see Article 603).** Any or all of your GCT, ET, or SSA, to include that GCT administratively credited for pre-trial confinement, may be forfeited. All GCT and abatement allowances earned up to the date of the violation may be forfeited. Forfeitures may be subsequently restored by the OIC, except in the case of escape.

e. **Disciplinary Segregation (DSEG).** If you are serving DSEG, you shall remain in your assigned cell, except for official visits and approved personal visitation, two-hour exercise call without recreation equipment, and a daily shower. DSEG shall not exceed the limits authorized in Appendix G and shall be terminated as soon as the individual demonstrates that segregation has served its purpose.

f. **Management Actions.**

(1) Incentive levels may be changed (reduced) by the "D&A Board and approved by the TD/AOIC as a consequence of misbehavior or Program Plan non-compliance,

(2) If you lose an incentive level and are no longer authorized to have certain items (CDs, books, etc.), you may either (1) mail the item(s) out at your own expense, (2) discard them, (3) donate books to the brig Library, or (4) place them in your prisoner storage bin in the "Lucky Bag" room only if an incentive level reduction is awarded and you have excess property or prohibited property as a result of that incentive level

reduction. You may only use the storage bin to store items if, and only if, you have sufficient confinement time remaining to re-earn the incentive level that permits you to use those items again.

(3) Reset Continuous Employment date.

2. All Disciplinary Reports (DRs) and sanctions become a permanent part of your confinement record and will be considered by the various boards which consider Clemency & Parole, custody classification, program and work assignments, etc. while you are confined. The exception is when a DR is dismissed; in this case, the DR is removed from your record.

**304. Appeals**

1. After the TD/AOIC approves a disciplinary board action and you are notified of the action taken you have 15 calendar days to submit an appeal to the OIC concerning the punishment imposed. Present your appeal in writing via Request for Interview (DD Form 510), referencing the disciplinary report in question, punishment imposed and dates of action. Submit your appeal via an authorized reviewer. The appeal shall then be reviewed by the OIC and the OIC will acknowledge receipt of the appeal within 5 days and a written decision will be made within 30 calendar days of receipt of the appeal. Be advised that such appeals must have substantial merit or it will be retuned without further action. Appeals must be based upon showing that the findings of the board were in error, the disciplinary hearing (D&A board) did not comply with applicable requirements, or the corrective actions were too severe. Approved board recommendations are ordered into immediate execution, without regard to appeal action. Decisions of the OIC regarding a D&A board appeal are **final**.

2. D&A board cases not resulting in disciplinary or management action being imposed are final and not subject to appeal.

3. If Good Conduct Time (GCT) is forfeited as a result of misconduct, and a minimum of 90 days has elapsed without any incident of further misconduct, you may request that any or all of the GCT lost be restored (the 90-day period does not include the last 30 days of confinement plus eligible days for restoration). GCT may be returned on a select basis by the OIC only. Such restoration will be considered for "above and beyond" performance to a degree that it compensates significantly for the misconduct for which the GCT was taken. A request for restoration of GCT shall be made on a Request for Interview (DD Form 510), via the chain of command (Counselor, Technical Director, AOIC), to the OIC (See Appendix C).

## SECTION 4 - DAILY ROUTINE AND UNIT REGULATIONS

**401. Grooming and Hygiene**

1. Regardless of your service-specific rules and regulations regarding grooming standards, you will comply at a minimum with the following directives:

a. **Uniforms.** You will be required to present a clean and neat military appearance at all times. You must be in the uniform of the day for all counts and meals with the exception of the final count before taps; you may be in the service brig authorized PT uniform. Pockets, jackets, and coats will be buttoned/zipped and shoes/boots will be shined and laced as appropriate. Uniforms will be clean and in good repair to include proper name tapes (Appendix I). Unsightly uniforms shall not be worn. PT gear shall not be worn under your uniform at any time, unless authorized by your service-specific uniform regulations (i.e. Marines wear their PT shirt as an undergarment while wearing their uniform).

***NOTE: When jackets/coveralls or special work clothing is worn for work details, it shall be worn with buttons "buttoned" or zippers "zipped" and sleeves extended (not rolled or tied around waist).***

b. **Showers.** You will shower daily. Showers will normally occur at the times prescribed by the daily routine. The CDO may authorize an exception to these times. Exceptions are based on work performed that day that involved very dirty/greasy work or long periods of high temperatures. The work supervisor may contact the unit Quarters Supervisor to recommend early showers based on the work or you may request it. If approved, the individual must still ensure that he/she meets any other requirements for the day (appointments, count, and unit movement to meal). You shall wear PT gear to and from the shower. Only one person may be in one shower room at one time.

c. **Grooming for men.** The following grooming standards will apply to you while confined at NCBC, Det Chesapeake. Pre-Trial prisoners shall follow the grooming standards of their applicable service.

(1) **Hair.** You shall obtain appropriate service regulation haircuts from the brig barber. You will receive a haircut at a minimum of once every two weeks. You must submit a DD Form 504 (Request for Health and Comfort Supplies) request to Funds and Valuables in order to pay for the haircut. The Funds and Valuables supervisor will charge your account appropriately for your haircut. Haircuts will be sufficient to meet minimum standards for the two-week period. A schedule of times and dates for haircuts

is posted in each unit. If you miss your haircut date due to a conflicting appointment, it is your responsibility to speak with the Quarters Supervisor to ensure you will receive your haircut and maintain grooming regulations.

(2) Hair/grooming standards, regardless of service affiliation, shall present a neat and professional appearance. Hair above the ears and around the neck shall be tapered from the lower natural hairline upwards at least 3/4 inches and outward not greater than 3/4 inches to blend with hairstyle. "Do rags/scarves" may only be worn in one's cell, from taps to reveille. Only "do rags" purchased through the Brig Store may be worn; modified versions are not permitted.

(a) You will not:

1. Cut your own hair or another prisoner's hair.

2. Receive eccentric haircuts.

3. Have hair on the back of the neck that touches the collar. Hair length shall be in accordance with service regulations and may not touch the ears, collar, extend below eyebrows when headgear is removed, show under the front edge of headgear, or interfere with properly worn military headgear. The bulk of the hair shall not exceed approximately two inches. Bulk is defined as "the distance that the mass of hair protrudes from the scalp."

4. Have faddish styles and outrageous multicolored hair. The unique quality and texture of curled, kinked, waved, and straight hair are recognized, and in some cases, the 3/4-inch taper at the back if the neck may be difficult to attain. In those cases, hair must present a graduated appearance and may combine the taper with a line at the back of the neck. One (cut, clipped, or shaved) natural, narrow, fore, and aft part is authorized. Varying hairstyles, including an Afro, are permitted if these styles meet the criteria of maximum length and bulk, tapered neck and sides, and do not interfere with properly wearing military headgear. Plaited or braided hair shall not be worn.

5. Have sideburns extending past mid-ear. They shall be of even width (not flared) and shall end with a clean-shaven horizontal line.

***NOTE: On the date of your scheduled haircut, your hair will be freshly washed with no added grooming product (e.g., gels, creams, etc.) and will not be flattened using head devices such as a "Do Rag."***

(b) **Shaving.** Regardless of legal status, you shall shave each morning prior to breakfast using the razor (thumb in Special Quarters, electric for all others) provided, except those with valid, current "No Shave" and "Reduced Shave" chits. These chits are issued by Brig medical personnel for documented cases of pseudo-folliculitis and other skin conditions; a copy will be on your person, unless in special quarters where it will be maintained with the DD Form 509 outside your cell. You may not grow a new mustache while confined in the brig. Mustaches are not permitted, except by Pre-Trial prisoners who enter the brig with a mustache. If a Pre-Trail prisoner is subsequently convicted, the (now) adjudged prisoner must shave off the mustache. You are authorized to purchase an alternative battery powered electric razor with a trimmer device (see appendix A). If you purchase an alternative razor, the Brig issued razor will be placed in your "Lucky Bag."

1. If you have a "No Shave" chit, you may may let your beard exceed 1/8 inch in length, if authorized by a Medical Officer or his/her designee. At a minimum, you are required to utilize an electric trimmer (sold in the NEX) or clippers from the Barber Shop every Thursday or as necessary to maintain the length of their beard at less than 1/8 inch.

2. If you have a "No Shave" chit, you will not wear a "Goatee" or a "Fu Manchu" type of beard or otherwise partially shave or trim beards. This will result in termination of the chit, regardless of the existing facial condition. "No Shave" and "Reduced Shave" chits from previous commands are not honored. You will be assessed on the need for a "No Shave" and/or "Reduced Shave" chit by Brig Chesapeake medical staff. If a no bump razor is sufficient for the skin condition you have, no bump razors will be utilized vice a "No Shave" chit.

3. Personal electric razors will not be shared.

d. **Grooming for women.** The following grooming standards will apply to female personnel confined at this brig. Pre-Trial females will follow their respective service regulations.

(1) **Hair.** You will be scheduled for haircuts on an "as-needed" basis, but not more frequently than once every two weeks. You must submit a DD Form 504 (Request for Health and Comfort Supplies) request to Funds and Valuables. The Funds and Valuables supervisor will charge your account appropriately for your haircut. A schedule for times and dates of haircuts are posted in the unit. You will not cut your own or another prisoner's hair.

(a) Hairstyles shall not be outrageously multi-colored of faddish, to include any shaved potions of the scalp (other than the neckline), or have designs cut or braided into the hair. If you entered confinement with an outrageously multi-colored or faddish fashion, you will be required to style your hair back to its original color and style that meets military service regulations. Lopsided and extremely asymmetrical styles are not authorized. Pigtails, widely spaced individual hanging locks, and braids, which protrude (jut out; push/thrust outward) from the head, are not authorized.

(b) Multiple braids are authorized. Braided hairstyles shall be conservative and conform to the guidelines listed herein. When a hairstyle of multiple braids is worn, braids shall be of uniform dimension, small in diameter (approx. 1/4 inch), and tightly interwoven to present a neat, professional, well-groomed appearance. Keep hair clean, combed, neatly shaped and arranged in a professional style. Foreign material (i.e., beads, decorative items) shall not be braided into the hair. Bobby pins are not authorized.

(c) Hair extensions, hair pieces, or wigs are not allowed. If you come into confinement with an extension, hair pieces, or wig you will be required to have it removed immediately.

(d) Short hair may be braided in symmetrical fore and aft rows. (Corn rowing), which minimize scalp exposure. Cornrow ends shall not protrude from the head, and shall be secured only with inconspicuous rubber bands that match the color of the hair.

(e) Hair may be twisted in fore and aft rows, which are uniform in dimension and small in diameter (approx. 1/4 inch) and set tightly against the head, with minimal scalp exposure. No twists will come off or protrude from the head.

(f) Appropriateness of a hairstyle shall also be judged by its appearance when headgear is worn. All headgear shall fit snugly and comfortably around the largest part of the head without distortion or excessive gaps. Hair shall not show from under the front of the brim of the required service head gear. Hairstyles which do not allow headgear to be worn in this manner, or which interfere with the proper wear of protective masks or equipment are prohibited.

(g) When in uniform, the hair may touch, but not fall below a horizontal line level with the lower edge of the back of the collar. Long hair, including braids, must be neatly and inconspicuously fastened, pinned, or secured to the head presenting a style not dangling free at any point.

(h) No portion of the bulk of the hair as measured from scalp will exceed two inches. Bulk is defined as the distance that the mass of the hair protrudes from the scalp. If hair is placed in a bun, the bulk of the hair as measured from the scalp shall not exceed three inches and will not fall below a horizontal line level with the lower edge of the back of the collar.

(i) Hair may be unsecured when wearing physical fitness attire. Visible hairnets may be worn only if authorizes for specific duties. Only facility-approved hair straightening products may be requested and purchased through the Brig Store.

e. **Fingernails.** You will maintain short, neatly trimmed fingernails. The nail will not extend past the end of the finger for men and women. Nail polish is not authorized.

f. **Laundry.** You are expected to place your clothes and linens into laundry service regularly. A laundry schedule is posted on the bulletin board in your unit. Holiday schedules will be posted on the bulletin board prior to the holiday.

(1) Laundry services are normally offered three times per week. Two numbered laundry loops are provided to you. Place all dark and colors in one bag. Place all whites in the other bag. Place the excess cord either (1) inside the bag or (2) wrap it securely around the end of the bag and tie it off. All personal items shall be marked with at least your initials and brig # or RCN prior to placing them in the laundry bin. Failure to properly mark your clothing may cause the items to be discarded.

(2) Laundry service for sheets and pillowcases is offered once per week. See the posted schedule in your dorm for specifics.

(3) Blankets are laundered quarterly. See the posted schedule in your dorm for specifics.

(4) If you are assigned to an exterior work detail, you will be afforded extra laundry service through the Programs and Industries Department that will be determined at the end of each working day and facilitated by Programs and Industries.

**402. Messing**

1. Conversation while seated during meals is permitted with prisoners seated at your table, but must be carried on in a moderate tone of voice. Talking or conversing while in line or across tables to other tables is **NOT** authorized. While standing "single-file" in the serving line, remain quiet, unless requesting information on the ration being served.

Do **NOT** remove any food or drink items or messing equipment from the messing area. You are **NOT** allowed to exchange or give any food items to another prisoner.

a. **Seating.** Seating will be assigned as directed by the Mess Deck Supervisor and/or Quarters Supervisor. The only time you may leave your seat, is with permission of a staff member. All food items will be consumed while seated at the table, **NOT** while standing.

2. You will be given sufficient time to eat meals, at least 20 minutes, in a normal manner and with proper utensils.

b. **Silverware.** You are required to accept one knife, one fork, and one spoon at the beginning of every meal. Any time you leave your table, you will take your silverware with you. Silverware shall be visible at all times. Place silverware in your left hand; Never in your pockets. At the end of the meal, you are required to turn in each piece of silverware under the observation of a staff member. Failure to have all of your silverware will normally result in a strip search. If you drop your silverware into the trash, it is your responsibility to recover the silverware. If this happens, you will be permitted to wash your hands prior to leaving the galley/mess decks.

3. Upon completion of the meal, and only when directed by staff, you will proceed to the scullery, one table at a time.

4. If you are in segregation status, you will be fed all meals in your cells or at tables in the segregation unit.

5. While waiting to be served, you will stand in line as directed by the escort. There are no reserved spots in line and no spots may be "saved."

6. If you choose not to eat a meal, you must submit a Request for Interview (DD Form 510) to your Unit Counselor immediately following that meal. If you miss more than one meal, submit the form after each missed meal.

7. You are provided the same meal choices (unless medically or religiously directed otherwise) and cannot request or accept specially-made items for them. Galley workers are also restricted to the same menu items and quantities as the main line.

8. Second servings on the main line are not permitted.

**403. Movements**

When moving in formation, you will proceed in a military manner. This includes looking straight ahead, walking single file, hands out of pockets and not talking. All movements will be executed smartly and promptly. When told to "Fall in," you will assume the position of attention (No talking). When standing in the chow line, you will stand single file with hands at your side, an arms-length from any wall, and refrain from talking, moving forward as the line progresses. When returning from chow, Recreation Call or a group event, you will stand single file with hands at your side, an arms-length from any wall, and refrain from talking. Running, unless participating in athletic events, or when specifically, authorized, is prohibited. When lining up for formations, you cannot pre-reserve a spot via arrangement with another prisoner, or place an item as a "marker" to hold a spot. All unit formation (chow, PT, Recreation Call, etc.) will be in a cell order as determined by the Quarters Supervisor. If placed at "Parade Rest" you will slide your left foot out and clasp your hands behind your back.

a. **Prisoner Movement Passes**

(1) Any time you are ordered to move about the facility, you will either be escorted by a staff member or receive a movement pass. When you are authorized to leave the unit by a staff member, you will obtain a Prisoner Movement Pass. This pass will be carried at all times in your left hand while executing the approved movement. The staff member will issue the pass and indicate your name and the area to which you are directed to report. You cannot fill out any portion of a movement pass. You will go only to the area authorized and no other place (except during an emergency evacuation). You will proceed on the right side of the passageway and you will use the most direct route both to and from the designated area. You will not stop to speak to anyone other than a staff member who speaks to you first; you will observe military customs and courtesies in passing of staff. Upon return, you will report to the Quarters Supervisor and surrender your pass. The time you depart and the time of return will be logged. Only a staff member can authorize deviations in route while on a prisoner movement pass.

(2) Unsolicited movement by you, to include any movement not authorized by staff within the brig is prohibited. If you have an appointment, it must be published on the CORMIS appointment sheet or you must be specifically called down by a staff member before movement may be authorized. Do not request permission to move from the Quarters Supervisor, your work/program supervisor, or other staff, unless scheduled or staff initiate the movement. Do not approach a staff member to "volunteer" to work outside your unit, including at a work site to which you are not currently assigned (such as helping out at a former work site if you are no longer assigned there). When scheduled

for a CORMIS appointment or scheduled for medication call, that is your appointed place of duty. Failing to report to the appointment or asking to go somewhere else is not permitted. You cannot refuse a CORMIS appointment activity and then proceed to an alternate activity. Only the staff member who assigned the appointment can cancel or revise the appointment.

(3) Pre-Trial or Post-Trial prisoners not in Special Quarters or that are not otherwise restricted from being on a movement pass, can move on movement passes if scheduled for programs or activities such as AA/NA, religious activities, recreation or other functions. You shall not fill out your own movement pass.

(4) When group movement passes are authorized, the prisoner's name that appears first will carry the pass. You will proceed directly to your authorized destination. **NOTE: No more than seven (7) prisoners will move on a group pass. Groups of more than seven will be escorted.**

(5) You shall not depart from any place or assigned work detail, unless specifically authorized to do so by staff personnel. You will not talk to another prisoner while on a movement pass and will remain silent. Movement passes will be carried in the left hand.

(6) If you not where you are supposed to be, you are in violation of movement regulations and subject to disciplinary action.

(7) When you use the call button to request entry into a space, you shall report, "prisoner, followed by last name and their destination" when requested. If you are on an unescorted movement pass, you may not transit through any other non-unit electronically operated doors.

(8) You will not enter a space (office, classroom, chapel, etc.) unless occupied by a staff member or authorized by Control to enter.

(9) You are prohibited from spitting on the deck, sidewalk, bulkhead, and yard areas. Corrective action could result in cleaning the entire area and/or a disciplinary report.

**b. Movement to noon meal**

(1) You will be returned to their respective dorm and mess with your dorm each day.

c. **Unit Movements.** When Units are preparing for a group movement (e.g., mess decks or Recreation Call, etc.) the following procedure will be followed:

(1) When units "fall in for Mess Deck/Recreation Call" is announced to the unit, you will stand in front of your closed cell doors and assume parade rest.

(2) The Quarters Supervisor will ensure all prisoners are accounted for before ordering prisoners to line up for the group movement. Order of alignment will either be by a predetermined list or at the discretion of the Quarters Supervisor and rotated routinely.

(3) The first person in line will start the line at the Quarters Supervisor's desk and the line will proceed in an orderly manner back into the unit. You then will fall in at the end of the line and assume parade rest until such time as the Quarters Supervisor is prepared to execute the group movement.

(4) When your unit return from the scheduled event, each of you will fall in at parade rest in front of your cell doors until the Quarters Supervisor has reestablished his/her post and announced, "fall out."

d. **Movement in groups of two or more.** Any time you are ordered to move about the facility in groups of two or more, you will either be escorted by staff or receive a movement pass. Movement will be executed in a military manner, single file line, in an orderly fashion and conversation from point A to point B will be limited to that necessary to complete the movement. Movements will be executed on the right-hand side of passageways and or sidewalks. Upon arrival at the destination, report in and immediately submit the movement pass to the Supervisor.

**404. Fires and Emergency Evacuation**

1. Fire prevention and safety are everyone's responsibility. Piles of trash or rags in closed areas, combustible materials, items hanging from fixtures or electrical receptacles, or other hazards cannot and will not be tolerated. Drills will be conducted on a regular basis.

2. During a Fire and Emergency Evacuation you will remain calm and promptly obey the orders of staff personnel. When an emergency is sounded, immediately adhere to the following procedures:

a. Fall into designated area clear of doors and gates. Maintain absolute silence and await further orders.

b. During night hours, immediately dress with a minimum of protective clothing and follow the above procedures. Badges shall be worn.

c. If transiting from point A to point B on a prisoner movement pass when the fire alarm is sounded, immediately proceed to the nearest emergency exit and report to the first staff member you come in contact with while proceeding to the evacuation muster point.

**Note: If you are assigned to the Minimum Housing unit, refer to the post "House Rules" for guidance during emergencies/evacuations.**

**405. Count**

1. Three times daily, formal counts are conducted throughout the brig to ensure accountability of all prisoners. Other counts occur randomly.

a. At "**FIVE MINUTES TO COUNT**", all activities will be secured, you will return to your respective dorm/cell, and prepare for count. Earbuds shall be removed, TVs shall be turned "off" and you shall be in the proper uniform. Whatever uniform you are in, it will be worn correctly: boots laced, trouser buttoned, zippers zipped, etc. T-shirts shall be tucked in. During any count, reading of books or listening to a Personal Music Device (PMD) or CD player is **NOT** permitted.

b. When "**COUNT**' is announced over the paging system, all prisoner movement will cease and no movement is authorized until count is secured. You will be at the position of "***Parade Rest***" 3-5 feet in front of your door upon this announcement.

c. When the CDO arrives in your dorm to conduct count, your dorm supervisor will call your dorm to attention (i.e., ***"Golf West, ATTENTION"!***). You will assume the position of attention, centered on and facing your cell door. No talking or movement is authorized. You will resume the position of "***Parade Rest***" when directed to do so by a staff member. You will remain in place throughout the duration of count as hereby directed until "**Secure From Count**" has been sounded.

d. If you reside in Special Quarters as Disciplinary Segregation (DSEG) status only, you shall be in full uniform for each count. Once, "**COUNT**" is sounded over the paging

system you shall stand facing and centered on the cell door window, 3-5 feet from your cell door.

e. If you are at a work site, program, or activity during count, you shall muster with your supervisor and movement shall cease.

f. In all cases of "**COUNT**" you will follow the orders and instructions given by staff in the performance of their assigned duties.

g. All counts with the exception of weekends/holidays for afternoon and all evening counts and will be conducted in full uniform of the day. Conduct weekend/holiday afternoon and evening counts in your appropriate service PT uniform (see Article 506.2). Count secures after announcement from control "**SECURE FROM COUNT**" and when the Quarters Supervisor announces same and secures you from count.

**406. Taps/Reveille**

1. When reveille is announced, all cell lights shall be turned on and left on until you depart your cell for formation, chow, etc.

2. When taps are sounded, all cell lights will be secured unless you have been awarded the added incentive of "lights on after taps."

**407. Personal Time**

1. "Personal Time" begins/ends in accordance with the brig Plan of the Day. During "Personal Time," you may remain in your cell, PT in your cell, nap, use Personal Music Devices, view TV, conduct personal writing, or utilize the available table games. Personal game (Crossword, Sudoku, etc.) are also authorized. You shall not lie on your bedding while in uniform (uniform, shoes/boots).

2. **Multi-Purpose Room.** The Multi-Purpose room serves a variety of functions throughout the day in support of prisoner programming and personal time.

a. Programming. The Counselor reserves the right to secure the space for boards or Group Counseling (Crossroads) course.

b. To use the legal typewriter to prepare statements for a Clemency and Parole package.

c. You may utilize the associated Multi-Purpose room during personal time to play approved multi-player games, if there are 5 or more players involved. TV use is authorized but must follow the prescribe schedule. **See "House Rules" for specifics regarding us of the Multi-Purpose room dung personal time.**

3. **Uniforms.** You may wear the prescribed working uniform (Appendix I) or the prescribed physical training uniform (PTU) during personal time; refer to rule 506 for working and PTU guidelines. If dispatched outside of the dorm during personal time, you must be in full uniform of the day. **You are not permitted to lay in your rack in uniform.**

**408. Day Room Requirements**

1. **Watch Station.** You will request to approach the Quarters Supervisor desk. There will be no loitering around the watch station.

2. You shall remain an arm's lengths from all control panels at all times. You shall never make contact with the touch screen, fire detection controls, camera controller or public address system.

3. Nothing will be hung from railings.

4. Brig-purchased magazines and newspapers are available for issue to all prisoners. Magazines will be clearly marked with a brig label. You may not add your personal magazines/newspapers to the day room supply.

5. No one may sit or stand on the stairs, stair landings or railings. No one may loiter in the shower areas.

6. **Cleaning Gear.** All cleaning gear will be stowed properly when not in use. No cleaning gear may be kept in cells or common areas when not in use. Mops must be stored in cleaning gear lockers. You must check out any cleaning material(s) from staff. You may not give another prisoner cleaning material(s) you have checked out from a staff member.

7. **Television Channel Changes.** Only **staff** will change the television channels in accordance with the published TV schedule.

8. **Loss of Property.** You must keep possession of your belongings at all times; do not leave your items unattended in common areas even briefly. See Appendix G, "Suffering Loss of Property" for further explanation.

9. **Showers.** Showers will be run as follows: The Quarters Supervisor will provide a Daily Shower sign-up sheet. Order of precedence will be 1) Those scheduled to attend a program, class, or appointment, 2) by incentive level, and 3) the remainder by the cell order established for that day.

10. **Cell doors.** Cell doors will remain secured at all times unless you are is in transit through the door. Do not allow other prisoners to enter your cell. Do not enter another prisoner's cell, unless directed by staff. Entering any cell other than your own is a serious violation (Out of Place, category IV – see Appendix G). Prisoners shall not communicate to one another through open or closed cell doors at any time.

**409. Cell Maintenance**

1. **Cell.** Upon assignment to a cell, you shall (1) inspect the entire cell for any obvious discrepancies, (2) field day as required by staff, and (3) sign the cell inspection report (ensure you agree with any/all discrepancies noted). You will be held strictly accountable for any subsequent damage(s) or vandalism after that point. Under no circumstances will any marks or scratches be places on the walls, bunk, door, windows, lockers, desks, vents, or any other item of furniture contained in the cell. Maintain your cell in a clean, neat manner at all times. Appendix I designates cell arrangement and layout for inspections. Your cell will be subject to regular staff inspections and random inspections at any time. Upon moving out of a cell, for any reason, your cell will (1) be inspected by staff, (2) receive full field day, and (3) a cell inspection report will be completed and signed by staff and you. You will be held accountable for any discrepancies that occurred during your occupation. Only toilet paper will be flushed down brig toilets and nothing else! Any violation will result in a disciplinary action.

2. **Desk/Shelf.** You are authorized to stow on top of your desk/shelf a maximum of ten (10) items consisting of: books (digital photo albums are considered a book), magazines (not unit magazines), notebooks; two (2) "non-spring loaded" pens; two (2) pencils; two (2) photographs. Authorized (DD Form 510 approved by Clinical or Religious Services staff) study materials do not count against the (10) items. No other items are authorized! Material must be neatly stacked on desk/shelf. All mail and additional photographs will be kept in the foot locker in the front right corner. See article 503 a.5 and a.6 for allowable limits. No book ends or props are authorized for use. **Note: You cannot**

**order/receive new books/magazines unless you have reduced your total count to ensure you remain at/below the maximum of (10) items.**

3. **Sink.** One soap dish, bar of soap, tooth brush, razor, shaving cream, and hair brush/comb can be neatly stowed on sink shelf. Note: if your cell fails an inspection due to cleanliness standards, lack of neatness or excessive items, you stand to lose all or a portion of this privilege and may be required to stow all items in your storage bin.

4. **Shoe/Boot Storage.** Two pair of athletic shoes, two pair of work shoes/boots, and one pair of shower shoes may be stored outside your cell storage bin. Shoes/boots shall be placed under the bunk next to the storage bin, heels towards the cell door.

5. **Personal Correspondence.** You are authorized to store personal correspondence in the clear box provided by Programs and Services. It will be labeled with your cell number. Only personal correspondence, mail received, course material calculator, notebooks and professional/legal documents, Parole and Clemency paperwork (DD Form 510s/2719s, etc.) may be stored in this box.

6. **Hook(s).** You may hang a single uniform (pants, shirt, t-shirt, ), a towel and wash cloth on the hooks provided. If you are assigned to grounds crew, during hot periods, may be permitted to hang a second uniform on the hooks.

7. **Alterations.** You are not authorized to alter any items in your cell to include mechanical items, miss-use of bedding (i.e., using your pillow case for dirty laundry, dumbbell, etc.), covering up windows or speakers with paper, tape or other items. You will be charged with Attempts (Category III, V), Damaging or Destroying Property (Category III), Possession, Introduction or Use of a Weapon (Category V), and/or Rules Violation (Category III). You shall not tamper with any lock, control panel, or locking device. This includes placing any object or material to prevent cell doors from operating normally. The door mechanism shall not be interfered with in any manner. Windows, lights, and vents shall not be covered for any reason by any article/material.

**410. Prisoner Storage Bins**

1. Your storage bins (one big bin and one for admin/letters/etc.) within your cell shall be stored underneath your rack against the bulkhead at the head of your bunk. All items contained in your storage bins shall be stowed in an orderly fashion and are subject to inspection for content at any time, (See Appendix I).

2. Inspect and clean your storage bin before you move into it. Contraband discovered during any search or inspection thereafter will be considered to belong to you.

3. Make no markings or scratches on your storage bin, nor place anything on the outside of your storage bin.

4. You shall ensure your storage bin is locked when not in use. See Suffering Loss of Property (CAT II)

**411. Searches**

1. While you are in confinement, you are subject to searches (personal or area) at any time by any staff member. This includes strip and/or frisk searches. Frisk searches involve physical contact initiated by a staff member on a prisoner that will include the genital areas. Frisk and strip searches are normally accomplished by a same gender staff member as you. Under emergency circumstances, the staff member accomplishing the search may be opposite gender accompanied by a witness.

2. **Searches.** Upon initial confinement, you received a frisk search, strip search, and a complete search of all personal gear. While you are at this brig, you will be subject to search at various times and may not refuse a search. Strip searches are conducted following visitation(s), on return from outside the brig, as well as at other times involving a legitimate penological interest. You are expected to cooperate and maintain military bearing during the search.

3. **Area Searches.** Your cell, storage bins, housing, and work areas will be searched at random times to ensure the area is free on contraband. Searches are not announced and your presence is not necessary for an area search to be conducted. You will follow the directions given by staff members conducting the area search. When a cell search is conducted, care will be exercised to avoid any undue disturbance of your effects. This does not mean your gear will be restored exactly as found.

**412. Inspections**

1. You will maintain a neat military appearance within the guidelines or your service's uniform regulations and these brig rules. You are held to these guidelines and are subject to inspections.

2. You are inspected daily by the unit staff. The minimum required uniform for "satisfactory" inspection includes the following:

a. Clean and serviceable working uniform

b. Black boots/shoes (well-blackened and shined) / Suede boots (brushed).

c. Correct stenciling.

d. Pockets empty, except for authorized items (See Article 503.1. a).

e. Clean shaven, unless under the medical direction of a "no-shave" chit in which case you will be in compliance with the recommendations on your chit.

f. Regulation haircut. ***NOTE: Discrepancies for shaves, haircuts, or "unsatisfactory" uniforms will be documented for the first offense and a negative observation report (OR) for the second offense. Further disciplinary action will be taken for continued discrepancies***.

3. A formal inspection will be conducted weekly. Formal inspections will include storage bins, cells, and common areas of the unit. Inspection scores will be "tallied up" and the dorm with the best overall inspection score will win a group incentive (e.g. Late night movie call, or First in chow rotation). Your cells, storage bins, and common areas are subject to daily "in-house" inspections by your housing unit staff. Cells will be displayed as pictured in Appendix I.

4. If you receive a zero discrepancies during an inspection, you will receive a grade of "outstanding." One discrepancy will result in a grade of "satisfactory" and two or more discrepancies will result in an "unsatisfactory grade."

5. Anytime an "unsatisfactory" grade is received, the Quarters Supervisor will re-inspect those prisoners at a time he/she designated, normally after 1600 on the same day or during the next working day. Re-inspection will take precedence over other activities.

6. Cells are inspected by the Quarters Supervisor Monday-Friday between the hours or 0800-1600.

a. Maintain cells in a clean and orderly status at all times. (See Appendix I)

b. Desks, sinks, and items hanging on hooks will be neat and orderly and contain only authorized materials.

c. Secure dirty laundry with your laundry loops under the foot of your rack; footwear will not be turned into laundry.

d. Toilets and sinks will be free of all dirt and soap scum.

e. Dust all surfaces and sweep/mop the deck.

f. Shoes/boots that are not in use may be stored on the deck under your rack neatly with heels facing the outboard edge of your rack.

## SECTION 5 - AUTHORIZED PROPERTY AND UNIFORM REGULATIONS

### 501. Brig Issue

1. Upon intake you were issued various items of government property. These items, must be returned in the same condition as they were issued, allowing for normal wear. Loss or destruction may result in disciplinary action and/or recoupment of cost for the lost or destroyed items from your account. You are issued the following items:

a. Linens – 2 sheets, 2 blankets, 1 pillow, and 1 pillowcase. **A third blanket is issued each year in Mid-October retrieved the first week in May,**

b. 1 copy of "Naval Consolidated Brig Charleston, Detachment Chesapeake Prisoner Rules and Regulations,"

c. 1 Prisoner Identification Badge,

d. 2 Numbered Laundry Loops,

e. 1 shower bag for toiletries,

f. 1 combination lock,

g. 1 Numbered gym towel,

h. Religious scripture (as requested via DD Form 510 to Chaplain), and

i. Brig issued Personal Music Device (PMD) and ear buds issued by Programs and Services).

### 502. Health and Comfort Items

Health and Comfort items include those items necessary to maintain personal hygiene and military appearance, materials for correspondence and telephone communication. A complete list of approved, required Health and Comfort items and optional items are contained in Appendix A (See also Article 609 "Purchase of Health and Comfort Items").

**503. Personal Items**

1. Authorized Items. In addition to other items authorized in this section, you are authorized to possess the following articles:

a. Wedding bands (without stones) NO EXCEPTIONS.

b. One religious medallion, two inches in overall length, or width, with approved chain, worn inside the undershirt and not visible. Shoelaces and/or leather straps are not considered a necklace and are therefore not authorized. Religious medals or necklaces, which are valuable due to precious metal or gem content, are highly pilferable and are therefore not authorized for wear/possession during confinement. Necklaces/chains must be a "break-away" type.

c. Religious accommodations will be made in accordance with SECNAVINST 1730.8 (Accommodation of Religious Practices) subject to security concerns and good order and discipline. Religious items purchased with personal funds require written approval by the Chaplain using a DD Form 510. Some items may be provided by the Chaplain, as available. Items that can be purchased or provided by include but are not limited to:

(1) Islamic prisoners may possess one (1) prayer rug and kufi/hijab.

(2) Jewish prisoners may possess a yarmulke and one (1) prayer shawl.

(3) Roman Catholic prisoners may possess one (1) wooden /plastic rosary (not to be worn).

(4) Christian prisoners may possess or request one (1) wooden/ plastic cross.

(5) Religious Scriptures (e.g., Bible, Book of Mormon, Torah, Quran, etc.) are available from the Chaplain upon request for personal keeping. You may purchase religious books and materials with personal funds and an approved DD Form 510. You may submit a DD Form 510 to visit and borrow religious books from the Religious library. Do not alter borrowed books. Authorized items available include the following: prayer books, concordances, devotionals, books on parenting, relationships, and leadership, etc. Books must be in written format (not electronic). Books issued by Religious Services will **not** be included as part of the 10 books allowed in your cell (reference Article 409.2).

(6) Personal, family, or heirloom books (e.g. Bibles) owned prior to confinement are not authorized should not accompany you to the brig or be sent by family. Such items will be placed in your Lucky bag or be mailed out at your expense.

(7) If a faith group material is not listed, it will require a specific request and approval through the Chaplain's office and will be subject to the restrictions described in paragraph 4.

(8) Spiritual growth materials, such as teaching CDs, may be approved by the chaplain if you meet the incentive level authorizing personal musical devices, but will not exceed six CDs or one issued unit/set at any time.

(9) Religious correspondence courses are authorized with an approved DD Form 510 from the Chaplain. Study materials will not exceed the above limitations.

d. Educational material and training course books are approved for possession once written approval is obtained from the Education Coordinator. You are cautioned that some materials, which accompany many courses of study, may not be authorized for use in the brig. If in doubt, inquire prior to purchasing it. Wire binding on any notebook, photo album, or course materials is not authorized.

e. Photographs; 30 or "as allowed by your incentive level". (See Appendix D – Incentive Levels). Additional 30 photos or a digital photo book with up to 100 pictures. A photo book will count as one of your authorized (10) books.

f. Letters or postcards (incoming) (30).

g. Greeting cards with envelopes (maximum 5). Greeting cards are available by submitting a DD Form 510 to the Chaplain. Postage is at your personal expense.

h. Dictionary (counts toward total personal book number).

i. Calculator (available for check out from Programs and Services Department via DD Form 510 request).

j. Eye Glasses. Contact lenses are not authorized in confinement.

k. One pair of prescription sunglasses, when authorized as medically necessary by medical authorities.

l. Dentures.

m. One Brig issued Personal Music Device (PMD) and earbuds.

n. One compact disk player (your expense) after meeting eligibility and obtaining the required incentive level. (See Appendix D – Incentive Levels).

**NOTE**: If you transferred from another DoD Facility with CDs, a radio and/or a CD player, these items may be stored in your storage bin located in the "Lucky Bag" room; however, you cannot store or purchase any more CDs than is allowed in accordance with your incentive level. Any excess items shall be mailed out at your own expense or discarded. You cannot add CDs or Personal Music Devices to the storage bin located in the "Lucky Bag" room to avoid disposing of or mailing excess items home. If you later remove any items placed in the storage bin during initial confinement, you cannot put them back in. The only exception to this policy is storage of any item lost due to an incentive level reduction, if you will have the time remaining on your sentence to regain that incentive level.

o. You are authorized to possess the following items when temporarily away from your unit: one pair of eye glasses, one wedding band, one handkerchief, one religious necklace (must not be visible when worn), one chap stick, women's sanitary items (as needed) while on temporary release (which will be carried in the left rear pocket when wearing your uniform). No items may be placed in your prisoner badge holder, except your prisoner badge. Earbuds, music, and books will not leave the unit unless authorized by incentive level.

p. You may have a "non-spring loaded" pen, pencil, or other educational or religious materials or treatment group materials while in attendance at or in route to and from programming, treatment groups, or religious activities.

q. All books, newspaper, CDs, magazines, and periodicals must be approved prior to arrival at the Brig or they will be discarded or returned at your expense. You are authorized a maximum of 10 books/publications/religious or study material publications for use in your cell. It is your responsibility not to exceed these limits. You are permitted to receive publications (new books and CDs), and to subscribe to newspapers and periodicals directly from the publisher or an approved source while you are confined. No media (books, magazines, CDs, etc.) will be ordered during last 60 days of confinement Newspapers and periodicals subscribed to prior to or during confinement shall be delivered to addressee during regular mail call. Books/magazines/CDs shall not be carried outside the unit unless permitted by incentive level. Once books/ publications

/CDs are received, you shall write your last name and RCN on the outside front covers or first page. Publications found without your last name and RCN, missing sections of a cover, or with another prisoner's name/number will be confiscated and will be considered contraband. Self-help/study material required for study and/or programs which would cause you to exceed your publication limit (10) may be authorized via 510 for a period of 30 days by the Program and Services Department Head.

r. Donated Books/CDs. Only hardback books and vendor purchased CDs will be considered for donation to the library. Submit a DD Form 510 to the Library Custodian for approval to donate your book(s)/CD(s). Used books, magazines, or periodicals cannot be donated but may be mailed home at your expense, or destroyed.

s. CPAP machine and distilled water (if required) (must be approved by medical).

t. Maximum of 40 embossed envelopes (see article 605.b).

u. All personal items in your possession will be clearly marked or stenciled with your name and RCN. The purpose of marking/stenciling personal items is to deter theft or trafficking. You can never possess another prisoner's property, nor can you inherit items belonging to a departing prisoner.

2. **Prohibited Published Items.** Publications, including those in multimedia format (video, CDs, etc.) which meet any of the following descriptions, are not authorized and will not be accepted:

a. Sexually explicit material that, by its nature or content, poses a threat to the security, good order, discipline or rehabilitation interests of the facility, or that facilitates criminal activity. The mailroom, in conjunction with the Brig Literary Review Board determines whether or not such material is detrimental in these ways and whether or not these materials should be rejected.

b. Publications, which may be disapproved by the OIC, include, but are not limited to publications that meet one of the following criteria:

(1) Violates postal regulation;

(2) Depicts, or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices;

(3) Depicts, encourages, or describes methods of escape from confinement facilities, or contains blueprints, drawings or similar descriptions of confinement facilities;

(4) Depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs;

(5) Contains or is written in code;

(6) Depicts, describes or encourages activities, which may lead to the use or physical violence or group disruption;

(7) Advocates racial, religious or national hatred in such a way to encourage violence in the facility;

(8) Encourages or instructs in the commission of criminal activity;

(9) Is an unofficial publication (such as saved/copied data on a CD).

c. If a publication is determined to be unacceptable by the Literary Review Board, the Board chair will notify you in writing of the decision and the reason(s) the publication was determined to be unacceptable.

d. Articles, pictures, or other portions of magazines, books, or similar printed documents of the decision and the reason(s) the publication was determined to be unacceptable.

3. Personal Music Device (PMD)/Compact Disk Player Guidelines. Only authorized prisoners may possess a CD player depending upon the Incentive Level earned. You may only have one CD player at a time (this does not include the brig issued PMD). See Appendix D for the Incentive Level criteria and what privileges can be earned.

a. Areas or use. CD players may be listened to in individual cells and unit day rooms. Brig issued PMD cannot be taken out of the unit unless your incentive level allows.

b. Hours of Use. A PMD and/or CD player may be used during personal time only. They may not be used during working hours, special programs, dining hours, from taps to reveille (unless late lights are authorized), during motivational training, etc.

c. Source. CD players will be issued by the brig library.

d. Incentive/Privileges and PMD/Compact Disk Player.

(1) Borrowing or lending of a PMD/CD player will be considered trafficking and will result in loss of incentive level and possible disciplinary action.

(2) CD player possession and use is an incentive and is not "automatic." If you receive a DR, your CD player use may be suspended for a period of time after the Programs & Services Department reviews due process for recommendation to D&A Board.

(3) PMD or CD player shall be played at a low enough volume to hear orders and announcements. "I didn't hear word passed" **will not, under any circumstances**, be accepted as an excuse.

4. **Compact Disks**. Only commercially produced, wrapped and sealed music may be purchased. No "ripped" or MP3 CDs are permitted. **Note: Religious CDs may also be checked out through the Religious Library by submitting a DD Form 510 to the Chaplain or checked out from the Library Media center.**

a. CDs must be stored inside the your storage bin when not in use. You cannot store excess CDs in your "Lucky Bag."

b. CDs will be clearly/permanently stenciled with the your name and RCN.

c. Unmarked CDs will be considered contraband and will be confiscated.

d. Possession of another prisoner's CDs will result in disciplinary action.

e. Altered CDs or material other than indicated on labels will be confiscated.

f. You will purchase CDs with personal funds from an online vendor after approved by DD Form 510.

g. Place the green copy of the approved DD Form 510 inside the associated CD case. Whenever inspected, you must provide a DD Form 510 for each CD in your locker or all CDs will be confiscated and you will receive a disciplinary report for trafficking and contraband.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 12 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Place or Places of Trial)* *(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 12 of 25, and Appellate Exhibits (AE VII (Page 70) through AE XVII.



# APPELLATE EXHIBITS

5. Wrist Watch Guidelines.

a. Wrist Watches will be authorized in accordance with Appendix D – Incentive Levels. Watches can **only** be purchased through the Brig Store.

b. Authorized wrist watches may be revoked by a D&A Board (e.g. reduction in Incentive Level) and surrendered to brig staff.

**504. Uniform Articles**

1. Appendix B contains a complete list of required uniform items and quantities allowed; only the quantity listed may be kept in your possession while confined. All authorized excess items will be placed with your personal effects in your storage bin located in the "Lucky Bag" room and those items not authorized will be disposed of or mailed out of the brig at your expense. If you arrived at the brig with unauthorized/ excess items, those items were returned via your escorts. You shall not lend nor borrow uniform items from other prisoner, nor "inherit" them from departing prisoners.

2. You are required to maintain your uniforms in good condition while you are confined. Uniforms will be clean and neat and must be laundered regularly per the laundry schedule.

3. Uniform/Clothing Repair. If you need a uniform sewn or repaired (such as sew on a new button), submit a DD Form 510 to you counselor within Programs and Service. The items (if able to) will be repaired or replaced.

4. Replace excessively faded, frayed, or stained uniforms by submitting a DD Form 510 to Operations department Receiving and Release for a replacement uniform issue.

5. Worn out/unserviceable underwear and socks shall be replaced with your personal funds.

6. Pre-Trial prisoners, and certain prisoners with an approved DD Form 510, are authorized to maintain their dress uniforms in the "Lucky Bag" room pending completion of court-martial or for a specified period. Dress uniforms are only worn when specifically authorized for court or temporary release and shall include ribbons, badges, attachments, and rank insignia.

7. Spare Covers. You will maintain a cover and utilize it if taken on a Temporary Release.

**505. Uniform Marking Requirements**

1. Your uniforms were issued and inventoried upon arrival. You are expected to maintain proper uniform markings during confinement. This includes nametapes as prescribed by brig policy or if discharged, a tape that reflects, "DISCHARGED". If your nametape comes off, submit a DD Form 510 to Operations Department Receiving and Release requesting to replace/repair your nametape.

**506. Prescribed Uniform**

1. The full work uniform shall be worn at all times except for the following situations:

a. Inside the housing units and work/programming spaces: Upon CDO direction, you may modify your uniform (remove outer blouse) when the temperature in that unit or space reaches 80 degrees Fahrenheit.

b. Working outdoors: Upon direction of the CDO, your may remove the outer blouse when the Heat Index is above 85.

c. When the temperature in the housing unit or other space drops below 80 degrees or the Heat Index drop reaches 85 or below for those working outdoors, you shall return to full work uniform.

d. Rolling up of trouser legs is prohibited. Modification of authorized PT shorts or PT sweatpants, including hemming cut-off trousers or sweatpants is not authorized. Undergarments including underwear (bras for women except when sleeping) must be worn at all times. Authorized T-shirts shall be worn whenever the work uniform is worn. When coveralls are worn, an authorized T-shirt shall be worn.

e. During Personal Time blouses may be removed while in your cell.

f. Female prisoners shall wear authorized bras and T-shirts at all times when in uniform.

g. You will not roll your sleeves; sleeves will be worn down at all times while inside the facility.

h. When uniforms are worn, all buttons except for the top outer blouse button will be buttoned. Trousers will be the proper length and worn around the waist. At no time shall

trousers be worn around the buttocks area (no sagging). The full uniform shall be worn as prescribed by service directives, unless more stringent conditions exist within these rules and regulations.

i. Boots (including Chukka boots) must be fully laced and tied.

2. **Physical Training Uniform (PTU).** A combination of the following attire is the only attire authorized for wear during recreational activities. PTUs are not authorized for wear underneath your uniform. Authorized PTUs are optional wear during personal time and holiday routine (refer to rule 408 for details):

| Shirt | Pants | Footwear |
|---|---|---|
| Authorized PT T-Shirt | Authorized PT Shorts | Athletic Shoes* |
| Authorized PT Sweatshirt | Authorized PT Sweatpants | Shower Shoes** |
| Authorized PT Windbreaker | | |

*Turf shoes or black soled shoes not authorized
**Shower shoes are authorized for wear only when transiting to and from the showers.

**Note: Watch caps are not permitted to be worn indoors.**

a. In order to present a regimented and uniformed appearance, the authorized PTU shirt will be tucked inside the waistband of PTU shorts or sweatpants at all times. PT shirts that become untucked during the course of physical activity shall be re-tucked during a natural break in the activity, for example during a stop or reset in play, or during a rest period between exercises or events.

b. At a minimum, you shall wear authorized PT gear and underwear when sleeping. PT gear authorized for sleeping includes any combination of authorized PT shorts, authorized PT sweatpants/warm-up pants, service authorized t-shirts, and authorized PT sweatshirts/warm-up jackets/ windbreaker.

c. Cut-off shorts, sweats or shirts that rise above the waist are not authorized and will be confiscated as contraband. Items listed above can be delivered from your confining command (only), but may not be mailed to you by family or friends. Worn-out PT gear will be replaced by using personal funds, your confining command, or issued as organizational gear. (PT gear issued to you will be signed for and returned to the lucky bag PO/NCO when you are released from the brig). Unless in full working uniform,

female military hair styles are not required with PT gear, but must be pulled back in a neat ponytail (length permitting).

**507. Identification Badges**

1. Identification badges must be worn at all times except when showering or in segregation status:

a. Badges have color codes, which denote custody classification, legal status, and incentive level. You will not tamper with, remove, or add any items to your badge.

b. Badges will be worn suspended, midway from the button and the inboard edge, from the left pocket flap, picture side up, and remain visible at all times. Wear the badge attached at waist level, to the left front side of your PT shorts/sweatpants/warm-up pants during recreation call and while engaged in athletics.

c. When in your cell and while showering, display your badge in the cell door window.

d. When you are in segregation status, you shall not wear your badge while in your cell. The badges will be maintained at the Quarters Supervisor station.

e. If you lose your badge, report it to a staff member immediately.

f. NO chits, pictures, or other items will be carried behind the badge (i.e., inside the plastic badge holder).

## SECTION 6 - ADMINISTRATIVE PROCEDURES

**601. Custody Classification and Custody Level**

1. Your custody classification can be Maximum (MAX), Medium-In (MDI), Medium-Out (MDO), Minimum (MIN), or Installation Custody (IC). You normally begin in the "Medium-In" custody level. Pre-Trial prisoners will only be assigned a custody of MAX or MDI. Once adjudged, you may be reclassified to a lower custody level the Commanding Officer/OIC authorizes which provides the appropriate level of supervision. The classification decision is based on a variety of factors and is objectively based on points for each factor. The point categories for re-classification are:

a. Offense severity,
b. Number of Disciplinary Reports in the last 90 days,
c. Severity of Disciplinary Report.
d. Number of negative Observation Reports (ORs) in the last 90 days,
e. Number of Positive Observation Reports (ORs) in the last 90 days, responsibility shown,
f. Current Programing (treatment programming only),
g. Work Performance
h. Length of Sentence time remaining, and
i. any pending charges/warrants/detainers.

Other information known to staff that is relevant to the decision concerning the supervision needed (custody level) may be added. A justified override of the points may occur in order to fully consider all factors in the final decision by the OIC.

2. To be eligible for Installation Custody (IC) level, (in addition to behavioral expectations), you must have;

a. Completed at least one-half of the adjudged confinement or the convening authority must have completed action – whichever comes first;

b. Be within 12 months of minimum release date or have an approved parole date within 12 months;

c. Nature of offense and applicable Federal, State and local laws concerning unsupervised release for work and recreation into the local geographical area (all areas outside the security perimeter).

d. Not have been previously removed from "IC" for cause.

3. Consideration for Reclassification. The Classification and Assignment (C&A) board considers you individually for changes to your current classification level and makes recommendations up the chain of command to the Commanding Officer/OIC for final decision. Your custody classification level is re-considered at various points during your incarceration:

a. Upon completion of orientation or change in legal status.

b. When staff initiates a change to a lower/less restrictive level based on risk/salient factors, and/or management problems, and/or work evaluations, and program involvement (e.g., after finding of guilty at the disciplinary board, period of outstanding performance, etc.). Staff recommends a change to a lower/less restrictive level based on performance and risk/salient factors.

c. Quarterly for those with sentence less than 1 year.

d. Semi-annually for those with sentences of 1 to 3 years.

e. Annually with sentences over 3 years.

**602. Work and Training Evaluations**

1. While you are confined at the brig you will be assigned to various work details. Your supervisor will evaluate you in writing. You will receive an evaluation at least twice per month from you Quarters Supervisor and Work Center Supervisor. You will also receive an evaluation each time you change jobs within a given month. You will be evaluated in such areas as behavior, motivation, attitude and overall performance. These reports will become a permanent part of your Prisoner File and will be reviewed often during your confinement. Each time you are considered for a custody change, sentence abatement, disciplinary action, clemency, parole, or other action, your record, including these evaluations, will weigh heavily in determining the disposition of the action. You are encouraged to review your "Work and Training Evaluation" with your unit staff during regularly scheduled counseling.

2. Work and Training Evaluations will be signed by you. Any marks OTHER than Average must have statement in comment section of work and training report for positive and negative incidents. Your signature acknowledges that you are aware of the evaluation. If you wish to contest the evaluation, you may submit a statement on a DD

Form 510 to the Programs and Services department head after you have signed the evaluation. Any finding of guilty at a D&A Board will result in a Below Average work and training report for that period of performance from either work or dorm report.

**603. Good Conduct Time Allowance (GCT), Earned Time (ET) and Special Acts Abatement (SAA)**

1. **Good Conduct Time.** If you are serving a definite sentence to confinement, (other than for life) you are entitled to a reduction in time served in confinement for good conduct and faithful observance of all rules and regulations. Good conduct time is "earned" as follows:

a. If you were adjudged after 1 Jan 05 will earn GCT at a rate of 5 days of GCT per month, regardless of sentence length.

b. GCT will not be credited during Pre-Trial confinement, but will be credited after/if a sentence is adjudged.

c. All or part of your earned GCT may be forfeited for misconduct or rules violations. This is called "Forfeiture of Good Conduct Time."

2. **Earned Time (ET) Credit**

a. You may earn additional days off their confinement time, called "Earned Time (ET)," to be applied towards their sentence. There are five component areas in which time can be earned:

(1) Work

(2) Offense-Related / Other Rehabilitation/Treatment;

(3) Self Improvement and Personal Growth;

(4) Education;

(5) Support Activities.

b. **Employment Date/Continuous Employment Date (CED).** If you are serving a sentence imposed by a court-martial for a definite term of confinement, you are eligible for ET abatement. Pre-Trial prisoners are not eligible for earned time abatement. The

initial employment date is effective on the adjudged date, unless the sentence was deferred. Employment is considered continuous unless for valid cause (e.g., Disciplinary Segregation, D&A board management action, etc.) and specifically approved for interruption by the Brig Officer. It is defined by the number of continuous "full months" worked since initial employment or date in which CED was reset.

3. **Rates of Earning ET Abatement**

a. Maximum 13 days total GCT (5) plus ET (8) per month;

b. 13 days – GCT (5) days = Max ET (8) days that may be earned per month;

c. ET shall not be awarded within 30 days of the scheduled minimum release date (MRD) or for work during your first 30 days of confinement.

d. You are responsible for documenting and tracking individual hours and activities required for earning ET in the component areas of Offense-Related/Other Rehabilitation/Treatment, Self-Improvement and Personal Growth, Education and Support Activities.

e. You **must** have an individual DD Form 2719 Prisoner Program Validation sheet completed for each program for which you are actively involved. When accumulated hours and activities accrue ET, forward your Prisoner Program Validation sheets, all documentation (DANTES transcripts, course completion certificates, etc.), and a DD Form 510 (detail what abatement you are requesting. All abatement can be listed on a single DD Form 510) to the ET/SAA board via your Counselor. You do not submit a DD Form 510 if you are only eligible for work abatement. Submit your request on the first work day of the month for the prior month's completed activities. DD Form 2719's, certificates, etc., completed/signed during months prior to the current abatement month will not be accepted; meaning, abatement will not be grandfathered.

f. You will be counseled on your performance during the review period and informed of ET awarded once decided by the Brig Officer. Submit any appeal to evaluations to the OIC within 15 calendar days.

g. If your in Disciplinary Segregation (DSEG), you may not earn ET. If you have a finding of guilty at a D&A board, you will receive a Below Average Evaluation. ET for work will follow paragraph 603.3.i below.

h. There can be no break in work assignment in order to earn full credit. This includes the resetting of Continuous Employment Date (CED) from D&A Board.

(1) Breaks include failure to report to work, DSEG, etc.

(2) Breaks can result in reduction in the monthly earning rate.

(3) Breaks will result in "no work credit" for that month.

i. If your work performance is "below average" or worse, you will not be eligible for ET for work for that month. If an individual's behavior or brig's security concern makes them unavailable for work assignment, then credit for work shall not be awarded.

4. **Earning Time Rates**

a. **Work.** A maximum of five days of ET per month can be awarded for work. Performance must be rated "average" or higher for the entire month (documented by the Work and Training Evaluation) to earn work abatement. No work abatement is awarded for your first month in the brig. Once you achieve a higher work level, you will earn the higher earning rate on the next full month of employment.

| Work Level | Continuous Employment | Earning Rate |
|---|---|---|
| 1 | 0 to 6 months | 1 day per month |
| 2 | 7 to 12 months | 2 days per month |
| 3 | 13 to 18 months | 3 days per month |
| 4 | 19 to 24 months | 4 days per month |
| 5 | 25 or more | 5 days per month |

b. OFFENSE-RELATED/OTHER REHABILITATION/TREATMENT PROGRAMS: A maximum of 2 days ET per month possible, subject to limitations of individual programs.

c. SELF-IMPROVEMENT AND PERSONAL GROWTH: A maximum of 2 days ET per month possible.

d. EDUCATION: A maximum of 2 days ET per month possible.

e. SUPPORT ACTIVITIES: A maximum of 1 day ET per month possible 1 day for each 40 hours of participation.

5. **Special Acts Abatement (SAA)**

a. SAA is a deduction from your release date earned for a specific act of heroism, humanitarianism, or extraordinary institutional or community support deemed appropriate by the CO.

b. Pre-Trial prisoners are not eligible for SAA.

c. The maximum credit earned under SAA is two days per month.

**604. Incentive Levels**

1. The Incentive Program is intended to reward you for continued positive behavior for maintaining full compliance with your Program Plan. Incentive levels are "earned" by you and recognized by the Unit Team who maintains the program for each unit. Each level incorporates the previously earned incentives. You must submit a DD Form 510 to the Unit Counselor to request review for incentive level increase. The Unit Counselor will review your record and decide if your behavior and Program Plan participation warrants an upgrade of Incentive Level. Your Incentive level will be reflected by a hole punched (one for each level earned) into your identification badge in the lower right corner. (See Appendix D). Board actions (D&A, C&A) shall accomplish incentive level review for eligibility, assignment, or revocation. Incentive level can be reviewed during any board action but cannot be changed by more than one board for the same action or incident. Failure to meet the applicable criteria of the currently assigned incentive level shall result in automatic reversion to the incentive level for which criteria is met.

**605. Correspondence and Mail**

1. You assume full responsibility for the contents of all letters and video messages placed in the U.S. Mail while you are confined at the brig. Contents found containing prohibited material or writing may result in prosecution for violation of federal law. You shall not receive any form of medicines through the mail. You are required to maintain a current Mail and Visiting List of your correspondents/visitors. This list will be completed while in Intake/Orientation process. You may make additions, deletions and changes at any subsequent time, but you must keep it current. It is your responsibility to notify postal staff of changes in a timely manner to prevent returned mail.

a. **Sex Offender Correspondence with Minors**. If you are convicted of a Sexual offense involving a minor under the age of 18 (including child sexual abuse images or videos/pornography), you may not write, call, or send out recordings or without written approval of the OIC. Video messages (e.g., via content) is subject to monitoring just like

any letter correspondence. Route such correspondence request through your Counselor, Programs and Services, Clinical Services, Technical Director/AOIC and the Victim/Witness Coordinator. For requests to contact children age five and older, you shall include with your chit a written recommendation from a child sexual abuse specialist, who is fully informed of the sexual offense convictions, recommending such contact on behalf of the minor including the basis for the recommendation and that therapist's contact information.

b. **Sex Offender Contact with Minors.** Those convicted of an offense that has a sexual component involving an actual or perceived minor under the age of 18 are restricted from having direct or indirect contact with minors (e.g., correspondence, visitation, phone calls, video messaging, etc.) that are not family members of the offender. Direct or indirect contact by visitation with a family member who is a minor under the age of 18 must be specifically authorized by the OIC. The minor child's guardian must be supportive of the request and have knowledge of your offense, as indicated in written authorization from the guardian. In order to request to contact children age five and older, you shall include a written recommendation from a child sexual abuse specialist (who is fully informed of the sexual offense convictions) recommending such contact on behalf of the minor (including the basis for the recommendation) and that therapist's contact information with the DD Form 510 request. The correspondence requests must be routed through the Counselor, Programs and Services, Clinical Services, Victim/Witness Coordinator and Technical Director/AOIC.

2. There is no limit to the amount of mail you may send (as your funds permit) or receive. A maximum of 40 postage embossed envelopes, with your name printed neatly in the top left corner in ink, may be maintained in your locker (see article 503.1.u). If the embossed postage is not enough, a brig postal meter machine will determine the cost and it will be charged from your personal funds. You may not receive or send stamps or embossed envelopes through the mail. You may not send out Health and Comfort issue items. You may not use government issued funds to mail out personal items or packages. All incoming/outgoing mail is subject to inspection for contraband. Your consent is not necessary for this inspection. If violations are discovered, you may be subject to disciplinary action. The written material discovered may be copied and all material referred to an appropriate law enforcement agency for potential prosecution. If you do not desire to receive any or all mail, you must submit a Request for Interview (DD Form 510), to that effect. All such mail will be marked 'refused" and returned to sender. You're only required to receive official mail. You will be permitted to write as many letters as you desire; however, you may not:

a. Receive any item specifically prohibited under Article 503.2 (Personal Items).

b. Name staff personnel in your correspondence, unless authorized by that staff member in writing.

c. Write to another prisoner in any confinement facility, without the prior written permission of the sending and receiving facility CO/Warden. Such requests will be submitted to the TD/AOIC via a DD Form 510.

d. Correspond with currently confined or former prisoners of this facility or another facility who have been released from confinement within the past 24 months. If you attempt to add these individuals to your Mail and Visiting List or deceive staff by not identifying that person's status, you are subject to disciplinary action.

e. Use the mail for purpose of entering contests, lotteries or games of chance.

f. Correspond with the intent to solicit correspondence from "pen pals".

g. Conduct a business (profit or non-profit) through the mail, directly or through another party.

h. Correspond in a foreign language without prior written approval from the P&S Department Head. Written requests must include names, addresses, and phone numbers of each person for which foreign language correspondence is requested.

i. Use business reply cards (except when attached to a DD Form 510 for a request for a personal subscription), pullouts or cutouts from brig periodicals/books /papers, etc. You may not join clubs (i.e. CDs, commemorative items, fan clubs, etc.)

j. Correspond with, telephone, visits, mail, victims, or witnesses of your case or any associated case, directly or through a third party, unless authorized by the OIC in writing. Any contact as a result of a restitution agreement will be made through the Parole and Release Office. Correspondence between prisoners and victim(s) or witnesses of their confining offense is prohibited unless an exception is approved in advance by the OIC after a recommendation by the Victim/Witness Coordinator and Clinical Services Department Head.

(1) Victim restitution requirements for release on parole or clemency must be coordinated with both the Parole and Release Director and the Victim/Witness Coordinator.

(2) Any contact with a victim/witness must be initiated by the victim/witness, vetted and ultimately approved by the OIC.

3. Outgoing mail will be placed in the locked mailboxes marked "U. S. Mail" in each unit. Letters will be unsealed and **WILL NOT** indicate externally that the sender is a prisoner. Your return address is:

**Prisoner Name**
**P.O. BOX 800**
**CHESAPEAKE, VA 23322**

4. In addition, the following rules apply to incoming or outgoing mail:

a. Any material that violates postal regulations or brig regulations (obscenity, threats, or blackmail) will be confiscated. The following may occur: all material may be copied; returned to the sender; or referred to postal authorities or other law enforcement agency for appropriate action including potential prosecution.

b. Money or valuables received in the mail will be removed and placed in your funds and valuables account. Any valuables received must have a prior approved DD Form 510 or it will be rejected and returned to sended. A receipt will be issued to you if a money order/cashier's check is received; you will be called to endorse/deposit the funds. Posting to your account will normally occur within two (2) working days after receipt. No personal checks, cash, calling cards, or credit cards allowed.

c. Incoming or outgoing correspondence that affects the security of the brig, attempts to circumvent regulations, or discusses escape or other criminal activity will be rejected and disciplinary action may be taken. If you do not want your correspondence inspected by the staff, it will be returned to the sender. This means that you will not receive such correspondence. You may choose whether you want your general correspondence delivered to you, subject to the above conditions, or returned to the sender.

d. Prisoner Correspondence. Authorized facility staff have the authority to open all incoming correspondence addressed to you (except privileged correspondence) before it is delivered to you.

e. Privileged Correspondence. Privileged correspondence includes correspondence from the President, Vice President of the United States, U.S. Department of Justice, U.S. Attorneys Offices, Secretary of the Army, Navy, Air Force, Homeland Security, Courts

(Federal, State, and Local), Members of the U.S. Congress, Embassies (ambassadors) and Consulates (consulate generals), State Attorneys, General Prosecuting Attorneys, State Parole Commissioners, State Probation Officers, Judge Advocate General or his or her representatives, Inspectors General or his or her representatives, your defense counsel, and your clergyman, when approved by the chaplain and attorneys and their representatives listed in professional directories.

f. Senders should adequately identify themselves on the envelope and identify privileged correspondence as follows: "Privileged correspondence – Do not open". Privileged Correspondence is subject to inspection for contraband in your presence.

g. To mail out privileged correspondence, you will seal and address the mail as privileged correspondence and place it in the mailbox.

h. Privilege correspondence may be opened for cause to check for contraband but not read by brig staff.

i. **Packages**

(1) Unless prior written approval has been granted, packages received will be returned to sender or mailed home at your expense. To mail out packages, you must have an approved DD Form 510 with the full address to whom you plan to mail the package. The name and address must be on you approved correspondence list. You must place your name on the package and send it out via the mailroom. Funds will be deducted from your account to cover the cost of the postage.

(2) You may not receive any item that is available in the brig Navy Exchange outlet, including unused pre-stamped/pre-addressed envelopes. This includes items of a health and comfort nature (i.e., body powder, foot powder, facial cream, Walkman radios, etc.).

(3) To receive an item not specifically authorized within these "Rules and Regulations," you must obtain written waiver approval from the Programs and Service Department Head or above via DD Form 510, stating a valid reason for the waiver. Medically related items will be approved via DD Form 510 through the Medical Department to the Technical Director/AOIC.

j. Educational and religious books, educational materials, mental health and self-help materials and religious items may be received by mail if prior written approval is

obtained by the Chaplain or Clinical Director. These materials, if in a foreign language will also be reviewed by the Chaplain.

k. All hardcover and soft cover books, magazines and CDs must be new (not used) and be delivered directly from the publisher or bookstore. (There are exceptions to allow receipt of used books for authorized educational coursework, when pre-approved by the Adult Basic Educational Service). See Appendix H for details on purchase of new or used books and how to advise those who will send you books.

l. Books, magazines, publications, pamphlets and other mailed materials are subject to review by the Literary Review Board (LRB). The LRB will determine if an incoming publication is detrimental to the security, discipline or good order of the facility. Specifically, the LRB is tasked with determining if items are Disturbing, Hostile, or Offensive (DHO). This includes commercial publications that are sexually explicit or feature nudity, or contained material likely to have a detrimental effect on rehabilitation. Because rehabilitation is a legitimate correctional interest, such publications will be excluded. For additional limits see Article 503 (Personal Items).

(1) Materials authorized for prisoner possession when also DHO, must be identified as such (i.e., "DHO") on the material's front and rear side with clear ownership (i.e., prisoner's name) for ready identification by brig staff. DHO material is maintained in your cell and will not be taken into the dayroom for any reason.

m. Media Access. Personal, electronic, or telephonic interviews with media representatives are prohibited. Written correspondence with media representatives is permitted per regular correspondence procedures.

n. Special Postal Services. You may, at your own expense, send registered, certified, or insured mail and request a return receipt. Claims relative to any of these services will be made to the U.S. Postal Service. You may not be provided such services as express mail, COD, private carriers, or stamp collecting while confined.

5. "Excess" mail accumulated during confinement must be sent out or destroyed due to limited storage. "Excess" means an amount that cannot be stored properly in your locker or which presents a sanitation/fire/security problem. You cannot receive correspondence/mail that is excessively oversized; or too big to fit properly in your footlocker or can be considered a poster. You may submit a DD Form 510 to have excess mail shredded by the Unit Counselor.

**606. Telephone Calls**

1. Telephone calls are permitted after 1600 Monday through Friday and during personal time on weekends and holidays. There are prisoner phones located in each unit for this purpose. All outgoing calls will employ brig telephones. Such calls shall be made using "collect" or on "prepaid" debit accounts. Telephone calls may be limited to 15 minutes to allow time for all prisoners to make desired calls. Use of the telephone is a privilege and may be withdrawn. No telephone calling cards are permitted. All calls are monitored and recorded, with the exception of calls placed to the DoD Safe Help Line or Inspector General, Article 211.D.1

a. You are not permitted to congregate near the telephone areas. You are not permitted to use the telephone while waiting to use the shower, or while wearing a uniform other than the uniform of the day as discussed in these regulations. Unit staff will supervise the telephone area and terminate calls if necessary.

b. You will use your own PIN for personal calls to authorized parties. Making calls for another prisoner or sharing a telephone call with another prisoner is **strictly forbidden**. Possessing or using the PIN or account numbers of another current or former prisoner is also prohibited. Your PIN will be issued during Funds & Valuables indoctrination briefing.

c. If you are in a Disciplinary Segregation status and wish to use the telephone, you must be approved by the OIC or designee via Request for Interview (DD Form 510). Calls to legal counsel are authorized.

d. Incoming calls, to include faxes, are not allowed and will not be permitted, unless pre-authorized through P&S Department. Normally, messages will not be taken. Faxes from lawyers can be faxed to the brig's legal office. Outgoing calls during working hours must be of an emergency or urgent legal nature and may only be made with permission of your Unit Counselor.

e. Government telephones are for "Official Government Business" and will not be used by you to call Congressman/Senators or for personal business. This includes former commands. U.S. Mail should be used when collect calls are not appropriate.

f. If you desire to make overseas telephone calls, you can do so with your Debit Account.

g. Legal/Appellate Counsel Calls. Government calls are authorized for official communications with Government Counsel. Submit a DD Form 510 to your assigned counselor and they can assist you in setting up a privileged phone call with your legal/appellate counsel. Calls are authorized to civilian attorneys at government expense; your counselor may assist you in making an appointment to receive a phone call from your civilian attorney.

h. If you have been convicted of a sexual offense involving a minor (including child pornography), you may not call minors, either directly or through a third party without prior approval of the OIC upon recommendation from Clinical Services Department Head. See Articles 604 and 607 for rules concerning contact with minors.

i. You may not make calls to former prisoners of this facility without specific prior approval of the OIC.

j. You may not conduct a business using either a government phone or the prisoner phones. You may not call businesses/institutions on prisoner phones or government phones. (Other options to conduct such matters include writing, seeking assistance from your family, or, as a last resort, seeking assistance from your counselor).

k. For technical and hardware problems with the brig phone system, submit a Request for Interview (DD Form 510) to Funds & Valuables.

l. Three-way phone calls are prohibited (calling a number and having another phone line connected to your call). Only single line connections are permitted.

m. Third party calls (calling one number that is forwarded to another) are not permitted.

n. Call an authorized part and then having the phone handed to an unauthorized person is not permitted.

o. Any court orders or child protective no-contact orders remain valid unless or until they are officially rescinded or expired. Otherwise, they will continue to be honored.

p. Debit phone transfers and new, approved phone numbers are added to phone accounts by close of business on Friday's. NO EXCEPTIONS.

(1) If you are indigent (NON-PAY), you may request $5.00 credit from government H&C funds to be used towards the purchase of time on the Prisoner Debit

Phone System. You will request the funds via Request for Interview (DD Form 510) attached to their regular H&C request. In order to be eligible for credit you must meet the following requirement: Must have $0.00 balance in the brig account in the past 30 days.

***NOTE: YOU ARE RESPONSIBLE FOR ENSURING THEY HAVE AN ADEQUATE AMOUNT OF H&C ITEMS TO LAST UNTIL THEIR SCHEDULED H&C DATE.***

(2) You may not exceed the monthly limits granted for H&C expenditure.

(3) You are responsible for maintaining a record of your personal financial transactions and should not request phone credit unless you meet all eligibility requirements.

**607. Visitors**

1. Visitors Call shall be held, as scheduled in the Daily Routine, on Saturdays, Sundays and Federal Holidays between the hours of 1300-1500. Visitor check-in will commence at approximately 1230-1245 hours to prevent delays in check-in and processing (See Appendix E).

a. You are required to maintain a current mail and Visiting List. An initial Mail and Visiting List will be completed while in Orientation. Submit **all visitors**, including children to be included on the visitation list. **Note**: If a visitor arrives and brings dependents who are not on your visitation list, the visitor will be turned away. Submit additions, deletions, and changes at any subsequent time, prior to correspondence or visits with the added individuals (Be advised, any changes requested that do not afford 3 working days to complete; typically, submissions after Wednesday of each week may not be approved in time for the upcoming visitation based upon background check processing requirements). Once a background check is done, it is valid for a period of 90 days.

b. Sex offender contact with minors. Those convicted of sexual offense involving a minor "under age of 18" may not visit with minors without approval of the OIC with recommendation of the Clinical Services Department Head, the offender's therapist and the minor's therapist, if applicable (for minors age 5 or older), or the equivalent Family Advocacy Program /Social Services Representative. Such special visitation may require accommodation outside of normal visitation times and/or involve supervision by a clinical services/family advocacy/social services designated individual. If you request such visitation, approval must first be coordinated through the Clinical Services Department Head. If approved for such visitation, submit a DD Form 510 chit request to

the OIC at least 10 days in advance of each visit to arrange the special visitation times and dates with the approved minors.

2. For security reasons, you are limited to three visitors at a time, inside the visitation room. If you have more visitors arrive, you may request to split your visiting hours between the groups/visitors.

3. Visits by persons under the age of 18 will not be permitted unless accompanied by one of their parents/guardians.

4. **Special Visits:** Reasonable exceptions to normal visitation, as to time and length of sentence, will be considered on a case by case basis for visitors who may have travelled long distances; or for some reason cannot visit on the regular prescribed days during regular visiting hours. Special visits also include visits to inmates in Disciplinary and Administrative Segregation status. You shall address special visit requests on DD Form 510 to the Programs and Services Department Head via Operations Department for approval /disapproval. Special visitation during normal working hours will not be approved; special visits during count or meal hours will not be approved. Special visit requests will be considered on a case by case basis and shall, at minimum, contain the following information:

a. The hours and date of the special visit requested, to include the amount of additional visitation time requested.

b. Special visitors name, relation, and address (visitor name must be on approved visitor list before requesting special visitation).

c. A brief justification from the you as to the reason for or need of the special visit.

d. A brief explanation as to why the visitor cannot visit during normal visiting hours and the date and time arrival/departure of the visitor to the geographical area.

***Note: if family or friends who will be traveling need to make travel arrangements (such as flight reservations) in order to visit, ensure your request is submitted 10 working days prior to the expected visit.***

5. The uniform for "Visitors Call" is the full brig uniform of the day.

6. You will be held responsible for your own conduct and that of your visitors.

7. A short embrace, kiss and/or handshake with visitors, within the bounds of good taste, at the beginning and end of the visit is permitted. You and your visitor(s) may hold hands during the visit on top of the table only. Any physical contact with a visitor (i.e. short embrace, kiss or holding of hands) must be visible at all times.

8. You are not permitted to exchange any objects with visitors at any time. Smoking is not permitted during visits. Do not have your visitor bring anything to the brig without prior approval of the Operations Officer. Acceptable forms of currency are allowed to be brought in by your visitors and will be receipted for by the Receiving and Release Supervisor. You and your visitor will be given a receipt in the form of a NAVPERS 1640.17.

9. Any misconduct by you or visitors during visitors call will result in termination of the visit and possible loss of your visiting privileges for a specific period of time.

10. Only these items may be in your possession when reporting to the visiting area:

a. Wedding Band
b. 1 pair of eyeglasses
c. Your approved DD Form 510 for the special visit.

11. If you are in Special Quarters or in a Loss of Privilege status, you are allowed to receive visitors unless visitation is the LOP being served. The following rules apply to specific custodies:

a. Maximum Custody. Normally visitors are limited to immediate family only, if behavior warrants. If you are in maximum custody, you will request visitation via a DD Form 510 to the OIC or TD/AOIC.

b. Medical Segregation. No restrictions on visitation, unless segregation is for a communicable disease and it would place the visitors or staff at risk.

c. Disciplinary Segregation (DSEG). Approval must be granted by the OIC for any personal visits via DD Form 510. All official (command, legal or chaplain) visits are authorized.

d. Non-Judicial Punishment (NJP) Confinement. No visitors allowed.

e. Other Classifications. No restrictions unless listed on DD Form 509 Supplemental Attachment.

f. The following is considered immediate family: spouse, dependent child, father, mother, brother, sister, (step-sibling/children).

g. Visitation with former brig prisoners, staff (including base work supervisors from your brig job site), or volunteers is not authorized.

h. Persons shown by substantial evidence, to be harmful to you or that constitute a threat to the security of the brig shall be excluded from your approved visiting list.

i. All visitors must have appropriate identification that includes a photo. Examples: dependent I.D. card, driver's license, passport.

j. Visitors may only visit one prisoner each visitor call.

k. You will be subject to frisk/strip search before and after visitation. If you need to use the head during visitation, the visit will be terminated (and will not resume) and a strip search will be performed. You must first notify a staff member that you need to use the head (which also indicates the visit is complete). At the end of any visitation, the strip search will always precede use of the head, so plan ahead and use the head prior to the start of any visit. Under no circumstances will you use the head in conjunction with a visit, without notifying staff first and completing a strip search.

l. When an individual is not approved for visitation, you will be given notice and reasons for the exclusion. You may appeal the decision to the OIC.

m. You will not have physical contact or communication with any other visitors except your own visitors.

n. Official visits (from attorneys/commands/Chaplains) normally take place during the duty week/duty day. If you have an official visitor during weekend/holiday visitation times and you also have a personal visitor, the personal visit has priority during those hours.

o. All "non-DOD affiliated" visitors are subject to background checks prior to each visit. You will be asked to provide specific information about the intended visitor to complete this process. Failure to provide requested information will cause the visitor to be denied access to the base.

p. Prisoners who do not normally receive visitors, or who are in a "MAX" custody status, may request visitation from "Prisoner Visitation Support". (See Section 917).

**608. Request for Interview (DD Form 510)**

1. You will communicate with your Counselor for assistance in resolving problems. If the staff is not able to assist, or advise you to do so, submit a Request for Interview (DD Form 510). Request for Interview (DD Form 510s) are available in all units.

2. The DD Form 510 is your means of contacting anyone within the Chain of Command from your counselor to the OIC (see Appendix C) with major concerns, complaints, or exceptional comments. You should not submit a DD Form 510 until you have first tried to resolve the situation with your Counselor IAW Appendix C (i.e., exhausted all efforts). Failure to do so will result in the return of the DD Form 510 without action or it will be forwarded for action to the appropriate level. If you chose to submit a DD Form 510, ensure that you:

a. Only submit **one** request per DD Form 510 (with the exception of abatement. See 603.3.2).

b. Address the form to the appropriate person in the chain-of-command (See Appendix C).

c. Describe how you have tried to resolve the statement with your unit staff or immediate supervisor (if the situation is at your work place). Write all correspondence in plain text and do not use cursive.

d. Once logged and serialized, you will receive the pink copy as a receipt. When the chit is closed out, you will receive a green copy as a "final receipt".

e. As appropriate, recommend a solution to the situation-what you would like to have as a result.

f. Maintain a respectful tone and adhere to military courtesy.

g. Anonymous submissions don't give staff a means of requesting more information or returning an answer.

h. Though the DD Form 510 is titled "Request for Interview", an actual "in-person" meeting with the individual the form is submitted to is not guaranteed nor required. If

you wish to communicate with an individual and not have a "face-to-face" meeting or conference with him or her, write "Meeting Not Requested" on the DD Form 510, followed by a description or narrative of why you are submitting the form. The OIC reads all DD Form 510s addressed to him/her. These are collected each workday from the "CO" DD Form 510 box in each unit. If you have an urgent need, see your counselor or Service Liaison to resolve the issue. Only DD Form 510s addressed to the OIC shall be placed in the "CO" DD Form 510 box", all other DD Form 510s will be processed normally. (See Article 102. Or Appendix C. – Chain of Command).

i. Place completed DD Form 510 in the appropriate box located in each unit. All chits shall include your name, initials, RCN number and unit. Do not "shotgun" requests to more than one staff member at a time. Wait for a reasonable period-of-time for an answer/response before re-submitting another Request for Interview (DD Form 510). Speak with your chain-of-command and be proactive about the current status of your chit processing. If a chit has already been submitted and you believe it is lost, inquire through your counselor for assistance.

j. Forward requests for information in personnel records or confinement records to the "Parole and Release Department".

k. Forward requests for sentence computation, release dates, parole, clemency, MSR, or appellate leave to the "Parole and Release Department".

l. Forward requests for removal or placement of items into your storage bin located in the "Lucky Bag" room (due to a change in incentive level or legal status) to "Receiving and Release", via the unit staff. (See Article 614).

m. Forward requests for religious items to the Chaplain, who will then initiate coordination with Receiving and Release. See Section 503-Personal Items for more information.

n. Forward requests concerning unit issues, counselor issues, program plans, visitation, receipt of packages or books required to correspond in foreign languages to the Programs and Services Department.

o. Forward requests concerning pay problems to the service liaison.

p. Forward requests for greeting cards, pastoral-related personal issues and prayer requests directly to the Chaplain on a DD Form 510. Route other requests to the Chaplain through your unit chain of command to the chaplain's office.

q. Forward requests concerning brig procedures or operations forwarded to the "Technical Director".

r. Requests concerning Clinical Services (medical and mental health programs and services) shall be forwarded to the "Clinical Services Department Head" or the appropriate program managed (e.g. substance abuse program manager, medical division officer). Note: There are specific boxes located in the Mess Decks and Special Quarters Unit for Clinical/Medical DD Form 510s.

s. Forward requests for information in your medical record to the "Clinical Services Department Head".

t. Forward "service specific (USMC, USA, USN and USAF)" administrative assistance DD Form 510 requests to your service liaison via your counselor.

3. Request for Interview (DD Form 510) for the OIC's assistance does not need routing via the chain-of-command. You have the right to access the full chain of command; however, first make every effort to satisfy the request through the unit staff and the chain of command outlined in Appendix C. All such requests forwarded will reflect name, badge number, unit and specific status (Pre-Trial or Post-Trial). The OIC may reply or direct the Executive Officer, Technical Director, or specific department to provide feedback to you.

4. Replies. Normally, Request for Interview (DD Form 510) and a reply or interim reply are provided within a reasonable time (5 business days). Do not submit a follow up DD Form 510 concerning the same matter until a minimum of 5 working days has elapsed.

**609. Purchase of Health and Comfort Items**

1. Health and Comfort can be purchased in the brig on a regular basis. Any item offered by the Brig Exchange store is available for purchase (See Appendix A). All purchases will be processed on a Health and Comfort Form DD Form 504, which is available to you in the unit. Items available through the NEX **cannot be purchased** from an alternate source. Additionally, if the NEX offers a specific product that is not your preferred brand, you cannot request to use an alternative source to get your brand. (ex: if the NEX has St. Ives face wash but you use CeraVe, you get the St. Ives). Any hygiene options outside what is offered must be approved by Medical.

**NOTE: See Article 610.h for Pay and Non-pay status definitions.**

2. If you are in a pay status and have funds in your brig account, the amount of your purchase will be deducted from your brig account.

3. If you are in a pay status and have no funds in your brig account, the DD Form 504 will be processed and the amount will be charged to your military pay not to exceed $30.00 for male prisoners and $35.00 for female prisoners. Personnel in this status are limited to the amount set by the brig OIC, for you towards Health and Comfort. If you desire extra Health and Comfort items, you should have your family and friends send you a cashier's check or money order to assist in additional purchases. Personal checks and gift cards cannot be accepted.

4. If you require a special item not stocked in the NEX, you may submit a request to Medical, Operations Officer, and Technical Director, requesting and justifying the need for the item.

5. If you are in a non-pay status—Forfeiture of All Pay and Allowances (FAPA)-you will receive Health and Comfort items up to $30.00 for male prisoners and $35.00 for female prisoners.

6. **Health and Comfort Purchases.** You are not authorized to use the gratuitous issue funds to purchase Health and Comfort items specifically annotated as being purchased with "personal funds" in Appendix A, (you may purchase these items with personal funds only). Purchased items may be taken with you upon release.

7. **Gratuitous Issue Pro-Rating**

a. FAPA prisoners with 15-31 days from date of release will rate full gratuitous issue (if requested) and not in excess of allowance.

b. FAPA prisoners with 1-14 days from the date of release will receive a pro-rated issue (If requested) of not more than ½ gratuitous issue.

c. You will not be allowed to collect excess Health and Comfort items. You will be limited to the number of items indicated in Appendix A. Health and Comfort items will not be placed in your storage bin located in the "Lucky Bag" room. Possession of excess items will result in disciplinary action.

d. Place your completed H&C request form (DD Form 504) in the grey F&V box mounted in the galley. You may not give/receive H&C items to/from another prisoner, including prisoners departing the brig.

**610. Funds and Valuables**

1. **Intake Processing.** Funds and valuables must be turned in for safekeeping. A receipt is provided for your funds and valuables (DD Form 2674). In the event it becomes necessary for you to remove any items in your valuables envelope or withdraw funds from your brig account, a DD Form 510 must be submitted to Funds & Valuables via the grey F&V box located in the galley. The request must be received at least five (5) working days prior to date required.

2. **Funds Account.** All cash, money orders, treasury and cashier's checks (no gift cards or personal checks), will be deposited into the brig commingled account. You will be given a "Sub-ledger" which will list all deposits and withdrawals. It is your responsibility to update your "Sub-ledger" each time a cash transaction is completed. You are permitted to set up a personal interest-bearing account on your own from any bank. You may not use a credit card or debit card for purchases or bill payments.

3. Money order and treasury/cashier's checks are normally deposited within two (2) business days after receipt in Funds & Valuables. With the exception of NFCU cashier's check, those funds will not be available before five (5) business days. Do not request a check to be issued from your brig account prior to funds clearing the banking system. *Any bank fees charged to the co-mingled account for returned or rejected money order/cashier check will be charged to your brig account.

***NOTE: In the event of an emergency, a cashier's check may be issued and the check transferred by an R&R supervisor to your designee. The DD Form 510 must be submitted to the Operations Officer and Funds & Valuables at least three (3) days prior to visit.***

4. **Disbursing/Pay Information.** You will direct your questions to your military Service Liaison.

5. **Pay and Non-Pay Status Definitions**

a. **Pay Status Personnel.** All personnel credited with pay and allowance and whose EAOS (Expiration of Active Obligated Service) ETS (Expiration of Term of Service) has

not yet expired (adjudged prisoners are not entitled to BAH, Basic Allowance for Housing, or other allowances).

b. **Non-Pay Status Personnel**. All personnel not credited with any pay or allowance. Non-pay status will result from the following conditions:

(1) EAOS/ETS has expired whether Pre-Trial or Post-Trial.

(2) Adjudged personnel who were sentenced to Forfeiture of All Pay and Allowances (FAPA) as of the date the Convening Authority (CA) acted or 14 days after court-martial, whichever action occurs first.

6. **Release Procedures**

a. **Scheduled Release.** If your release is scheduled, your funds and valuables account will automatically be closed two (2) days prior to your release. You should contact Value Added Communications (800-786-8521) for refund of debit phone system balance. Your storage bin inventory will be conducted the day of your release. If you reported to the brig with a sea bag, or purchased one with personal funds, it will be returned to you along with your personal items. Otherwise, your personal items will be packaged in an appropriate bag/box and given to you upon release. If you did not report to the brig with a sea bag, but desire to purchase one, a DD Form 510 must be submitted to Funds & Valuables one (1) week prior the closing of your account. Sea bags may not be purchased with gratuitous H&C funds. Any disbursing issues, such as selling leave back to the government or requesting payment up to date must be discussed with disbursing at PSD, the Military Personnel Flight through the NCOIC for Air Force Personnel matters, or the USA or USMC service liaison. USCG matters will be addressed to the Navy liaison.

b. **Unscheduled Release.** If your release is unscheduled, you have two options to receive their funds and valuables. You can return to the brig the following business day to retrieve their funds and valuables. If you are not able to return the following business day, you should complete the Notice of Change of Address form (OPNAV 5110/5) in Receiving and Release before departing the brig. Your funds and valuables will be forwarded to that address via Certified mail to include a cashier's check for the remaining funds in your brig account. If you fail to leave a forwarding address or return to the brig within 30 days of release, all funds will be returned to the U.S. Treasury via PSD. All valuables and storage bin items will be shipped to the Navy Supply Center.

7. Incoming Money Orders/Cashier's Checks. If your release date is five working

days or less from the date of receipt of additional funds, the funds received will be placed in your valuables envelope for your release.

**611. Temporary Release (Emergencies)**

1. Temporary release requests will be processed in accordance with respective service regulations. Temporary release requests will only be processed upon receipt by the brig of a Red Cross message involving an immediate family member or "In Loco Parentis" family member. "In Loco Parentis" is defined as a person who stood in place of your parent to the military member (in this case you) or the your spouse for 24 hours a day, for at least a 5-year period before you or your spouse became 21 years of age. Normally, the situation is a "life and death" matter and medical authorities recommend your presence, or a death has occurred and you request authorization to attend the funeral. Authorization is not automatic and may include directives from your parent service. Each request will be carefully considered on a case-by-case basis.

2. If you receive notification of a pending Red Cross message, immediately notify a staff member. The Command Duty Officer (in consultation with the Brig Chaplain) will coordinate all Red Cross verifications and advise you of procedures to be followed. In any event, the respective Service liaison will coordinate further actions.

**612. Release from Brig**

1. When your release is authorized at the end of your sentence, the following shall apply:

a. If departing on Appellate Leave, brig staff will drive you to the airport, bus station, TPU, or Amtrak station only. You may be released to a responsible party at the brig by requesting approval via Request for Interview (DD Form 510) through Parole and Release via the respective Service Liaison. You may not be picked up by former prisoners of the facility. (See also Article 809. Appellate Leave).

b. If returning to duty, your command will pick you up from the Brig or brig staff will drive you to the respective public transportation facility. Liberty/leave is NOT authorized for personnel in this category.

c. DO NOT make plans for transportation outside normal working hours on your day of release. The staff will release you during normal duty hours. Generally, you will be released in the early morning, but delays can occur.

d. You must have prior approval if you desire to arrange your own transportation (to be picked up at the brig or front gate) i.e. taxi, approved party, etc. Submit a DD Form 510 via your Service Liaison for approval by the Parole and Release Department. Approval will be granted only in extenuating circumstances.

2. **Uniforms upon release.** You must take your service uniforms with you upon release, based on Service-specific directives (Note: any brig-procured/provided uniforms are "organizational gear" must be returned to the brig prior to release). In certain cases, offender registration or community/agency/victim notification is required prior to your release.

3. **Authorized Items to Receive Prior to Release.** No earlier than two months prior to release, you are authorized to receive the following:

a. one backpack/small bag;
b. one set of civilian clothes;
c. your driver's license;
d. a credit or debit card; and,
e. a cellular phone (turned off) and charger (no charging on site).

You must submit a DD Form 510 to the Programs and Services Department Head via your unit Counselor listing each of the above items you are requesting to receive. Any items received prior to approval will be returned to sender. The backpack/small bag, civilian clothes and cell phone (with charger) will be inventoried and placed in your Lucky bag. The driver's license and credit/debit card will be inventoried and placed in Funds and Valuables until you release. You cannot use the credit or debit cards for any purpose prior to release. You will not be permitted to active you cell phone until you are released and outside the facility.

**613. Transfer to a Long-Term Confinement Facility**

Depending on sentence length, service status (discharged or active), or special needs, you may be transferred to the United States Disciplinary Barracks (Ft. Leavenworth, KS), another regional correctional facility or the Federal Bureau of Prisons (FBOP). In addition, prisoners of any sentence length may be transferred to another regional facility for programmatic or other administrative purposes. Your funds & valuables accounts will be closed out two (2) days prior to transfer. Phone accounts will be deactivated at the same time. If you have any items you desire to mail to your home of record (at your expense), this must be completed prior to your brig account being closed. H&C funds cannot be used. Submit a DD Form 510 to funds and valuables to request it.

**614. Lucky Bag**

You have a storage box in the "Lucky Bag" room in Receiving and Release. The primary purpose of the Lucky Bag is to stow alternate/excess uniform items, legal material and other items as authorized throughout these regulations. Your Lucky Bag **will not** be used as a storage unit for unauthorized excess material such as books, magazines, CD's, photos, etc., unless authorized as a result of a Management Action from a D&A board or if you have study materials from a completed authorized program. Any items placed into, or pulled out of, the Lucky Bag must be authorized using a DD Form 510 to the appropriate persons in the chain of command per Article **608**.

## SECTION 7 - CLEMENCY AND PAROLE

### 701. Objectives of Clemency and Parole

The objectives of clemency and parole are:

a. the preservation of order and discipline;

b. equality in the administration of justice; and

c. protection of the interests of the military service, the individual, and society. Clemency and parole review provides for recognition of changes in your attitude and behavior which indicate your desire to be a useful, productive, law-abiding member of society in the future. Clemency is a separate function of the legal review process.

### 702. Forms of Clemency

1. Restoration to duty when a punitive discharge is awarded can be requested. Your best option for a suspended punitive discharge is via your Convening Authority prior to the review of your case via your assigned counsel.

2. Remission of a dismissal (officers only)

3. Reduction in confinement, forfeitures, and/or fines

4. Mitigation of the discharge to one less severe (e.g., Dishonorable Discharge to Bad Conduct Discharge and Bad Conduct Discharge to General Discharge)

5. Full or partial restoration to pay grade

6. Restoration of precedence (officers only)

### 703. Clemency Channels

Clemency considerations are reviewed by the Programs and Services Department, a Review Board and the OIC. Each level will provide a recommendation based on the merits of each case. The package is forwarded to the Service Clemency and Parole Board (and in certain cases to the Service Secretary concerned).

**704. Clemency Eligibility**

If you are serving a sentence to confinement of 12 months or more, you are eligible for clemency review and will automatically be given the opportunity to request clemency consideration, based on the following:

a. 12 months to 20 years' confinement awarded. Eligible for clemency in nine months and annually thereafter.

b. 20 years to 30 years' confinement awarded. Eligible for initial clemency review at nine months and annually beginning three years from the date of confinement.

c. 30 years to life confinement awarded. Eligible for initial clemency review after nine months and annually beginning after 10 years.

d. Life without parole. Eligible after 20 years' confinement and every three years thereafter.

**705. Review Board Schedule and Appearances**

1. Parole and Release schedule's Clemency and Parole reviews based on the following: Service directives, length of sentence, parole/clemency eligibility and individual circumstances. Normally, you can expect a clemency review after completion of five to seven months' confinement. Parole and Release will inform you of your scheduled review date normally within the first week after arrival. This date is recorded in the Correction Management Information System (CORMIS).

2. Your family members should not contact the service Clemency and Parole Boards. If a family desires to be seen personally at the board proceeding, they should contact you and you can request a personal appearance form from Parole and Release. The Air Force, however, does not accept personal appearances at their board proceedings. Family members are also discouraged from contacting a probation officer.

**706. Clemency Requests**

If you are eligible for clemency, your counselor will meet with you to assist in completion of the required forms. If you do not desire to be considered for clemency, you must complete the Waiver of Clemency Review to document that you declined the opportunity to petition for clemency. The clemency waiver must be certified by an officer or GS-12 or higher.

**707. Clemency Considerations**

All elements of an individual's character and situation are considered during the clemency process, including:

a. New mitigating or extenuating circumstances (not presented at Court-Martial or Convening Authority) which warrant clemency

b. Appropriateness of sentence for the crime or circumstances

c. Hardships which would justify clemency

d. Nature of confining offenses

e. Prior military and civilian arrest record

**708. Parole Considerations**

1. Parole is a form of release or an extension of confinement granted to carefully selected prisoners who have served a prescribed portion of their sentence in confinement, and whose release under supervision is considered to be in the best interest of the prisoner, the military service and society. The parole review process considers:

a. Good confinement record

b. Acceptable Parole Plan (residence, employment or school and community treatment follow-up plan if appropriate)

c. Active rehabilitative efforts

d. Favorable Psychological Evaluation

e. Restitution (larceny, bad checks, etc.)

f. Acceptance of responsibility for crimes

g. Sincere remorse for offense

h. Impact of offense on victim(s)

i. Current time in confinement

j. Impact or effectiveness of further confinement

k. Potential danger to society

l. Possibility of re-offending

2. If you have a punitive discharge and a sentence of one year or more and you have served one-third of the term of confinement, but in no case less than six months, you will be eligible for parole consideration. Good Conduct Time will not be counted in computing eligibility for parole consideration.

**709. Parole Channels**

1. Parole channels are the same as clemency channels.

2. A completed Tender of Residence form listing where and with whom you will reside is required. Your counselor will provide the form, and when completed, it must be mailed or faxed directly to the Parole and Release Department Head.

3. A completed Tender of Employment listing the occupation, salary, etc. completed by the potential employer is required. A reference for acceptance by a job placement agency/entity may be considered in lieu of a tender of employment. Additionally, acceptance to an educational institution (e.g., college, trade school) may also be considered in lieu of a tender of employment. This form will be provided by your counselor and when completed must be either mailed or faxed directly to the Parole and Release Department Head.

**710. Parole Requests**

1. Your counselor will assist you in preparing a parole plan. If you desire to be considered for parole you must include the following information on your request form:

a. A full statement of your plans for the future

b. A Tender of Residence stating where and with whom you plan to live.

c. Tender of Employment stating the name, address, and phone number of prospective employer. A letter from a job placement agency can be accepted in lieu of a Tender of Employment. These items must be included in your parole package or it will not be considered.

d. If attending college or vocational training is part of your parole plan, documentation of acceptance is required.

e. Designation of any community treatment program(s) in which you plan to participate upon release. Clinical Services can assist you and must approve all community treatment programs recommendations.

f. Verification of the above items will be made before a final decision on your parole is made.

g. A strong parole plan that includes all items (a through e above) and elements of "Article 708. Parole Considerations" will assist in achieving parole status.

**711. Parole Denials**

In the event the Service Clemency and Parole Board (C&PB) denies parole, you may submit an appeal to the appropriate service secretary via the channels your original request was made. It is important to address any issues used as a basis for your original parole denial. Merely re-submitting the same package is insufficient for parole.

**712. Mandatory Supervised Release (MSR)**

1. **Criteria.** If your sentence to confinement is less than three years, you shall not normally be reviewed by your service C&PB for MSR, but you shall be reviewed by the Commanding Officer/OIC. If the CO/OIC determines that MSR may be appropriate for you, the CO/OIC shall forward a recommendation to the service C&PB.

2. **Requirements.** The requirements of the MSR plan are the same as the requirements of the parole plan. Normally, if you are MSR eligible, you will be reviewed for MSR at the last review board prior to your minimum release date. If you waive clemency and parole, you will be reviewed for MSR four months prior to your minimum release date.

3. **Failure to Provide Information.** Failure to provide an acceptable MSR plan could result in a Discipline and Adjustment Board, loss of Good Conduct Time, and any abatements (earned time, special acts abatement). The OIC shall not award the

abatement until an acceptable release plan is accepted by the service C&PB and US Parole Officer (for failure to follow an order or dereliction of duty), thus delaying your release or requiring you to serve your entire sentence in confinement.

***NOTE: To facilitate bookkeeping, abatements are credited monthly but may be removed at any time if an acceptable release plan is not approved by the service C&PB.***

**713. Sex Offenders' Release Information Requirement**

In addition to any parole or MSR requirements listed above, sex offenders are required to provide a complete address of where they will reside upon their release. The address will be required 30 days prior to release. Failure to provide an expected place of residency may result in denial of parole request or delay release from confinement/military service. The Parole and Release Department will generate a Disciplinary Report for failure to comply with the Rules and Regulations if an address is not provided.

## SECTION 8 - LEGAL REVIEWS AND ASSISTANCE

### 801. Military Appellate Review

The military judicial system is unique in that it provides an automatic and complete review for each court-martial. These reviews begin with the Convening Authority (CA) and may end at the Court of Appeals for the Armed Forces. At each level of review, it is the responsibility of the reviewing authority to examine the record for errors affecting the findings and/or sentence. Each reviewer also has the power to consider the appropriateness of the sentence and may have the power to exercise various forms of clemency. Thus, by the time the review of a case is complete, the findings and/or sentence of a court-martial could be less, but never more, than that originally awarded or, in fact, the findings could be completely disapproved and dismissed. Whenever you receive a review action document, you should confirm that the brig legal office has also received a copy. It may affect your release date.

### 802. Review of Special Courts-Martial

If you received a special court-martial, the Convening Authority (CA), the officer who ordered your court-martial, first reviews your case. The CA makes a decision and prepares a CA's action. If, at this stage, your sentence still includes a Bad Conduct Discharge (BCD), your case will receive another automatic review before the Court of Criminal Appeals (CCA), a panel of military judges in Washington, D.C. You will be represented by a military lawyer at the service CCA, unless you indicate you do not desire assignment of appellate defense counsel. This is the last automatic review. You can also be represented by civilian counsel, if arranged for and paid for by you.

### 803. Review of General Courts-Martial

If you received a general court-martial, your case is first reviewed by the GCMCA. After a staff lawyer prepares a review of your case for the GCMCA, the GCMCA makes a decision and issues a GCMCA's action. If your sentence includes a dismissal or punitive discharge or confinement, for one year or more, your case will be automatically forwarded for review by Service Court of Appeals. If your case does not fall within one of these categories, it will receive an examination or review in the Judge Advocate General's (JAG) office and may go to the Service Court of Appeals. The Service Court of Appeals is the last automatic review.

**804. Court of Criminal Appeals Actions**

In all special and general courts-martial reviewed by the Court of Criminal Appeals (CCA), a CCA decision will be issued. These decisions are forwarded to the NCBC, Det Chesapeake Legal Office where you will be called to receipt for the action and to be advised of your right to appeal to the U.S. Court of Appeals for the Armed Forces.

**805. Appeals to the U.S. Court of Appeals for the Armed Forces**

If you wish to contest your CCA decision, you may appeal your case to the U.S. Court of Appeals for the Armed Forces (CAAF). This body is staffed by civilian judges, appointed by the President, and is the highest court in the military justice system. Your right to appeal expires 30 days following receipt of your service CCA decision. If within this period you wish to appeal, the Legal Office will provide you guidance in preparing an appeal request and a request for military counsel. The Appellate Counsel who presented your case to your CCA will probably remain your counsel on appeal to CAAF. You can also hire a civilian counsel of your choosing to represent you. The CAAF will first determine if there are sufficient grounds for hearing your case. If the CAAF decides there are insufficient reasons to hear your case, your petition will be denied. If the CAAF hears your case, you will receive a CAAF decision. In either event, the CAAF is the court of last resort in the military system.

**806. Rehearing**

During the review of your case, one of the reviewing authorities may disapprove the findings and/or sentence and authorize a rehearing. The record of trial in your case will be returned to the CA to determine if a rehearing is practical. If the CA deems it practical, a rehearing will be convened. If a rehearing is not deemed practical, your charges must be dismissed. After rehearing, your case will go through the review process again.

**807. Execution of Sentence**

Upon completion of all appropriate reviews, whatever sentence has been finally approved will be ordered executed. No discharge can be effective until the sentence is ordered executed. Forfeitures, however, may be "applied" or withheld from your pay, effective the date of the CA action or within 14 days after the sentence is adjudged. Reductions in rate will also take effect as of that date. Confinement starts as soon as the court-martial announces the sentence and all time after that date counts towards the final approved

sentence. The reviews required in your case will determine when an order of execution will be issued.

**808. Legal Assistance**

The brig legal staff may be able to assist you in seeking assistance to resolve minor legal problems. They can provide you with information and many of the forms required for common legal needs. Brig Legal staff cannot provide legal advice. You should contact your attorney of record for specific legal advice. Address problems relating to your court-martial or to your reviews to your assigned defense counsel. You are encouraged to request legal assistance (within the limits listed in this paragraph) through your Unit Counselor. Law library materials are available on housing unit legal computers.

**809. Appellate Leave**

1. You may be required to begin mandatory appellate leave at any time on or after the date of the sentence of the court-martial is approved, in whole or in part, by the Convening Authority, provided the approved sentence includes an unsuspended and unremitted dismissal or punitive discharge and you are no longer in confinement.

2. If the approved sentence of the court-martial includes confinement, the period of confinement must be served, remitted, suspended or deferred prior to the commencement of appellate leave.

3. If all confinement has been served, but the sentence is pending approval by the CA, you may be permitted to take voluntary appellate leave, if you so request. All requests must be submitted to the Parole and Release Department in writing and signed at least two weeks before your release.

4. If you are departing on appellate leave, you automatically sell back accrued leave, if any. A lump sum check will be issued from DFAS Cleveland upon discharge. If you receive final discharge prior to the end of your sentence, your are not entitled to receive accrued pay.

5. Questions regarding your appellate leave status should be addressed to the "Parole and Release Department."

## 810. Administrative/Separation Leave

Administrative leave may be granted while you await administrative separation when recommended for separation by the OIC after completion of confinement. Prisoners being processed for administrative separations are encouraged to take leave. The leave must be requested by you in writing. Accrued leave must be used before excess leave. If you are being administratively separated, you are not entitled to accrued leave pay.

## 811. Grievance Procedures

You may file a grievance at any time to bring a problem to the attention of staff or to appeal a specific action such as a disciplinary sanction. You can initiate a grievance using Request for Interview (DD Form 510), which you can submit to any level within the chain of command to address the problem. You may file only for yourself. Only one grievance may be filed at any time on a single incident or item of concern. You may withdraw a previously filed grievance at any time. An inappropriately filed grievance or one that is directed toward a non-grievance issue will be returned to you. An appeal of a decision shall be routed to the next higher level for the appeal. Repeated appeals (appeal of the appeal decision) will not be routed. The OIC is the final appeal authority. See Article 304 concerning appeals of disciplinary actions.

## 812. DNA Collection

Congress and DoD have mandated collection of DNA samples from prisoners convicted by General Court-Martial (GCM) or Special Court-Martial (SCM) of qualifying military offenses (QMOs). QMOs are specific, serious crimes and do not include solely military crimes such as unauthorized absence (UA). NCBC, Det Chesapeake is authorized to collect DNA samples from individuals convicted of a QMO upon in-processing to the facility. A DNA sample is drawn from qualifying prisoners within five business days of arrival at NCBC, Det Chesapeake. The OIC may authorize the use of such means as reasonably necessary to detain, restrain and collect a DNA sample from an individual who refuses to cooperate in the collection of a sample. Offenders who have a QMO conviction with a sentence that includes an unsuspended or unremitted dismissal or punitive discharge shall not begin appellate leave prior to collection of a DNA sample. The Legal Division and Parole and Release can provide you with additional information and answer any questions.

## SECTION 9 - PROGRAMS AND SERVICES

**901. General**

Program access, work assignments and administrative decisions are made without regard to race, religion, national origin, sex, handicap or political views. (However, prisoners with shorter sentences may not qualify for all program treatment plans or work details.) The brig is tasked with providing a climate conducive to positive change with programs tailored to meet your needs. The following listings are some of the programs available. Your counselor can provide information concerning programs that you may be interested in. Programs and group activities are staff or volunteer-led. You may not form a group for any common purpose/activity that is prisoner-led or conducted.

a. **Development programs.** You may participate in the following personal development programs/services:

(1) Legal services
(2) Vocational training
(3) Clinical/Mental Health Programs/Services
(4) Extra assignments
(5) Athletic and recreational activity (special events)
(6) Educational programs (DANTES/CLEP)
(7) Religious services/programs
(8) Volunteer programs (such as Special Events, Tournaments, Alcoholics/Narcotics Anonymous, etc.)
(10) Red Cross assistance
(11) Education counseling

b. **Required programs.** You shall participate in the following programs. Those programs annotated by an asterisk (*) will be provided to post trial prisoners only.

(1) Orientation (Post-Trial and Pre-Trial)
(2) Life skills training
(3) Substance Abuse Education (*)
(4) Individual counseling (non-clinical)
(5) Group counseling (non-clinical): Crossroads (*)
(6) Reentry
(7) Court-ordered special programs such as alcohol or drug treatment, restitution, etc. (*)

(8) Sexual Offender Education course for those convicted of any sexual offense (*)

(9) Victim Impact Program (*)

(10) Restoration to duty, or return to civilian life Pre-Release program

(*) Post-Trial prisoners only.

c. **Work Assignment.** As assigned.

d. **Program Plan.** The Prisoner Program Plan assesses specific needs and provides an individual plan of program participation and work assignments to meet individual and service needs. Each adjudged prisoner must develop (with staff assistance) a written program plan that addresses his/her best path for successful rehabilitation and release. The plan is monitored and reviewed monthly by your unit counselor and updated as needed. Failure to develop and follow the program plan may result in administrative action, reduction of incentive levels, or limited progression in incentive levels. The plan includes brig programs, behavior expectations and your release plan.

**902. Orientation**

Upon confinement at this brig, you are placed in an Orientation Unit until the entire Orientation phase is completed.

a. This phase consists of approximately a one-week period of orientation and formal classroom instruction. All areas of this process should normally be completed within 5-7 working days of confinement, but may be extended in individual cases.

b. During this phase, you will receive instruction from various brig staff personnel, including the OIC, Technical Director, Programs and Services, Clinical Services, Operations Officer, Chaplain, Funds and Valuables Custodian, Supply, Legal, Postal Clerk, etc.

c. Basic rights and responsibilities will be explained to you and you will be required to study and become familiar with this Handbook. It is your responsibility to know the Rules and Regulations of the brig. Ignorance is not an acceptable excuse for violations. If you do not understand this information, a staff member will assist you.

d. During this period you will receive your initial custody classification, program assignments and housing assignments. You must sign and date a statement indicating your completion of orientation.

***NOTE: Former prisoners, who have previously been released for any reason, and returned for confinement, will complete the full phase of Brig Orientation.***

**903. Pre-Release/Reentry**

You should begin planning for their release from the beginning of confinement to be fully prepared by the release date. Participation in various programs and self-study on items listed below is best addressed throughout confinement. The brig has a formal Pre-Release program designed for you prior to being released from military service upon completion of confinement. It includes presentations, which are designed to provide information, and tools that will assist in the transition to civilian life. This program is mandatory for all prisoners unless specifically excluded by the Program Plan. Pre-Release program includes the following seminars:

**TAP Class**

a. Financial management
b. Transition planning
c. Employment briefs
    - Career Planning
    - Networking & job Searching
    - Résumé writing
    - Interview Strategies'
d. Veteran's benefits/discharge upgrading
e. Life Skills (Communication/Parenting & Building Health Relationship
f. Medical brief/evaluation
g. Exit survey
h. DD-214, Administrative issues
i. Appellate/administrative leave policy
j. PSD out-brief
k. Funds and valuables
l. Receiving and releasing
m. Postal matters
n. Chaplain's out-brief
o. Return/reunion
p. Motivation training

**904. Medical Services**

You have the right to "unobstructed access" to health care. Those services include health screening and exams, non-elective medical/dental treatment, daily (weekday) sick call, health education, environmental health screenings, required immunizations and emergency medical care.

a. All outside medical appointments will be scheduled by Brig Medical staff only. Transportation arrangements will be made as necessary, Post-Trial (Brig Escorts) and Pre-Trial (Unit Escorts). All outside appointments will be scheduled for you via the Naval Medical Center Appointment line by the Medical Department and documented in CORMIS. Do not approach medical to obtain dates/times of appointments. You will be notified when confirmation of your appointments is received. Due to security concerns, you will not be notified until the day of the appointment.

b. Once scheduled for an outside medical appointment (or for immediate transportation for medical attention), the brig/Unit will escort you to the location of your appointment. You must travel to that clinic appointment as your place of duty. Refusal to travel to an appointment normally will result in disciplinary action. If the brig medical staff (including outside medical officers and clinical staff who see you here) tells you that you will be referred for a specialty appointment (outside the brig) and you do not want to go to that appointment, you must notify the brig medical staff of this prior to scheduling of the appointment (e.g., when you're told of the referral) and sign a statement for refusing medical care (Against Medical Advise form). Otherwise, you must go to the appointment.

c. Medication Call will be held daily as scheduled in the Plan of the Day. You will not be seen for medical complaints/requests/issues or be given information about any personal complaints or issues at medication call. Make the statement, "I am finished" once you have completed taking all medication given to the supervising staff.

d. Sick Call/Acute Care. Sick call is for acute illness and/or injury only. Sick call will be conducted daily, except on weekends and holidays, in accordance with the plan of the day. Once announced, if you need evaluation at sick call, you will be sent to medical, one dorm at a time as established by control. You will be given a special SF 600 for completion of triaged care. You will NOT be seen in the order of arrival. Patients will be seen by acuity of their illness/injury as determined during triage. Complaints triaged as not acute may be re-scheduled to another day or scheduled for chronic care clinic as appropriate. Acute is defined as very serious or dangerous; requiring serious attention or action; having a sudden onset, sharp rise, and short course; or demanding urgent

attention. Acute is NOT an ongoing illness or injury unless there has been a recent marked increase in severity. Sick Call/Acute Care will NOT be used for administrative visits such as, but not limited to: light duty chit removal, medication renewal, no~~r~~ shave chits, specialty care requests, dental cleanings, etc.

e. Chronic Care/Medical Administration. You must request a visit for chronic care and/or a medical administrative visit using a DD Form 510. These forms are located in your unit. Fill out the form in its entirety and place in the 'Medical/ Clinical' request box located in the mess decks. Each request is reviewed and, as necessary, will be scheduled for an available chronic care or medical administrative appointment. If you are in Special Quarters (Segregation), place the request in the Medical/Clinical box or hand it directly to the duty Corpsman during their daily rounds. Do not give your request to noon-medical staff for subsequent forwarding to medical. You will be notified within four working days that your DD Form 510 has been received. You will NOT be given the date and/or time of your appointment. On the day of your appointment, you will be notified by your dorm supervisor or work supervisor to report to medical.

f. Emergency medical care is available at all times. If you require emergency medical care or are injured, notify staff personnel immediately. An emergency is defined as an injury or illness that threatens life, limb, or eyesight.

g. If you have been diagnosed with a contagious disease or are incapacitated (e.g. casts, etc.,), you will be placed in Medical Segregation. If you are placed in a no-duty status, you may be placed in Medical Segregation.

h. If you have a Light Duty Chit, you may be placed in Medical Segregation if necessary. If the medical condition or medication prescribed causes a side effect (such as drowsiness/nausea) or physical limitations, this will be noted on the chit. You will still be fully cleared to report to a work assignment and Medical staff will notify the Programs and Services of any potential side effects or limitations. The Counselor will notify the work supervisor so it can be taken into account at the job site. Light duty is in no way an exemption from work. If you are pending a medical appointment for a complaint, report to the job unless Medical staff determines otherwise. Medical staff makes all decisions concerning any limitations and prohibited activities on the chit. You shall comply with all limitations on the chit or immediately notify medical staff if you believe your condition has changed to warrant a change in the limitations. If you are issued a medical chit (such as Light Duty/No shave chit/SIQ no duty), you are required to carry it on your person at all times and produce it upon request. You will place it in your left breast pocket.

i. Dental Treatment. The brig has limited dental treatment screening and examination. Appointments will be made for emergency dental treatment after screening has been completed at the brig. If you have dental problems, request sick call as stated prior. Normally, dental treatment will be for emergency type work only (extraction, temporary fillings, etc. An annual dental exam will be provided to you as determined by the Dental Department.

j. Specific complaints regarding health care, which are not resolved through the Medical Chain of Command (through the Clinical Services Department Head), should be submitted on a written Request for Interview DD Form 510 to the Technical Director or higher.

k. You should take your medications as prescribed by the Medical Officer or IDC. Prior to discontinuing a prescribed medication, you must notify a Brig Corpsman of your intent. This will help avoid adverse effects that could result from ceasing the medication and ensures all medical officials are informed of your current medical treatment status. You must sign a medical form indicating your decision to go against medical advice with respect to taking medication. Failure to notify staff of discontinuing prescribed medication could result in placing yourself at further health risk and could also result in disciplinary action.

l. Medication for sleep is only prescribed if you have a physical illness or injury that is disrupting sleep or you are already on medication that, as a side effect, disrupts sleep. You will not be referred for medication consultation based solely on sleep problems. If you arrive at the brig with prescribed sleep medication, the prescription will not be renewed unless the above conditions are met. If you take a prescribed sleep medication, you still must stay awake in accordance with the Plan of the Day, including when serving on LOP or DSEG. (See also Article 303.c).

m. **Psychiatric Services.** Psychiatrists from the local MTF conduct appointments on-site if you are prescribed psychiatric medication. Appointments for psychiatric services and medication consultation and supervision are coordinated through a Clinical Services' provider. As part of routine medication supervision, you will be informed of the effects and side effects of prescribed medication and asked to read and sign a "Medication Rights and Responsibilities" form. The choice to take recommended or prescribed psychiatric medication is voluntary. If you choose to discontinue prescribed medication, you must do so under the psychiatrist's supervision to avoid potential withdrawal symptoms.

n. **Tobacco Cessation.** Brig Chesapeake is a tobacco-free facility. Information or assistance on ceasing/discontinuing the use of tobacco is available through the Clinical Services Department.

**905. Clinical Services**

Clinical Services Programs are offered by mental health professionals and certified substance abuse counselors. The staff will meet with you to evaluate your needs and recommend the specific program(s) for you. The programs are focused on helping you change the behaviors and attitudes related to your offenses and to prevent future problems in these areas upon release. These programs provide an opportunity for you to address problems in the above areas through structured programs and groups. Your participation in offense-specific counseling and treatment is considered for parole and clemency requests. Participation in non-offense-specific programs (such as a treatment eligible sex-offender taking only substance abuse treatment instead) are not considered a substitute for offense-specific counseling and treatment. Participation in clinical services programs is included in the Program Plan. Programs and services may include:

a. Substance Abuse Programs

b. Anger/Stress Management

c. Community Transition Programs to assist in developing treatment and family resolution plans upon release from confinement.

d. Sex Offender Education

e. **General Mental Health Service.** Stress management, psychiatric clinic, individual counseling, parenting skills, cognitive skills training, and self-help books. You have an individual program plan to follow during the duration of your confinement, once adjudged. You will develop this plan during the orientation phase, with assistance from your counselor. Based on the needs assessments and interviews, your plan is designed to address your needs and provide you with direction to gain the most benefit from your confinement time. Unit staff will monitor your progress, since your progress is connected to incentives, extra abatement credit, parole and clemency considerations, etc. While the recommended/required program areas are critical, you may also take advantage of other available programs you think will benefit you. To borrow self-help books and/or CDs from the Clinical Services library, submit a DD Form 510 to clinical services. They have materials on most mental health/life skills-related areas.

**906. Medical and Clinical Service Records**

1. **Medical Records.** You have access to the information in your medical record. Send a DD Form 510 for medical record release to view the record or photocopy your record to the Medical Department Head or the Clinical Services Department Head. You cannot possess a copy of your medical record in the brig/unit.

a. Prior to your release from the brig (10-14 days), you may submit a chit DD Form 510 requesting a copy of your records, if Brig Medical has your hardcopy record. The copy will be given to you when you are released. Records can only be copied if you have arrived with a Medical Outpatient Treatment Record.

b. If you are returning to your parent command, your records will be sealed and released to you for issue to your medical department or clinic, if you have signed a request to hand-carry your medical record. Records may also be mailed to your unit. Forward your request for your medical record (other than just prior to release) to the "Clinical Services Department Head." This includes any request to release a part of your medical record to someone else (to your lawyer or spouse, for instance). Consent of release form would also be required in that case. The Clinical Services Department Head will provide you with that form.

2. **Other brig records.** Information in the brig records is not releasable to you while you are in the brig or while in the military corrections system, per a federal exemption to the Privacy Act pertaining specifically to brig records. Any requests for release of information in those records shall be forwarded to the "Clinical Services Department Head" (for mental health information) or to the brig "Admin Officer," who is also the Privacy Act/FOIA monitor (for any other information). If you desire to release information from the record to a third party, you must give written permission for the information to be released. For instance, you may ask for information from your mental health record to be sent to a civilian mental health provider whom you intend to see for continued treatment upon your parole/release. The Clinical Services Department Head has the consent forms and will ask you to sign one if you send a chit DD Form 510 requesting the release. Otherwise, your records are protected from release to others, unless the release is specifically required by law.

**907. Religious Program**

1. The Command Religious Program is offered under the guidance of the Brig Chaplain. While no one is required to attend Divine Services, you are strongly encouraged to explore or strengthen the spiritual aspects of your life through the various opportunities

provided in the religious program. There are many areas in which the Religious Programs may assist persons regardless of their religious beliefs or if you hold no religious beliefs at all. Some of the areas include the following:

a. Concerns relating to the individual's private life, such as: doubt, guilt, fears, anxiety, personal worth, past trauma, etc. Private training sessions are available requested by DD510 to Chaplain thru normal channels.

b. Concerns relating to personal adjustment, either to the military or civilian life.

c. Concerns generated during crisis of life, death or personal misfortunes, etc. In all these areas, Religious Programs are well prepared and capable of providing individual counseling and guidance.

2. The schedule of available services is posted in each Housing Unit on the read board. Every effort is made to provide a wide range of services and represented faith groups by both contract personnel and volunteers. For special requests from the Religious Ministry Department, submit a DD Form 510 via your counselor.

3. You have the right to practice the religion of your choice, as long as it is within good order and discipline within the brig.

a. If the brig cannot provide required religious material, submit a DD Form 510 to the brig Chaplain for authorization prior to outside purchase the items. Items must come directly from the vender.

**908. Counseling Program**

It is the brig's policy that you will be afforded counseling services by trained staff personnel. There are counselors assigned to each unit and they are able to assist you in many areas. They can provide insight into your problems and assist you in developing self-reliance and the motivation necessary to affect a satisfactory adjustment to military or civilian life. They also serve to improve communication channels within the brig and to provide authoritative information concerning your status, needs, etc. You are required to meet with your assigned unit counselor at least twice monthly. The following are some of the counseling services available to you:

a. Individual counseling
b. Crisis intervention
c. Group counseling (Crossroads)

d. Clinical Services Referral
e. Pre-Release
f. Restoration
g. Academic (limited as previously mentioned)

**909. Work Program**

You are required to participate in the brig's Work Program. Only those specifically authorized by medical authority and those in segregation status may be excused. The Work Coordinator will coordinate work assignments (approved by the Technical Director) based on needs of the brig, custody considerations, vacancies, and your desires. Work assignments will include, but are not limited to: maintenance and repair of the brig, food and laundry services, working parties to nearby government organizations, and grounds maintenance. Some work assignments are held in conjunction with a Department of Labor apprenticeship program earning certification. Work opportunities and reasonable accommodations will be provided for disabled or limited duty prisoners.

**910. Education Program**

1. You may have the opportunity to attempt college-level testing programs (e.g., DANTES, CLEP). If you are a Pre-Trial prisoner, you cannot participate in the testing. If later you become adjudged, you may request to participate in the program. If you meet the criteria listed below, you may submit your request for consideration to attempt college level testing programs. Final approval will be based on the number of eligible prisoners requesting testing and the time availability of staff to properly supervise the evolution. The following criteria are established:

a. You must have completed and currently be enrolled in mandatory programs that are required by this Rules and Regulations Handbook and their individual Program Plan.

b. You must be in compliance with all components of their Program Plan, including the behavioral category.

c. You must be classified to Medium-out or lower.

**911. Library**

1. **Prisoner Library.** There is a comprehensive library available for your use in the brig. Each unit will have access to the library as scheduled, to check in/out materials.

a. Books checked out from the library shall be stored in your storage bin or on your desk when not in use (see Article 410. Cell Maintenance).

***NOTE: Do not tear pages from books or magazines in any form (pictures, articles, verses, etc.).***

b. The clinical services library materials contain professional and self-help mental health/substance abuse materials related to most prisoner offenses. These materials are available within the housing unit or upon request; the clinical services staff can recommend reading available material appropriate to the your needs. (See also Article 906).

c. The Religious Program office maintains limited religious books and materials available for you to checkout via coordination with the Brig Chaplain (DD Form 510).

2. **Law Library.** You, including whenever in segregation, have access to the electronic law library available on unit computers for legal reviews. Basic legal references are also maintained in a designated area of the brig library or available upon written request from the legal office. Regional Legal Services Office (RLSO) Mid-Atlantic is designated to provide the command with legal support beyond the capability of the brig legal office. You are encouraged to address legal questions to your assigned legal counsel (Lawyer) or appellate leave legal counsel on matters concerning their cases. If you have an assigned legal counsel, local attorneys typically will not discuss legal matters with you.

**912. Recreation Program**

1. The brig provides a variety of recreation programs, including both passive and active activities. The recreation program shall include, but is not limited to, the following activities as long as good order and discipline are maintained:

a. Organized athletics:

(1) Kickball (no more than 9 persons to a team).
(2) Circuit Training.
(3) Soccer skills
(4) Jump rope.
(5) Catch Football (defined as ball thrown between 2 or more prisoners, no ultimate, flag, touch or regular football).
(6) Badminton
(7) Volleyball.

(8) Running on the track (No groups of 3 or more prisoners running together in a group).

(9) Ultimate Frisbee (No more than 10 prisoners to a team. One arm's distance rule is in affect).

(10) Table Tennis

(11) Corn hole

(12) Basketball: Horse, Around the World. The game "21" is not authorized.

***Note: All equipment will be used as intended (e.g., pull-up/chin-up bars are not used for "up and overs," etc.)***

b. Access to television. Television viewing is permitted from 1545 to Taps weekdays and 0800 to Taps on weekends and holidays. News channels will be aired each workday during the breakfast (0610-0800) and lunch periods (1100-1200). News channels will be aired on the Mess Decks during all meals. TV viewing will be IAW the approved TV schedule.

c. Movies.

d. Library usage.

e. Games (table games and personal games such as Crosswords/Sudoku).

f. Personnel Music Devices.

***NOTE: The game "Dungeons & Dragons" and any other fantasy games are not permitted. Fantasy sports leagues are not permitted. Gambling is not allowed and pieces from games may not be used as "chips."***

2. **Outdoor Recreation.** During authorized outdoor recreation periods, you may relax; participate in sports, etc., as list in article 913.a. You will not stand within six feet of gates, doors, or the fence line. You will return to your unit in line formation after being counted.

**913. Prisoner Communication Council**

1. The Prisoner Communication Council (PCC) meets on a monthly basis to hear questions, concerns, and take requests from the prisoners to the staff.

2. Representatives to the PCC are chosen by the Counselor from among volunteers in the unit. PCC representatives need to collect information from the unit (usually by placing a notice of the upcoming meeting and space for questions on the Quarters Supervisor's desk). Those inputs will be typed and presented to the Counselor for review before going to the PCC meeting. The purpose of the review is to ensure that only appropriate questions are forwarded to the meeting and also to keep the Counselor informed of the questions being asked at the PCC meeting.

3. The PCC does not consider questions about menu selection, or suggestions for future recreation activities. Those questions should be presented to the appropriate forum. (See Article 916)

4. After the PCC meeting, the relevant department heads and Technical Director meet to discuss issues raised. Recommendations will be made and forwarded to the AOIX and OIC. Once the OIC approves the responses to the questions posed, a PCC meeting will be held with the unit PCC representatives. The results will be signed by the Programs and Services Department Head and posted in the dorm binder for all to review.

**914. Prisoner Recreation Committee**

The Prisoner Recreation Committee was formed to gather creative ideas for recreation activities and to help run those events.

a. **Events.** Events normally are held quarterly. Events are advertised with two weeks' advance notice, if possible. Sign-up sheets are posted in the unit for about 72 hours to ensure ample time for all prisoners to respond. Sign-ups will normally be limited to about 100 maximum total participants. The exceptions to the guidelines above are picnics where everyone attends.

b. **Meetings.** Committee meetings are run by the committee and facilitated by the Recreation Supervisor. All ideas are welcome. The committee, in coordination with the staff, determines which ideas are feasible and which are to be forwarded to the chain of command for approval. If you have an idea, contact your unit's committee representatives.

(1) Committee meetings are held monthly or as needed.

(2) Menu review boards are held quarterly or as needed.

c. **Membership.** If you desire to be part of the Prisoner Recreation Committee, you shall submit a DD Form 510 to your Counselor. The Recreation Supervisor will then select unit representatives.

**915. Prisoner Visitation and Support (PVS)**

A non-profit organization that provides visitation to prisoners, who normally have little or no contact/visitors from outside of the facility. Submit a "Request for Interview (DD Form 510)" to the Chaplain, who simply maintains administrative oversight of the program. You will then be required to submit a letter directly to PVS, who will contact the facility for arrangement of visitation. The nature of these visits, specifically topics discussed, will be determined by you during the visit.

# APPENDIX A - AUTHORIZED HEALTH AND COMFORT ITEMS

ALL ITEMS WILL BE PURCHASED THROUGH THE BRIG STORE

| ITEM | QUANTITY |
|---|---|
| Barrettes (Service Authorized) | 4 (note 3) |
| Batteries (AAA/AA) | 12 (note 1) |
| Blistex/Chapstick | 2 |
| Body Powder | 1 |
| Boot Blouses (no metal) | 2 pair (note 1) |
| Boot Polish (Navy only) | 2 (note 1) |
| Brush, Hair | 1 |
| Brush, Shoe | 1 |
| Clipper, Fingernail/Toenail | 1 each |
| Comb, Hair Pick | 1 |
| Comb, Plastic (no rattails) | 1 |
| Cosmetic/Makeup brushes | 2 (notes 1, 2, 3) |
| Cotton Swabs | 2 |
| Crossword Puzzle/Sudoku/ Word Search | 3 (note 1) |
| Dental Floss | 1 |
| Deodorant (non-aerosol) | 2 |
| Disk Player (CD) | 1 (note 1, 6) |
| Do Rags/Scarves | 1 (note 1) |
| Emory Board (3 count package) | 1 package |
| Envelopes, Embossed with stamp | 40 |
| Envelopes, Manila (no brads) | 2 packages |
| Erasers | Not in use |
| | 1 |
| Eye Mask | 1 (note 1) |
| Foot Powder | 1 |
| Hair Conditioner | 1 |
| Hair Dressing/Moisturizer/Gel | 2 (note 1) |
| Hair Relaxer (use in barber shop) | 1 (notes 1, 3) |
| Hair Shampoo | 1 |
| Hair Ties | 1 package (note 3) |

| ITEM | QUANTITY |
|---|---|
| Earbuds | 1 (notes 1, 2) |
| Highlighters (non-toxic) | 1 package |
| Insoles 2 Pair | (note 5) |
| Lotion | 2 |
| Mouthwash (non-alcohol)<br>Pen (non-spring loaded, blue/black ball point) | 1<br>2 |
| Pencil | 2 |
| Pencil, Colored | 1 set (note 1) |
| Compact Disk Player | 1 **(note 6)** |
| Photo Album | 1 (note 1) |
| PT Shorts (Service Authorized only) | 2 |
| Razors, Electric (battery) | 1 (note 7) |
| Religious Scripture | 1 (note 4) |
| Sanitary Napkins/Tampons/Liners | 3 total packages |
| Shoes, Athletic | 2 pair (note 1, 6) |
| Shower Cap | 1 (notes 1, 3) |
| Shower Shoes | 2 pair |
| Sketch Pad | 1 (note 1) |
| Soap Bar/Body Wash | 4 total |
| Soap Dish | 2 (note 1) |
| Socks, White | 6 pair (note 1) |
| Stencil Marker | 2 |
| Sweatshirt (Service Authorized only) | 2 |
| Toothbrush | 2 |
| Toothbrush Holder | 2 |
| Toothpaste | 2 |
| T-Shirt (Service Authorized only) | 3 |
| Washcloths & Towels, White | 4 each |
| Weight Lifting Gloves | 1 pair (note 1) |
| Wrist Watch | 1 (note 1, 2) |
| Writing Tablets | 3 |

NOTES:

1. Items must be purchased with personal funds through the Brig Store's current items (does not include Brig issued PMD).
2. Incentive authorization required (to replace Brig issued PMD).
3. Females Only.
4. Through Chaplain's Office.
5. A total of 2 including those inside footwear.
6. May purchase through NEX or authorize vendor.
   Athletic shoes- Max $100 (No Turf or Black-Soled Shoes)
   Earbuds- Max $50; CD player Issued by Brig Library with a DD 510
7. May purchase alternative electric (Braun M90) or like with trimmer device

# APPENDIX B – UNIFORM REQUIREMENTS FOR CONFINEMENT

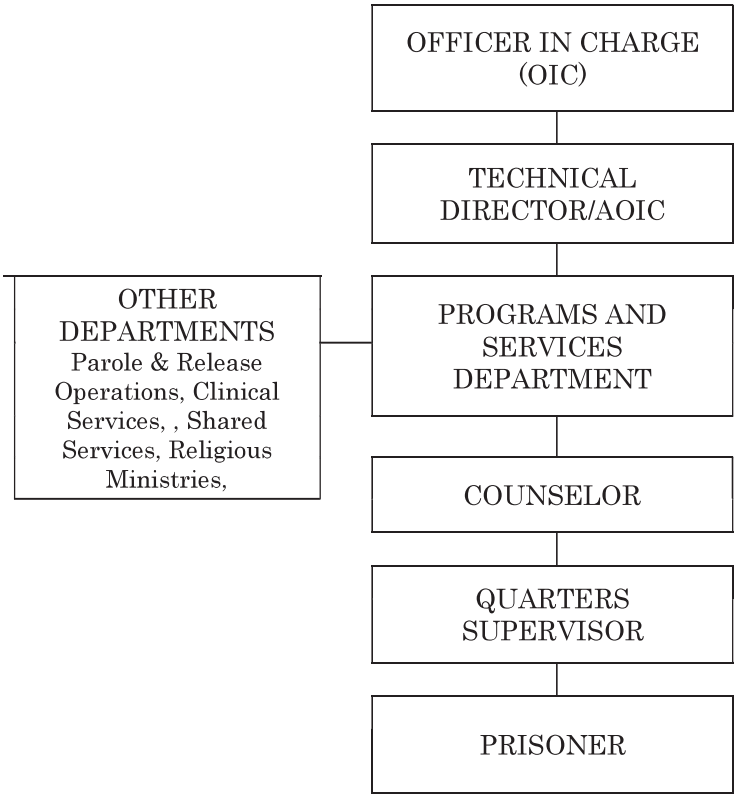
The following is a general list of minimum and maximum uniform requirements and allowances. All Pre-Trial prisoners and prisoners sentenced with no punitive discharge shall possess at least the minimum required, but no more than the maximum allowed. Service specific requirements can be found on the next 2 pages.

| APPENDIX B – UNIFORM REQUIREMENTS FOR CONFINEMENT | | | |
|---|---|---|---|
| **ITEM** **** ** All items shall be specific to each prisoner's military branch uniform regulations.** | **NOTES** | **MALE MIN/MAX** | **FEMALE MIN/MAX** |
| Sea Bag/Duffle Bag | | 1 | 1 |
| Dress Uniform (for Pre-Trial **only**, all components for one complete set) | | 1/1 | 1/1 |
| Cover (**no** command ball caps) | | 2/3 | 2/3 |
| Belts (**no** rigger- repel belts) | | 2/3 | 2/3 |
| Service Authorized Buckle | | 1/2 | ½ |
| Service Authorized Boots w/Laces | | 2/2 pairs | 2/2 pairs |
| Boot Straps | | 2/2 pairs | 2/2 pairs |
| Gym Shoes | | 1/1 | 1/1 |
| Service Authorized Jacket- NWU Field Jacket/Field Jacket/Foul Weather Parka II | | 0/1 | 0/1 |
| Service Authorized T-Shirts- short sleeve/long sleeve (**combined may not exceed max authorized amount**) | | 4/6 | 4/6 |
| Shower Shoes (black only, **no** logos) | | 1/2 | ½ |
| Shoe Polish Kit (Navy and Coast Guard **only**) | | 1/1 | 1/1 |
| Socks, Boot (**no** logos or ankle socks) | | 8/10 | 8/10 |
| Socks, White (**no** logos or ankle socks) | | 8/10 | 8/10 |
| Thermals (tops and bottoms) | | 0/2 | 0/2 |
| Towels (white, military styles **only**) | | 4/6 | 4/6 |
| Undershirts (cotton, wicking material authorized for Army **only**; **no** logos) | (1) | 6/10 | 6/10 |
| Underwear/Panties (white, sand color also authorized for Army **only**) | | 6/10 | 6/10 |
| Underwear, Brassieres/Sports Bras (Females Only) (white or beige, **no** wire) | | N/A | 5/8 |
| | | | |

NOTES:

1. Service specific authorized color only.

## APPENDIX C – PRISONER CHAIN OF COMMAND




1. USN/USA/USMC/USAF Liaison will be included when the issue is service-specific.

# APPENDIX D – INCENTIVE LEVELS

| Criteria | Incentives |
|---|---|
| **LEVEL I** | |
| Based on performance and behavior evaluated over a 2-week period including Orientation | |
| • Completion of Orientation<br>• No D&A Board "guilty" finding for rules violation in past 2-week period<br>• "Average" or better Work and Training Report(s) in past 1-month period<br>• Active involvement in the development of a program plan (Post-trial prisoners) | • Light on in cell past taps until mid-night (read, write letters, etc.) |
| **LEVEL II** | |
| Based on performance and behavior evaluated over a 3-consecutive week period beginning after Level I placement date. | |
| • No D&A Board "guilty" finding for rules violation in past 3-week period<br>• No more than 1 Negative Observation Report in the 1-week period<br>• No more than 4 Negative Hard Card entries in past 3-month period<br>• No Work and Training Report(s) rating below "average" in past 3-month period<br>• Active involvement and progress in program plan (post trial prisoners) | • Level I Incentives<br>• Up to 15 minutes' additional visitation time before normal visiting hours. Noted on weekly visitation list<br>• Authorized to wear approved wrist watch*<br>• Authorization for two battery operated personal grooming devices<br>• a battery powered alarm clock*<br>• Calendar* |

| Criteria | Incentives |
|---|---|
| **LEVEL III** | |
| Based on performance and behavior evaluated over a -consecutive 4-week period beginning after Level II placement date. | |
| • No D&A Board "guilty" finding for rules violation in past 6-week period<br>• No more than 1 Negative Hard Card entries in past 1-week period<br>• No Work and Training Report(s) rating below "average" in past 6-week period<br>• Compliance with Program Plan, including educational, vocational and counseling programs (Post-Trial Prisoners)<br>• Active involvement and progress in program pan (post trial prisoners | • Level II Incentives<br>• Up to 30 minutes' additional visitation time before normal visiting hours. Noted on weekly visitation list<br>• Authorization for Personal Music Device-CD player**<br>• 10 CDs*<br>• Authorized to use Personally purchased CD player during outside recreation time.<br>• 30 extra photos or a digital photo Album/book (up to 100 pictures), (counts as a book).<br>• One book, magazine or workout schedule and pencil to Rec. Call<br>• Watch TV in the Dayroom until 2400 (females can use MPR T.V as a 2nd T.V.) |

**NOTES:**
***Items must be purchased using your personal funds. If brought to the brig at arrival and stored in the your storage bin, items must be cleared by staff prior to release to you.**

****** **CD Players will be issued through the brig Library.**

| GROUP INCENTIVES | |
|---|---|
| Based on performance and behavior of an identified group on at least one criteria evaluated over a designated period of time | |
| • Highest average score for unit/personnel inspection | • Late night movie on Friday night<br>• Extra 30 minutes Recreation Call (Weather permitting) |

## APPENDIX E – FACT SHEET FOR PRISONER VISITATION

These rules are designed in the interest of good order and safety of you, the visitor, and the you. You benefit from frequent visits with family and friends.

1. Visitation Hours: Saturday, Sunday, and Federal Holidays
   Check-in: 1230-1245 Visit: 1300-1500

2. Visitation Address: NAVCONBRIG CHESAPEAKE
   1548 WILDERNESS ROAD
   CHESAPEAKE, VA 23322

3. Contact Numbers: (757)-421-8000 Northwest Annex Quarterdeck
   (757)-421-8674 NAVCONBRIG Quarterdeck
   (757)-421-8675 NAVCONBRIG Control Center

4. Local Transportation: No local transportation methods available

5. I.D. Requirements: All visitors must have appropriate identification that includes a photo. Examples: Dependent I.D. card, driver's license, passport.

6. All visitors (including children) must be pre-approved for visitation prior to Visitation Call. Visitors who arrive with unauthorized children will be turned away.

7. Lockers are provided for visitors to place handbags, diaper bags, coats, packages, etc.

8. You are not permitted to exchange any objects with visitor(s) at any time. Do not have your visitor bring anything to the brig without prior approval of the Operations Officer. Any item (such as a money order, not personal articles) pre-authorized to be delivered or exchanged, must be turned over to the Receive and Release Supervisor, who will check the article, return it to the visitor or place it in storage for eventual delivery to the Operations Officer.

9. You are permitted a brief embrace, kiss, or handshake at the beginning and the end of each visit. Holding hands (above table) is permitted during the visit. No other physical contact is permitted.

10. You are permitted to hold your children (under age 5).

11. Visitors with children may bring two small toys/books. These items must be approved by the Visitation Call Supervisor. No other items, including infant car seat, strollers, or activity mats are permitted. Children will not be fed or nursed during the visitation. Private rooms are available for breastfeeding (contact the Visitation Call Supervisor). The visit will be placed on hold for duration of feeding/breastfeeding.

12. Special Rules for Children: Visits by persons under the age of 18 will not be permitted unless accompanied by one of their parents/guardians. Exceptions can be made in the case of your spouse/legal dependents, if the dependents are accompanied by an adult. Adolescents (nine years of age or younger) are not required to possess a picture ID, but must be accompanied by an adult who is positively identified. Those convicted of sexual offenses involving a minor (under

the age of 18) may not visit with minors without approval of the Commanding Officer/OIC on recommendation of the Clinical Services Staff.

13. You are responsible for the conduct of their visitors. Children are the responsibility of the visitor.

14. Unmarried visitors under the age of 18 must be accompanied by their parent/guardian.

15. The following civilian attire is considered inappropriate for visitation:

a. Military clothing with ownership markings

b. Tank-top shirts

c. Cut-offs/unhemmed shorts/short shorts (shorts that reveal any portion of the buttocks.)

d. Bare feet

e. Rubber shower shoes

f. Halter tops which display the bare midriff

g. Any clothing revealing under garments or which are see-through

h. White undershirts as outer garments

i. Uncovered hair rollers

j. Any clothing or dress appearance that could affect good order and discipline as determined by the CDO

16. Intoxicated or impaired visitors will not be permitted to visit.

17. Up to three visitors are allowed to visit a you at a time (each table in visitation only accommodates a total of 4 people).

18. Visitors using profanity, making lewd gestures, or behaving lasciviously will have their visit terminated.

19. You are allowed to have in their possession during Visitation:

a. Wedding Band

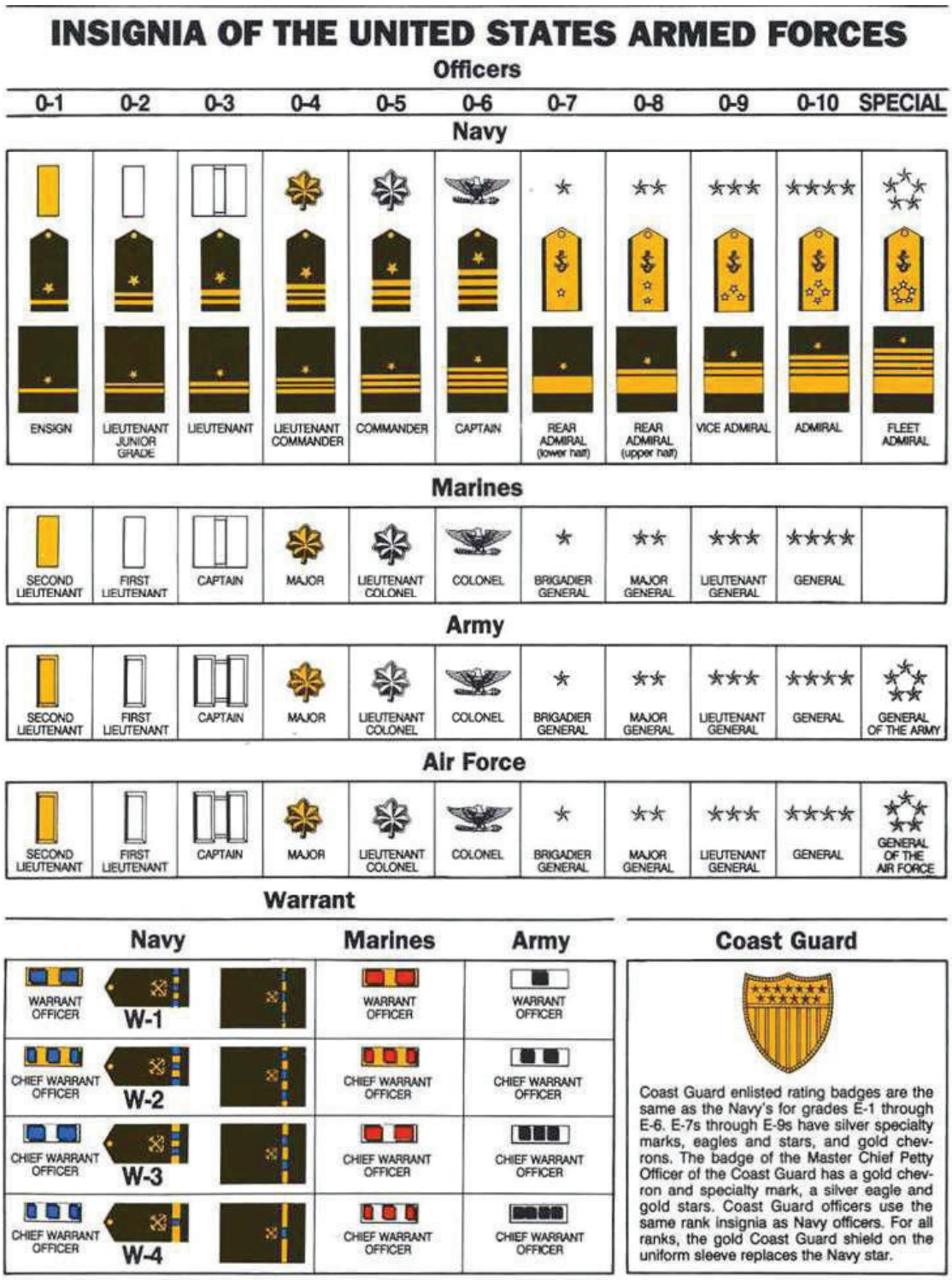
b. 1 pair of Eyeglasses

c. Applicable DD Form 510 (Receiving money, uniforms, etc.)

20. Violation of prisoner rules will result in the visit being terminated and possible restriction placed on future visits.

# APPENDIX F – RANK CHART

| | NAVY | ARMY | AIR FORCE | MARINE CORPS | COAST GUARD |
|---|---|---|---|---|---|
| E-1 | Seaman Recruit | Private | Airman Basic | Private | Seaman Recruit |
| E-2 |  Seaman Apprentice |  Private E-2 |  Airman |  Private First Class |  Seaman Apprentice |
| E-3 |  Seaman |  Private First Class |  Airman First Class |  Lance Corporal |  Seaman |
| E-4 |  Petty Officer Third Class |  Corporal  Specialist |  Senior Airman |  Corporal |  Petty Officer Third Class |
| E-5 |  Petty Officer Second Class |  Sergeant |  Staff Sergeant |  Sergeant |  Petty Officer Second Class |
| E-6 |  Petty Officer First Class |  Staff Sergeant |  Technical Sergeant |  Staff Sergeant |  Petty Officer First Class |
| E-7 |  Chief Petty Officer |  Sergeant First Class |  Master Sergeant First Sergeant |  Gunnery Sergeant |  Chief Petty Officer |
| E-8 |  Senior Chief Petty Officer |  Master Sergeant First Sergeant |  Senior Master Sergeant First Sergeant |  Master Sergeant First Sergeant |  Senior Chief Petty Officer |
| E-9 |  Master Chief Petty Officer |  Sergeant Major |  Chief Master Sergeant First Sergeant |  Sergeant Major |  Master Chief Petty Officer |
| |  Fleet/Command Master Chief Petty Officer |  Command Sergeant Major |  Command Chief Master Sergeant |  Master Gunnery Sergeant |  Command Master Chief Petty Officer |
| Special |  Master Chief Petty Officer of the Navy |  Sergeant Major of the Army |  Chief Master Sergeant of the Air Force |  Sergeant Major of the Marine Corps |  Master Chief Petty Officer of the Coast Guard |




There are no warrant officers in the Air Force.

# APPENDIX G – OFFENSES AND PUNISHMENTS

**General**

Violations are divided into five categories. Each category has recommended maximum disciplinary and management actions. These actions may be exceeded, if one of the following conditions is met:

a. The Discipline and Adjustment (D&A) Board member believe the maximum level should be exceeded due to unusual circumstances. The D&A Board chairperson describes in writing to the AOIC the reasons for recommending actions that exceed the category level.

b. The D&A Board may recommend actions not to exceed the next higher category of the latest offense if you have two or more guilty findings (during separate board proceedings) within a 90-day period.

c. The maximum recommended disciplinary and management actions for each category of offense is listed below. A definition of each offense is given at the end of this attachment.

**CATEGORY I - OFFENSES**
Aiding another (of Cat I offenses)
Attempt (of Cat I offenses)
Being Unsanitary or Untidy
Loitering
Running

**DISCIPLINARY ACTIONS**
Reprimand
Loss of privileges (LOP) not to exceed (NTE) 30 days
14 days extra duty (not to exceed 2 hours per day)
Disciplinary Segregation NTE 15 days
Forfeiture of 14 days GCT

**MANAGEMENT ACTIONS**
Suspension of any actions Not to Exceed NTE 180 days
Vacation of any previously suspended actions
Work assignment or unit change
Incentive level reduction
Custody review/reduction
Change to continuous employment date (automatic if awarded DSEG)
Reduction to negative OR
Other recommendations considering extenuating circumstances and the violation

**CATEGORY II - OFFENSES**
Aiding another (of Cat II offenses)
Attempt (of Cat II offenses)
Cell alteration
False Statement
Malingering
Sleeping on duty
Staff Harassment
Suffering Loss of Property
Unauthorized Ordering

**DISCIPLINARY ACTIONS**
Reprimand
LOP NTE 45 days
Extra Duty NTE 14 days, 2 hours per day
Disciplinary Segregation NTE 30 days
Forfeiture of GCT NTE 30 days

**MANAGEMENT ACTIONS**
Suspensions of any above actions NTE 180 days
Vacation of any previously suspended actions
Work assignment/unit change
Incentive level reduction
Custody review/reduction
Change to continuous employment date (automatic if awarded DSEG)
Reduction to negative OR
Other recommendations considering extenuating circumstances and the violation

**CATEGORY III - OFFENSES**
Academic Misconduct
Aiding another (of Cat III offense)
Assault (Threatening)
Attempt (of Cat III offenses)
Breach of Peace
Contact between Male and Female Prisoners
Damaging or Destroying property
Disobedience
Disorderly Conduct
Funds Manipulation
Gambling
Larceny
Medicine misuse
Mutilation
Out of place
Procession of stolen property
Prohibited property

**CATEGORY III - OFFENSES CONTINUED**
Provoking Words or Gestures
Rations Misuse – Confinement Facility
Rules Violation
Trafficking
Unauthorized contact
Unauthorized use of mail or telephone
Unauthorized writing

**DISCIPLINARY ACTIONS -**
Reprimand
Loss of privileges (LOP) NTE 60 days
Extra Duty NTE 14 days, 2 hours per day
Disciplinary Segregation NTE 30 days
Forfeiture GCT and/or ET Abatement NTE 90 days

**MANAGEMENT ACTIONS**
Suspension of any above actions NTE 180 days
Work assignment/unit change
Incentive level reduction
Custody review/reduction
Change to continuous employment date (automatic if awarded DSEG)
Reduction to negative OR
Other recommendations considering extenuating circumstances and the violation

**CATEGORY IV - OFFENSES**
Aiding another (of Cat IV offenses)
Assault (if committed with a weapon)
Assault Consummated by Battery
Attempt (of Cat IV offenses)
Bribery/solicitation
Communicating a Threat
Communications Tampering
Conduct which threatens
Counterfeiting
Disrespect
Extortion
Indecent Exposure
Interfering with Count
Larceny (taking of government property)
Lock Tampering
Medicine misuse
Out of Place (if operations are ceased and a special count is conducted)
Possession of Stolen Property
Profiteering/Racketeering
Resisting forced cell moves

**CATEGORY IV – OFFENSES CONTINUED**
Sex Offender contact with minor children
Sexual misconduct
Victim Witness
Violation of reference SECNAVINST 1640.9 (Navy Corrections Manual)

**DISCIPLINARY ACTIONS**
Reprimand
LOP NTE 60 days
Extra Duty NTE 14 day, 2 hours per day
Disciplinary Segregation (indefinite) normally NTE 60 days
Forfeiture of all GCT and/or abatements

**MANAGEMENT ACTIONS**
Suspension of any above actions NTE 180 days
Work assignment/unit change
Incentive level reduction
Custody review/reduction
Change to continuous employment date (automatic if awarded DSEG)
Reduction to negative OR
Other recommendations considering extenuating circumstances and the violation

**CATEGORY V - OFFENSES**
Aiding another (of Cat V offenses)
Arson
Assault (on a Staff Member)
Assault Consummated by Battery (on a Staff Member)
Attempt (of Cat V offenses)
Bribery (committed against a staff member)
Disrespect (if committed against a Commissioned Officer)
Escape
Intoxicants
Possession, Introduction, or Use of a Weapon
Resisting Force Cell Moves
Solicitation
Violation of reference SECNAVINST 1640.9 (Navy Corrections Manual)

**DISCIPLINARY ACTIONS**
Reprimand
LOP NTE 60 days
Extra Duty NTE 14 days, 2 hours per day)
Disciplinary Segregation (indefinite, normally NTE 60 days in any one period)
Forfeiture of all GCT and/or abatements

**MANAGEMENT ACTIONS**
Suspension of any above actions NTE 180 days
Work assignment/unit change
Incentive level reduction
Custody review/reduction
Change to continuous employment date (automatic if awarded DSEG)
Reduction to negative OR
Other recommendations considering extenuating circumstances and the violation

**DEFINITIONS OF OFFENSES**

The laws, rules and regulations applicable to confinement are too numerous to quote in their entirety. Copies of appropriate Service instructions/regulations, the Uniform Code of Military Justice (UCMJ/Manual for Court-Martial) and other regulatory guidance applicable to confinement may not be available to you. This list describes some of the offenses. This is not a complete list of offenses for which you may be disciplined. The UCMJ also applies to all military prisoners housed in confinement facilities.

1. **Academic Misconduct (Category III Offense).** Missing class through design or misconduct, cheating, or assisting another to cheat on any academic or vocational training examination, disrupting an academic or vocational training session.

2. **Aiding Another (Category I, II, III, IV, or V Offense).** Conspiring with, soliciting, or aiding another to commit or attempt any prohibited act, to include failing to report a prohibited act. The level of offense will be the same as the prohibited act.

3. **Arson (Category V Offense).** Igniting any item, which could cause personal injury or damage to any property.

4. **Assault (Category III, IV, and V Offense).** To attempt to offer to do bodily harm to another with unlawful force or violence, with apparent ability to do so. Category IV offense, if with a weapon or consummated by battery. Category V offense, if against a staff member.

5. **Assault Consummated by Battery (Category IV or V Offense).** To intentionally and without consent, strike, touch, or apply force to a person, either, directly or indirectly, resulting in either bodily harm or an offensive touching of any form. Category V, if committed against a staff member.

6. **Attempt (Category I, II, III, IV, or V Offense.** Any attempt to do a prohibited act, including any steps or preparation necessary to accomplish the prohibited act. The category level of the attempted offense will be the same as the prohibited offense.

7. **Being Unsanitary or Untidy (Category I Offense).** Failing to keep one's person, clothing, or living area sanitary and in accordance with prescribed standards. This offense includes littering of common use areas, etc.

8. **Breach of Peace (Category III).** Use of rough (offensive), loud, profane, boisterous language or action, which disturbs or threatens the peace and good order of the confinement facility.

9. **Bribery (Category IV Offense).** Asking, offering, rendering, accepting or receiving anything of value, this includes personal services, with intent to influence another to make a decision or commit an act that is prejudicial to the good order and discipline. Category V, if committed against a staff member.

10. **Cell Alteration (Category II Offense).** Making unauthorized changes to living quarters such as, but not limited to, moving furniture, painting or marking walls, hanging items to block view into the living area, or affixing shading devices to lights, or obstructing the intercom and/or public address system.

11. **Communicating a Threat (Category IV or V Offense).** Communicating verbally, in writing, or by physical gestures intended to, or which may reasonably be expected to intimidate or threaten another, either directly or indirectly. This includes conditional threats or intimidation. Category V, if against a staff member.

12. **Communications Tampering (Category IV Offense).** Tampering with any part of a radio jack, headset, television, telephone, etc.

13. **Conduct Which Threatens (Category III Offense).** Any conduct which interferes with the orderly running, safety, good order, and discipline or security of the facility.

14. **Contact between Male and Female Prisoners (Category III Offense).** Any physical contact between male and female prisoners is prohibited, except within scope of duties. Verbal communication between male and female prisoners is prohibited except, as necessary on a detail, or at official confinement facility programs. Written correspondence is covered in the unauthorized writing rule. Female and male prisoners will not socialize during fellowship times at religious services or gatherings.

15. **Counterfeiting (Category IV Offense).** Knowingly making, submitting, reproducing, or altering any signature, writing, document, article, or identification, money, security, or official paper without proper authority.

16. **Damaging or Destroying Property (Category III Offense).** Defacing, altering, or destroying property belonging to the government, or belonging to an individual. Anything issued to a prisoner is government property (e.g., corrections operating instruction, identification badges, cell furnishings, clothing, and all equipment). This offense also includes marking, defacing, or destroying any posted instructions/orders.

17. **Disobedience (Category III Offense).** Disobeying an order given by civilian or military personnel in the performance of their duties, to include failure to comply with any order in a timely manner.

18. **Disorderly Conduct (Category III Offense).** Conduct of such nature as to affect the peace and quiet of individuals, or who may thereby be disturbed or provoked to resentment. This charge could encompass all participants in a fight, regardless of who started the fight, or against individuals who engage in disruptive conduct such as trashing the confinement facility (e.g., throwing things on the floors, or flooding the facility by any means).

19. **Disrespect (Category IV and V Offenses).** Being disrespectful in language or actions toward or about any member of the military service confinement staff or commissioned officers, or other person of authority. Disrespect may consist of behavior that detracts from the respect due the authority and person of a facility staff member. It includes acts or language, however expressed. Abusive epithets or other contemptuous or denunciatory language may convey disrespect by words. Disrespect by acts includes showing a marked disdain, indifference, insolence, impertinence, undue familiarity or other rudeness in the presence of a staff member. Category V, if committed against a commissioned officer.

20. **Escape (Category V Offense).** Leaving custodial control without authority, including departing the corrections facility, detail, escort, housing unit, or job site, or failing to return from temporary or emergency home parole.

21. **Extortion (Category IV Offense).** Demanding or receiving anything of value, to include personal services from another, by threatening to harm or exposure to authorities, or disgrace, etc.

22. **False Statement (Category II Offense).** Signing, with the intent to deceive, any false record, return, order, regulation or other official document, knowing it to be false, or making any other false official statement knowing it to be false. This includes lying to a staff member about an official matter, either verbally or in writing, including signing or printing the name of another on any official document without authority of correctional facility officials.

23. **Funds Manipulation (Category III Offense).** Directly or indirectly transferring money or negotiable instruments, including, but not limited to, checks and money orders to another, except as specifically authorized. Receiving money or negotiable instruments from a person or persons is identified as a prohibited source for funds.

24. **Gambling (Category III Offense).** Participating in games of chance for anything of value, to include personal services. Use of authorized recreational equipment for games of chance, or operating of any gambling pool. Possession of gambling paraphernalia.

25. **Indecent Exposure (Category IV Offense).** Intentionally exhibiting one's sexual organs, bare buttocks, or in the case of a female, bare breast, to another or to public view.

26. **Interfering with Count (Category IV Offense).** Delaying or interfering with count, including failing to timely move to assigned cell or area when lockdown is ordered or otherwise failing to assume a position in accordance with an order or this regulation so as to be readily visible to staff.

27. **Intoxicants (Category V Offense).** Possession, introduction, manufacture, or use of any narcotic, narcotic paraphernalia, drug, or intoxicant not prescribed by the medical staff.

28. **Larceny (Category III or IV Offense).** The taking, obtaining, or withholding from the possession of the owner or another without authority, money. Property or article of value of any kind. All articles or property, individually or government-owned, that are deposited in a trash receptacle within the grounds of the facility will be considered owned and in the possession of the government until departure of said property from the grounds of the facility. All articles of property deposited in the trash receptacle under this paragraph will be considered to be of the same value. Taking of government property is a Category IV offense.

29. **Lock Tampering (Category IV Offense).** Tampering with locking devices or other security equipment, to include obstructing doors to prevent them from locking or unlocking.

30. **Loitering (Category I Offense).** Lingering, moving slowly, stopping, or pausing in any area during individual or mass movement. Taking more than the prescribed time to consume a meal.

31. **Malingering (Category II Offense).** Avoiding any responsibility, requirement, or order by feigning illness, physical disablement, mental lapse, or derangement, includes abuse of sick call; or inflicting self-injury or removing stitches and bandages without authority.

32. **Medicine Misuse (Category III Offense).** Use, possession, or storage of medicine, except as authorized by the confinement medical staff. Failure to take medication as prescribed by medical staff.

33. **Mutilation (Category III Offense).** Tattooing, piercing, marking, or maiming any part of the body or another person's body.

34. **Out of Place (Category III or IV Offense).** If a prisoner is not at his/her designated detail, unit, scheduled appointment, religious activity, recreational activity, or dining area, and is not on pass or under escort, he/she is out of place. If a prisoner is not where he/she is supposed to be, he/she is out of place. This includes prisoners who deviate from the most direct authorized route from one authorized location to another.

35. **Possession, Introduction, or Use of a Weapon (Category V Offense).** Construction, introduction, possession, or the use of weapons is expressly forbidden. Weapons include, but are not limited to: guns, knives, clubs, brass knuckles, saps, blackjacks, and hard object(s) in a sock or similar container, or any item modified so it could be used as a weapon (e.g., modifying a disposable razor to expose the cutting edge, or placing a bar of soap in a sock).

36. **Possession of Stolen Property (Category III or IV Offense).** Having on one's person or in one's living area property belonging to another or the government, which has been stolen. While actual knowledge that the property was stolen is required, such knowledge may be inferred and proved by circumstantial evidence. Category IV offense if government property has been stolen.

37. **Profiteering/Racketeering (Category IV Offense).** The loaning, buying, selling, transferring, receiving, lending of property, services, or anything of value for profit, increased return, or something of value.

38. **Prohibited Property/Contraband (Category III Offense).** Anything not specifically authorized by proper authority to be in a prisoner's possession is prohibited. Prisoners must obtain and keep written permission from the corrections officer, or authorized representative, to possess any item not authorized by facility policy or staff. Any item not specifically authorized and found in a prisoner's possession while outside the unit will be considered prohibited property. Possession of property obtained from trash receptacles, or that which was discarded in any other way by other prisoners or staff is prohibited. Property that has been altered from its original form without facility authorization will be considered prohibited property.

39. **Provoking Words or Gestures (Category III Offense).** Verbal or written communications or physical gestures that may anger, irritate, or incite another to induce a breach of peace under the circumstances.

40. **Rations Misuse – Corrections Facility (Category III Offense).** Use of any ration in any manner for which it was not intended, such as throwing a ration item, using rations to make intoxicants, using rations in other illegal acts, wasting rations, or adding foreign substances to rations.

41. **Resisting Forced Cell Moves (Category IV or V Offense).** Any action taken to impede, resist, or interfere with the actions of a forced cell move team, including, but not limited to, trying to keep the cell door closed, throwing objects at the team, attempting to grab team members while in the performance of their duties. Any action taken that causes the Command Emergency Response Team (CERT) to be activated, even if it is not used, is a category IV offense.

42. **Rules and Violation (Category III Offense).** Violation of any posted or published confinement facility rule. This includes, but is not limited to, the rules of instructions posted in units, details and other offices/work areas, limitations imposed by recreation

restriction, quarters and medical profiles, the terms of minimum custody, installation custody, or trustee pledges, visitation rules, and requirements not otherwise specified as institutional offenses.

43. **Running (Category I Offense).** Running anywhere inside the confinement facility is prohibited, except as appropriate when engaged in authorized recreational activities, or as part of the confinement-training program.

44. **Sex Offender Contact with Minor Children (Category IV Offense).** Prisoners who committed sexual offenses with minor children are prohibited from having contact, whether written, telephonic, or in person, directly or indirectly, with minor children unless written approval is granted by the facility commander or designee authorizing contact.

45. **Sexual Misconduct (Category IV Offense).** Soliciting, threatening, or engaging in sexual or lewd conduct with another. Masturbation in open/plain view or continuing to masturbate in view of staff is considered sexual misconduct.

46. **Sleeping on Duty (Category II Offense).** Falling asleep or appearing to fall asleep at a detail or place of duty.

47. **Solicitation (Category V Offense).** Asking, requesting or suggesting a staff member to perform any act, or give, provide or make available any item for the prisoner that is outside the staff member's normal performance of duty.

48. **Staff Harassment (Category II Offense).** Any comment, conversation, question, or other communication (verbal or non-verbal expressions) intended to or which may reasonably be expected to anger, irritate, or demean a staff member. Such communications will be considered staff harassment, when directed to staff member or to another, and overheard or observed by a staff member.

49. **Suffering Loss of Property (Category II Offense).** Loss of property due to carelessness, to include loss of property due to unsecured lockers within the living areas, whether or not the prisoner is present.

50. **Trafficking (Category III Offense).** Selling, buying, trading, giving, receiving, or lending any item within the confinement facility is prohibited except as specifically authorized by the proper authority.

51. **Unauthorized Ordering/Receiving (Category II Offense).** Purchasing or ordering goods or services that are not authorized, or purchasing or ordering goods or services in a manner that is prohibited or not authorized.

52. **Unauthorized Contact (Category III Offense).** Any contact or communications by a prisoner with confinement staff members, or installation employees, other than during the normal course of duty performance, or during a corrections facility sponsored

activity, is prohibited. This includes having a family member contact facility staff on behalf of the prisoner. Prisoners are also prohibited from communicating with, or having contact with prisoners confined in other institutions, former facility prisoners, or former staff members, except as authorized in advance through a request by the prisoner concerned to the facility Commanding Officer/OIC or Designee.

53. **Unauthorized Use of Mail (Category III Offense).** Using the mail or telephone for unauthorized purposes as specified by law, regulation or corrections facility rules.

54. **Unauthorized Writing (Category III Offense).** Writing, disturbing, or possessing any written motto, creed, saying, or drawing within the prisoner population, whose content is designed to or could disrupt the corrections facility by encouraging strikes, riots, fights, racial, or religious hatred, or other prohibited acts.

55. **Victim Witness (Category IV Offense).** Unauthorized contact or communicating with, directly or indirectly, or causing another to contact any individual who qualifies as a prisoner's victim or witness is prohibited.

56. **Violation of the Uniform Code of Military Justice (Category IV and V Offenses**). Violation of any punitive articles of the UCMJ, regardless of whether the misconduct violates a corrections facility rule. Category V, if the violation meets the specifications for any Category V Offense.

## APPENDIX H – INSTRUCTIONS FOR ORDERING BOOKS

**Unacceptable Conditions – Books CANNOT:**

- Be mailed in directly from any person to you; they must come directly from an authorized source (already defined)
- Be incomplete copies. (Full text must be sent)
- Be unofficial publication (e.g. saved/copied date from a CD)
- Have a wire binding
- Include any other media such as cassette tapes, CDs, or DVDs (unless pre-approved for a college correspondence course as described below)
- Include any sexually explicit material (nudity depicting areola/nipples and/or vaginal/anal openings)
- Violate any postal regulations
- Depict or describe procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices
- Depict, encourage, or describe methods of escape from confinement facilities
- Contain blueprints, drawings, or similar descriptions of confinement facilities
- Contain or be written in code
- Depict or describe procedures of brewing of alcoholic beverages or manufacture drugs
- Depict, describe or encourage activities which may lead to the use of physical violence or group disruption
- Advocate racial, religious, or national hatred in such a way as to encourage violence in the facility
- Encourage or instruct in the commission of criminal activity

***NOTE: Should materials be sent to the brig that do NOT meet these standards, you will be required to pay for the cost of mailing them home or the items will be discarded. Naval Consolidated Brig Charleston, Detachment Chesapeake assumes no responsibility if the book seller did not properly advise you on the condition of contents of the order. You may be able to return a book to the seller and get reimbursed.***

**Required Actions.**

You must have pre-approval from Programs and Services to receive any publications. Submit a DD Form 510 via P&S with following information: any titles you plan to receive, and the name of the bookstore, website, or seller who will be mailing in the item(s).

**Address to have the item shipped to:**
**Your Name**
**PO Box 800**
**Chesapeake, VA 23322**

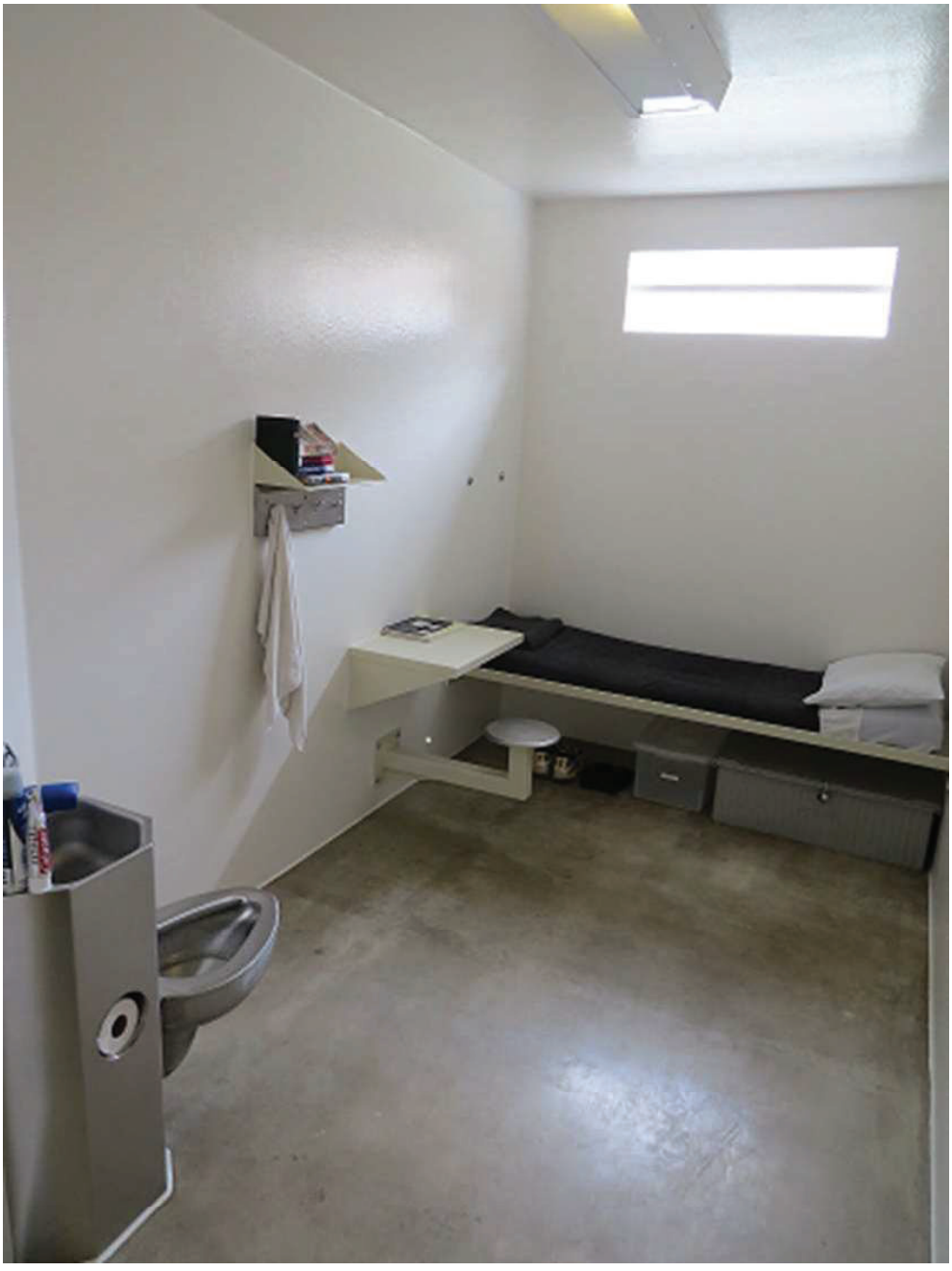
**Purchasing Books**

Books must be purchased from recognized book companies (i.e. Amazon, Barnes and Noble, Harvest) unless the books are for a pre-approved college correspondence course using a different source. (See related paragraph below)

New books must be mailed directly from these sources (Amazon, Barnes and Noble, or the correspondence course source), not from your own address. These sellers allow you to ship to a separate address. You will be asked for both a shipping address and a billing address during the checkout process.

## APPENDIX I – CELL AND UNIFORM MANAGEMENT

Below are pictures of the required cell layout.

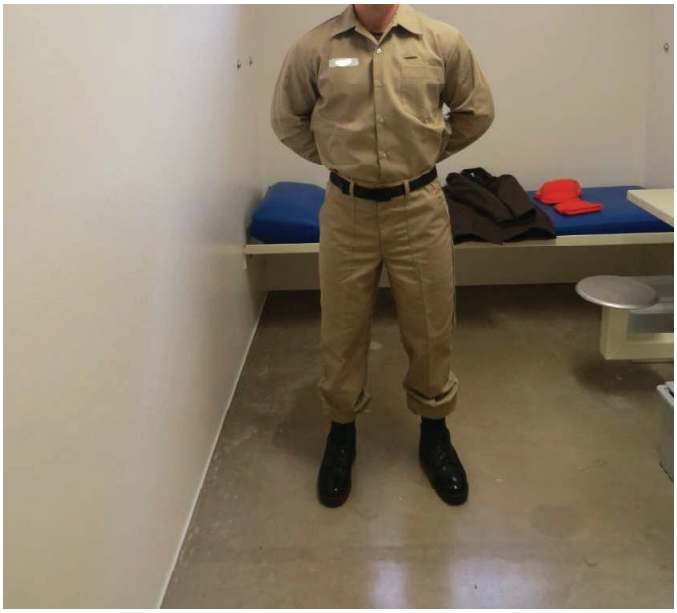








Female Uniform



Male Uniform

# APPENDIX J- NAVCONBRIG CHESAPEAKE ZERO TOLERANCE POLICY

**DEPARTMENT OF THE NAVY**
NAVAL CONSOLIDATED BRIG CHARLESTON, DETACHMENT CHESAPEAKE
1548 WILDERNESS ROAD
CHESAPEAKE, VIRGINA 23322-4513

5401
Ser 00
7 Jan 21

From: Officer in Charge, Naval Consolidated Brig Charleston, Detachment Chesapeake
To: All Hands

Subj: NAVAL CONSOLIDATED BRIG CHARLESTON, DETACHMENT CHESAPEAKE'S PRISON RAPE ELIMINATION ACT (PREA) ZERO TOLERANCE POLICY

1. Naval Consolidated Brig Charleston, Detachment Chesapeake has zero tolerance toward all forms of sexual abused and sexual harassment in the correctional setting. This facility will employ assertive and proactive measures to prevent, detect and respond to such conduct.

- Direct visual supervision of prisoners and staff
- Video and audio surveillance of prisoners and staff
- Prisoner intake screening and classification
- Staff, volunteer, and prisoner education and training
- Prompt investigation of all allegations
- Employing a same gender/"two-person integrity" concept during physically intrusive searches in the course of official duties
- Limit cross-gender supervision to maximum extent possible
- Take effective measures to mitigate the risk of sexual abuse in those instances where cross-gender supervision must occur during the performance of official duties

2. Corrections officers are often allowed to watch prisoners when they dress, shower, and use the toilet. Therefore, staff shall exercise great care to ensure that they do not invade your privacy for reasons unrelated to official duties. Additionally, staff members staff not:

- Engage in verbal degradation of prisoners under their supervision.

- Abuse their authority by offering privileges for sexual favors, coercing, vulnerable inmates or raping prisoners whose safety they are supposed to protect.

- Use visits with children, the need for hygiene products or food, access to schooling or employment and threats about release dates to coerce prisoners into unwanted sexual contact.

3. Sexual Assault is personal and destructive crime. Its effects can be psychological, emotional, and physical. Sexual abuse in confinement settings typically occur when no one is around to see or hear it, particularly at night and in areas that are difficult to monitor. These encounters are often cast as consensual relationship, or worse, considered to be the result of inmates manipulating staff. Additionally, perpetrators may try to hide behind the façade of family structures or other protective groupings. As a correctional professional, you must be aware of the abusive nature of many such relationships.

4. Be aware that each case is different and there is no “normal” reaction to a sexual abuse. With that in mind, staff shall accept reports made verbally, in writing, anonymously and from third parties and shall promptly document any verbal reports. As the first responder, you will employ your PREA training to control the situation, ensure the safety of other staff and inmates; separate the victim, alleged perpetrator and witnesses; and protect the crime-scene to prevent the contamination of evidence. You shall be vigilant, use good judgment, follow Standard Operating Procedures and policy, and get help when necessary to prevent prisoner rape and sexual abuse at Naval Consolidated Brig Charleston, Detachment Chesapeake.

W. P. SOMMER

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DEPARTMENT OF THE NAVY
NAVAL CONSOLIDATED BRIG CHARLESTON, DETACHMENT CHESAPEAKE
1548 WILDERNESS ROAD
CHESAPEAKE, VIRGINIA 23322-4513

UNITED STATES NAVAL CONSOLIDATED
BRIG CHARLESTON DET CHESAPEAKE
CODE: 20
DATE: 6 Dec 21

SOP: 402
SUBJECT: STAFF
TITLE: CUSTODY CLASSIFICATION

Ref: (a) SECNAV M-1640.1, Department of the Navy Corrections Manual
(b) NCBCDETCHESAPEAKESOP 401 Installation Custody
(c) American Correctional Association (ACA) Core Jail Standards (1ST Edition) with Supplement (Series); 1-CORE-2A-14, 1-CORE-2A-16, 1-CORE-2A-17

Encl: (1) Guidelines for Custody Reclassification Reviews at Navy Shore Brigs
(2) Prisoner Review Form
(3) Prisoner Special Move Report

1. Purpose. To provide a written classification plan. To set forth policies and procedures governing the process by which pre-trial/post-trial prisoners are objectively classified for their respective custody level.

2. Cancellation. This SOP cancels and replaces SOP 402 dated 17 March 2020 and should be read in its entirety.

3. Effective Date. Ninety-six hours after signature.

4. Applicability. To all staff and pre-trial/post-trial prisoners and especially staff involved in the pre-trial/post-trial prisoner classification process. **This SOP may not be released to prisoners**.

5. Definitions

a. Classification. A process for determining the level of security and program requirements for prisoners based on existing resources and prisoner assessments/evaluations/tests.

b. Custody. The degree of supervision required for each prisoner.

c. Constant. Constant is to be interpreted as "regularly and recurring."

d. Continuous. Without interruption or break, unbroken contact, constant visual observation.

e. Immediate. In direct contact or observation of staff at all times.

f. Prisoner. Refers to both pre-trial and post-trial prisoners, unless otherwise specified.

6. Policy

a. Custody classification shall be conducted per references (a). In making the appropriate custody classification level assignment, using an objective classification system, all facts and circumstances shall be considered including, but not limited to, the prisoner's: offense(s), history of violence, prior criminal history, detainers and warrants, sentencing status, escape history, institutional disciplinary history, substance abuse, stability factors (e.g., age, employment, residence, family ties), mental health evaluation, and quality of participation in treatment and educational programs (1-CORE-2A-14).

b. It is the policy of Naval Consolidated Brig Charleston (NCBC), Detachment Chesapeake to classify prisoners in a way that not only assures public safety but also provides for safe and humane treatment of prisoners.

c. An objective classification system is used to separate prisoners into groups to reduce the probability of assault and disruptive behavior. All prisoners are classified using an objective classification process that at a minimum:

(1) Identifies the appropriate level of custody for each prisoner.

(2) Identifies appropriate housing assignment.

(3) Identifies the prisoner's interest and eligibility to participate in available programs (1-CORE-2A-16).

d. The brig classification plan's objectives are:

(1) The objective categorization of each prisoner.

(2) The systematic decrease in supervision and corresponding increase in prisoner responsibility.

(a) Prisoners will be evaluated on the basis of specified behavioral criteria rather than on sentence, time served, or subjective judgments regarding attitude. This practice is intended to provide a systematic decrease in supervision and corresponding increase in responsibility as part of a graduated release process.

(b) It is not intended for prisoners to progressively be assigned a lower custody level in sequence, as classification levels may be skipped in order to properly classify at the level providing the least, or conversely the most, supervision that the prisoner may require.

(3) The brig's classification plan will be reviewed annually by the Programs and Services (P&S) Department head in order to monitor and evaluate if current objectives are being met.

(4) Objectives of custody classification system and its methods will be evaluated by the Navy Corrections and Programs office during periodic evaluations/ inspections, including any IG

inspection when assisted by Navy Corrections and Programs personnel, and internal observation conducted by the Executive staff.

e. When available, pre-institutional assessment information will be used in determinations for initial custody classifications. These assessments can be in the form of medical/clinical evaluations, civilian charges or adjudications, etc. Any additional information will be communicated in a timely manner until such time as the prisoner can be re-classified.

f. Any available information should be shared and sought to identify and monitor the movements and activities of prisoners who pose a significant concern to the safety, security and orderly management of the brig.

(1) Security, prisoner management, clinical services, executive staff and others expected to manage such prisoners must be aware of the concerns and all such information shared as soon as received and releasable.

(2) Prisoners who pose a significant concern include, but are not limited to, those with gang affiliations, those with sexual and other significant violence histories, or those associated in any way with domestic or international terrorism. Upon confinement, if a prisoner poses a significant concern, initial custody classification will be Maximum and the appropriate personnel notified by Command Duty Officer (CDO).

g. During initial classification by P&S, and when cleared by clinical and medical services, each prisoner will be assigned to orientation. The prisoner will then meet their Counselor. Prisoner assessments and evaluations will take place during this phase of Orientation.

(1) Unit staff will ensure supervision and personal contact is provided for all subsequent classifications and programming needs.

(2) Pre-trial prisoners will be housed together in a pre-designated area of the General Population Unit and be managed and re-classified by the Classification and Assignment Board (C&A Board) as a result of recommendations made by the Unit Counselor.

i. Prisoner management and housing unit assignment considers age, gender, legal status, custody needs, special problems and needs, and behavior. Male and female prisoners are housed in separate rooms/cells. Prisoners are separated according to existing laws and regulations consistent with the facility's classification plan (1-CORE-2A-17). Prisoner program plans will involve unit staff, facility program representatives and the prisoners concerned. Classification will include, at a minimum, mental and emotional stability, escape history, assaultive behavior, age and enemies of record. Prisoners will also be assessed utilizing the Adult Internal Management System (AIMS) to better determine their appropriate classification and level of supervision.

7. Procedures

a. Initial Custody Classification. All new arrivals will be classified "Medium-In" (MDI) or higher upon receipt. New arrivals will be placed in Special Quarters until cleared by senior command leadership (Officer-In-Charge (OIC), Assistant Officer-In-Charge/Technical Director (AOIC/TD) or designee. Clinical Services screening (including medical screen) occurs prior to this clearance. Initial custody classification will be conducted during the reception process by the Command Duty Officer (CDO) and R&R staff as follows:

(1) Utilize the Custody Classification Form (DD Form 2711).

(2) Establish initial custody classification as either "Maximum" (MAX) or MDI. Assign MAX custody prisoners to Special Quarters.

b. Custody Re-classification. Will usually be conducted after orientation is complete and no later than 90 days after initial classification by the C&A Board. In certain cases, prisoners assigned to Special Quarters Unit may be reclassified prior to assignment to Orientation.

(1) Use Custody Re-classification Form (DD Form 2711-1) initiated by prisoner's Unit Counselor with input from mental health and programs personnel, and other support staff. The Unit Counselor will present all re-classifications from their unit, along with the Prisoner Review sheet enclosure (2), to the C&A Board. Using the Corrections Information Management System (CORMIS), the Unit Counselor will annotate pertinent information on the DD Form 2711-1 to include: offense severity, number of Disciplinary Reports (DR), severity of DR's, number of negative Observation Reports (OR), current programming, work performance, length of sentence and, pending charges/warrants. The C&A Board's vote, rationale and recommended decision will be documented on enclosure (2), along with comments by Clinical Services in regard to treatment or concerns related to custody classification.

(a) Unless precluded for security or other substantial reasons, prisoners are permitted to appear at their classification hearing. Prisoners shall be notified in writing, enclosure (2) at least 48 hours in advance of classification boards. New arrival prisoners moving from Special Quarters will not require 48-hour notification.

(b) Prisoners may waive their right to attend classification boards, in writing.

(2) Prisoners may submit a DD Form 510, via the Unit Counselor, requesting a re-classification prior to their normally scheduled review date.

(3) Once the C&A Board recommends a change to a prisoner's custody level, the proposed custody re-classification will be briefed to the AOIC/TD or designee for final approval.

(4) P&S will notify Operations Department, input classification change(s) in CORMIS, upload the document(s) to CORMIS and deliver the original(s) to Parole and Release (P&R) to be filed in the prisoner record.

(5) R&R will issue new prisoner badges as required.

(6) Unit Counselor will notify prisoner of the final custody decision.

(7) Prisoners approved for transfer to a Navy level II facility, the United States Disciplinary Barracks or Federal Bureau of Prisoners with a sentence to confinement longer than authorized at NCBC Detachment Chesapeake, will not be classified to MAX custody and remain in that custody until through transfer to their approved confinement facility.

c. Schedule for Classification Reviews. Enclosure (1) and reference (a) detail the five specific levels of custody (MAX, MDI, "Medium-Out" (MDO), "Minimum" (MIN) & "Installation Custody" (IC)) and review periods based on sentence length. The goal is to assign prisoners to the least restrictive custody level necessary to maintain good order and discipline. This information is also provided to prisoners during the orientation process and is detailed in the Rules and Regulations booklet.

(1) Re-classification of prisoners will be scheduled by the Unit Counselor and reviewed at the C&A Board. Prisoner Re-classification of post-trial prisoners may be made sooner, but, at a minimum, shall occur at least quarterly. Pre-trail prisoners will not be classified below MDI. This information is also provided to prisoners during the Orientation process and is detailed in the Rules and Regulations booklet.

| SENTENCE LENGTH | RE-CLASSIFICATION REVIEW |
|---|---|
| All prisoners with sentences of 12 months or less | Quarterly |

(2) All prisoners, except MAX custody prisoners may be reviewed whenever initiated by staff recommendation to change custody classification to a higher/more restrictive level based on identification of risk factors and/or management problems (e.g., MDI to MAX). Staff should continually share and consider the most current information about prisoners who pose a safety/security risk on the brig when making decisions concerning their custody classification, movement and activities.

(3) Staff recommendation to change custody classification to a lower/less restrictive level based on performance or risk factors may be initiated on all prisoners except "Installation Custody" prisoners (e.g., MDI to MDO).

(4) Review Maximum custody prisoners every 30 days.

d. Custody Levels. Post-trial prisoners may be eligible for five custody classifications, MAX, MDI, MDO, MIN or IC in accordance with reference (a). Pre-trial prisoners **shall not** be assigned a MDO, MIN, or IC custody level.

e. Classification Appeal. A prisoner may appeal a classification decision by using the DD 510 Prisoner Request Chit via the /chain of command. The Officer in Charge will make the final determination of a prisoner's classification.

8. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1.



002037

9. Review and Effective Date. Per OPNAVINST 5215.17A, NCBC Detachment Chesapeake will review this instruction annually on the anniversary of the effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

10. Forms. The following forms are available at http://www.esd.whs.mil/DD/DoD-Issuances/.

a. DD Form 509 Inspection Record of Prisoner in Segregation

b. DD Form 510 Prisoner Request

c. DD Form 2711 Initial Custody Classification

d. DD Form 2711-1 Custody Reclassification

W. P. SOMMER

Releasability and distribution:
Electronic only, via NAVCONBRIG Charleston, Detachment Chesapeake share drive;
NWCH/ALL HANDS/SOP'S

## GUIDELINES FOR CUSTODY RE-CLASSIFICATION REVIEWS AT NAVY SHORE BRIGS

| CUSTODY RECLASSIFICATION REVIEW CRITERIA | PRE-TRIAL PRISONER | POST-TRIAL PRISONER |
|---|---|---|
| **At completion of orientation or upon change in legal status** | **"Maximum" Custody** | **All** |
| **Every 30 days** | **"Maximum" Custody** | **"Maximum" Custody** |
| **Initiated by staff recommendation to change custody classification to a higher/more restrictive level based on identification of risk/salient factors and/or management problems (e.g., "MDI" to "MAX")** | **"Medium-in" Custody** | **All except "Maximum" custody** |
| **Initiated by staff recommendation to change custody classification to a lower/less restrictive level based on performance or risk/salient factors (e.g., "MDI" to "MDO")** | [redacted] | **All except "Installation Custody"** |
| **Quarterly** | [redacted] | **"Medium-in," or those with sentences less than 1 year** |
| **Semi-annual** | [redacted] | **All with sentences of 1 to 3 years.** |
| | [redacted] | |

**DEPARTMENT OF THE NAVY**
**NAVY MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JEREMIAH COPELAND**<br>**CSSN/ E-3**<br>**USN** | **R.C.M. 701(a) DISCLOSURE** |

On 2 September 2025, CDR Lauren Mayo and LT Christopher Dempsey, JAGC, USN, interviewed CDR Brian Flanagan, USN, in the presence of Ms. Sharell Welch, RSC(AW) Amanda Cole, USN and LN1 Kathleen Vanetti, USN at RLSO MIDLANT. The following is a summary of the interaction and is not intended to be verbatim:

CDR Flanagan explained that CSSN COPELAND is currently in a maximum security confinement status (MAX), with some special conditions. As such, COPELAND is permitted to be out of his cell for three hours a day; one hour to clean the p-way and showers, one hour for personal time, and one hour for recreation. The hour to clean is a recent addition and is considered a "step down" from his full MAX status and is permitted without supervision. This began on 11 August 2025. Prior to 11 August, he spent 22 hours a day in his cell.

While in MAX, he is allowed phone calls and visitation by his defense counsel in a no-contact booth in addition to the three hours he is normally allowed out of his cell. The no-contact room is private, has plexi-glass with slots to allow the parties to pass documents between client and attorney, allows for videos to be seen by the client, and can have white noise machines placed outside of the room to further ensure conversations cannot be overheard by anyone outside of the attorney-client privilege relationship. Any phone call requests made by the defense attorney during business hours (between 0730 and 1530) will be accommodated, even if the requested call time is outside of business hours.

In accordance with the Chesapeake Brig Standard Operating Procedures (SOP) and the SECNAVMAN-1640.1, contact visits between COPELAND and defense counsel would not be permitted while he is in a MAX status. Every 30 days, COPELAND may participate in a C&A Board that evaluates his security risk as a prisoner, and makes recommendations to the OIC, CDR Flanagan, as to any changes to COPELAND's security status. COPELAND has participated in the last two C&A Boards, and was informed that he has the right to appeal the determination of the C&A Board. COPELAND has not appealed any of the determinations of the C&A Board (which have kept him in a MAX status).

CDR Flanagan reported that there have not been any behavioral issues with COPELAND and

that he has attended at least one class while at the Brig. In addition to his behavior at the brig, the C&A Board must consider factors such as the prisoners' civilian and military record, the seriousness of the offenses alleged, and the potential length of confinement awarded if found guilty in calculating a certain amount of points. Once a certain point threshold is met, the classification status can change. CDR Flanagan can override the decision of the C&A Board under limited circumstances. CDR Flanagan did not foreclose the opportunity that COPELAND may be able to leave MAX at some point based on consideration of these factors even with the charges he is facing. However, he acknowledge reclassification is unlikely. He explained that the opportunity for an hour to clean the p-way and his shower was a recent step down to allow COPELAND an opportunity to prove his good behavior. A recommendation from the trial counsel would not influence the brig's decision on classification.

CDR Flanagan expressed a separate concern that the general population of the Chesapeake Brig has been exposed to the local news and he has some concern for COPELAND's safety if COPELAND were to be moved to general population based on the news coverage his case has attracted.

To date, Defense Counsel has not requested to use a white noise machine during visits with COPELAND at the brig. The email sent by Defense Counsel that asked about having COPELAND attend a meeting at the Defense Service Office was responded to with a logistical explanation of such a movement, as well as what accommodations were available within the Brig for a meeting that ensured attorney-client privilege. If the command decided that such a meeting was appropriate, the Brig would not be able to prevent the command from taking COPELAND to meet with his counsel at a separate location.

/s/
K. E. Vanetti
LN1, USN, Trial Paralegal

**INITIAL REVIEW OFFICER'S**
**7-DAY REVIEW OF PRETRIAL CONFINEMENT**

| | | |
|---|---|---|
| UNITED STATES | ) | R.C.M. 305(j)(2)(D) Memorandum |
| v. | ) | **Initial Review Officer Findings, Conclusions, and Action** |
| JEREMIAH T. COPELAND<br>CSSN / E-3 USN | ) | Date: 17 June 2025 |

1. **Background**. I, CDR Jason A. Pfeil, JAGC, USN was detailed as the Initial Review Officer (IRO) for the review of pretrial confinement in the case of CSSN Jeremiah T. Copeland, USN (Confinee). The 7-day review hearing was at Naval Consolidated Brig Chesapeake, Virginia (NCBC) on 16 June 2025. This memorandum is prepared pursuant to Rule for Courts-Martial (R.C.M.) 305(j)(2)(D), Manual for Courts-Martial.

2. **Findings of Fact**. After considering the evidence and statements provided at the 7-day review hearing, the preponderance of the evidence supports the following factual findings:

A. The Confinee is from Durham, North Carolina.
B. The Confinee is 20 years of age.
C. The IRO received no evidence of substantial ties to the Hampton Roads area of Virginia other than that his command is based out of Naval Station Norfolk, Virginia.
D. *Facts Pertinent to Alleged Violation of Article 118 (murder)*
    a. 28 May 2025
        i. CSSN A.R. was with the Confinee in his barracks room, building X-2, room 335B and she spent the night.
        ii. CSSN A.R. last used her bank accounts.
        iii. CSSN A.R. was in authorized liberty status 28-29 May 2025.
    b. 29 May 2025
        i. At 0645, PSSN Irbin Gordillocruz, one of the Confinee's roommates, saw CSSN A.R. in the Confinee's barracks room, naked and laying on the floor with the Confinee, also naked, was laying on the floor with his head resting on CSSN A.R.'s stomach area.
        ii. PSSN Gordillocruz observed CSSN A.R. breathing.
        iii. At 0645, CSSN A.R. was alive.
        iv. Some time afterward, FCC Brad Parker from USS JAMES E. WILLIAMS (DDG 95) went to the Confinee's barracks room to make contact with him because he did not report for work.
        v. When FCC Parker knocked on the Confinee's door, the Confinee opened the door wearing shorts and no shirt. FCC Parker recognized CSSN A.R. in the Confinee's barracks room.

vi. CSSN A.R. waved at FCC Parker and then rolled over into a blanket.
vii. FCC Parker ordered CSSN Copeland to report to work and then left the Confinee's barracks room.
viii. CSSN A.R. was alive when FCC Parker left the Confinee's barracks room on 29 May 2025.
ix. No JAMES E. WILLIAMS personnel, other than the Confinee, had further positive contact with CSSN A.R. after FCC Parker saw her.
x. The Confinee did not report to work as ordered and was placed in an unauthorized absence (UA) status.
xi. CSSN A.R.'s cell phone was last used in the evening.
xii. CSSN A.R. was still in an authorized liberty status.

c. 30 May 2025
   i. CSSN A.R. did not report for duty and was placed in a UA status.
   ii. The Confinee remained in a UA status.

d. 31 May 2025
   i. Both the Confinee and CSSN A.R. remained in a UA status.

e. 1 June 2025
   i. The Confinee and CSSN A.R. remained in a UA status.
   ii. At approximately 1900, the Confinee and his roommates PSSN Gordillacruz and AR John Calisse went to dinner at Chipotle.
   iii. At approximately 2000, after eating dinner, the Confinee asked AR Calisse if he could use his vehicle to "go get something to eat" and AR Calisse agreed.
   iv. The Confinee mustered on board the ship to terminate his UA status.
   v. The Confinee's whereabouts after mustering are unknown.

f. The Confinee was in a UA status for approximately four days: from 29 May until the evening of 1 June 2025.

g. FCC Parker is the last known person, other than the Confinee to see CSSN A.R. alive.

h. As part of its investigation, NCIS interviewed the Confinee who told NCIS the following:
   i. CSSN A.R. came to his room on 28 May 2025 for dinner and drinks.
   ii. His relationship with CSSN A.R. was platonic friendship.
   iii. No sexual acts ever happened between them.
   iv. She spent the night in his barracks room the night of 28 May but she had her clothes on the entire time she was in his barracks room.
   v. He was late for work on the morning of 29 May 2025 and FCC Parker knocked on the door to tell him he was going to be marked UA.
   vi. At approximately 1000 on 29 May 2025, he and CSSN A.R. got dressed and one of his roommates took them to her residence at Miller Hall on board Naval Station Norfolk.

i. NCIS investigation revealed the following:
   i. CSSN A.R. never checked into Miller Hall on 29 May 2025 or thereafter.

ii. All of the Confinee's roommates told NCIS they did not give a ride to the Confinee or CSSN A.R. on the morning of 29 May 2025.
iii. CSSN A.R.'s cell phone last pinged on 29 May 2025 at the Confinee's barracks building.

j. NCIS searched the Confinee's barracks room and found the following:
i. There was a potential blood trail leading from inside his closet onto the carpet of the room; and a stain was found inside his bathroom.
ii. A swab taken from inside the Confinee' barracks room closet and his bathroom both tested positive for human blood.

k. NCIS searched the Confinee's cell phone and found the following:
i. At approximately 0514 on 2 June 2025, the Confinee was in the vicinity of 2842 Cary Ave., Norfolk, VA 23504, as determined by GPS analysis of a cached location on his phone.
ii. The Confinee was actively moving around the vicinity of 2842 Cary Ave., Norfolk, VA at the time he was in that area, as determined by analysis of his phone's recording of health and activity data.
iii. The Confinee saved a screenshot of a map application depicting a wooded area near a reservoir or pond in the vicinity of 2842 Cary Ave., Norfolk, VA on 2 June 2025 at 0515 as reflected in the screenshot and digital forensic analysis.
iv. The Confinee saved a location in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA as shown by a dropped pin on the screenshot saved on 2 June 2025 at 0515.

l. Between when the Confinee terminated his UA status and approximately 0514 on 2 June 2025, his whereabouts are unknown.

m. On 9 June 2025, NCIS searched the area reflected in the screenshot obtained from the Confinee's cell phone.

n. A black duffel bag was located beneath a tree within the perimeter captured by the Confinee's screenshot.[1]

o. After partially opening the black duffel bag, NCIS observed a pair of human legs inside.

p. NCIS found a photo from 23 September 2024 depicting the Confinee in service dress blues next to a black duffel bag that is visually similar to the one located in the wooded area in the vicinity of 2842 Cary Ave., Norfolk, VA.

q. On 10 June 2025, an autopsy was performed on the body found in the black duffel bag with the following initial results:
i. The body was determined to be a female.
ii. Her body was in an extreme state of decomposition.
iii. An E-3 uniform patch was located in her hair.
iv. She was identified as CSSN A.R. by the distinctive tattoo on her back.

[1] The IRO notes that the NCIS affidavit refers to this duffel bag both as a suitcase and a duffel bag. However, based on the evidence the IRO concluded that both terms refer to the same object that the IRO refers to as a duffel bag in this memorandum.

E. *Facts Pertinent to Alleged Violation of Article 120(d) (abusive sexual contact)*

a. In the early morning hours of 23 July 2024 ABHAN C.R. was on the mess decks of USS HARRY S. TRUMAN (CVN 75) with her boyfriend CSSN Fernando Cuestabravo. CSSN Cuestabravo left to go to sleep.
b. Shortly after CSSN Cuestabravo left, ABHAN C.R. began receiving SnapChat snaps from the Confinee; he wanted to talk to her about CSSN Cuestabravo.
c. ABHAN C.R. agreed and the Confinee requested they go somewhere private to talk. They went to the fantail of the ship.
d. The Confinee told ABHAN C.R. that CSSN Cuestabravo was talking to other women and not treating her the way she should be treated; the Confinee suggested they should be in a relationship to get back at CSSN Cuestabravo.
e. After talking with the Confinee about her relationship with CSSN Cuestabravo, the Confinee began to play a "game" where he pretended to arrest her.
f. The Confinee forced ABHAN C.R.'s hands behind her back and grabbed her vulva over the clothing.
g. ABHAN C.R. turned around and punched the Confinee in the stomach.
h. The Confinee said he heard she liked to be choked and he grabbed her neck with one hand, applying pressure. ABHAN C.R. had difficulty breathing. ABHAN C.R. tried to push the Confinee's hand away but he kept putting it back.
i. While the Confinee was applying pressure to ABHAN C.R.'s neck, he kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing.
j. The Confinee then stopped and left.
k. ABHAN C.R. texted CSSN Cuestabravo afterward.
l. The next day they discussed what happened and ABHAN C.R. made a report of sexual assault.
m. On 16 August 2024, NCIS interviewed the Confinee and he said the following:
    i. He and ABHAN C.R. saw each other on the mess decks and went to the fantail to talk.
    ii. The Confinee was sitting in a chair and ABHAN C.R. on the deck.
    iii. ABHAN C.R. told him CSSN Cuestabravo does not treat her well and was cheating on her; she asked the Confinee for advice.
    iv. They flirted but he denied being romantically or sexually interested in ABHAN C.R.
    v. The two hugged and he got close to her face but denied trying to kiss her.
    vi. He denied touching ABHAN C.R. anywhere else.
    vii. NCIS asked if he had strangled ABHAN C.R. He responded, "oh okay yeah I have but it wasn't in like a weird way." He said he put one hand around her neck without applying any pressure.
    viii. He also denied touching any of ABHAN C.R.'s intimate areas and denied telling her she should have sex with him to get back at CSSN Cuestabravo.
n. Additional NCIS investigation revealed:
    i. The Confinee told CSSN Jaelen Owens that ABHAN C.R. was "feeling on" and "leading on" the Confinee.

ii. CSSN Cuestabravo observed bruises on the sides of ABHAN C.R.'s neck but neither of them took photos of the bruises.

F. *Facts Pertinent to Alleged Violation of Article 120(b) (sexual assault)*
   a. On 4 November 2024, during a port call in Oslo, Norway, CSSN S.S. reported the Confinee sexually assaulted her in the head of a bar at approximately 2200 hours.
   b. CSSN S.S. was intoxicated and did not remember having sexual intercourse with the Confinee, however other Sailors told her on 5 November that the Confinee showed them a video on his phone of the two of them having sexual intercourse.
   c. CSSN S.S. confronted the Confinee about him making a video of sexual intercourse with her and he denied it.
   d. Two Sailors interviewed by NCIS stated the Confinee had shown them a video of him and CSSN S.S. having sexual intercourse.
   e. Another Sailor interviewed by NCIS reported the Confinee told him he had sex with CSSN S.S. and seemed excited about it.
   f. NCIS searched the Confinee' person, his berthing, rack, and personal spaces to find his phone but his phone was never found.
   g. On 18 November 2024, NCIS interviewed the Confinee:
      i. He confirmed that he and CSSN S.S. had sexual intercourse in the bathroom in a bar in Oslo, Norway and that he had video recorded it.
      ii. He stated the sexual intercourse was consensual.
      iii. He said he lost his phone before returning to the ship on 5 November.

G. *Facts Pertinent to Alleged Violation of Article 128 (assault consummated by a battery / aggravated assault) or Article 128b (domestic violence)*[2]
   a. In April 2025, the Confinee was in his barracks room with his then-girlfriend, CS2 S.R.
   b. While in the Confinee's barracks room, CS2 S.R.[3] received a phone call from another woman claiming to be his girlfriend. She confronted the Confinee.
   c. The Confinee denied the relationship with the other woman and they argued.
   d. The Confinee then strangled CS2 S.R.
   e. Afterward, he laughed and said he was just playing with CS2 S.R.
   f. CS2 S.R. left the Confinee's barracks room and went home. She continued to communicate with the other woman.
   g. CS2 S.R. returned to the Confinee's barracks room and confronted him again.
   h. They argued and the Confinee grabbed CS2 S.R.'s phone from her hand.
   i. CS2 S.R. punched the Confinee in the chest, slammed his PlayStation 5 to the ground, and left.

[2] These offenses were not included in the command's 72-hour review letter as offenses; however, the facts support that they were committed and helped inform the IRO's analysis.
[3] The IRO notes that there are what appear to be significant typographical errors in the email that documents the alleged assault. Specifically, after initially identifying the Confinee's then-girlfriend as CS2 S.R., the narrative refers to a CS2 Williams multiple times. Additionally, the narrative refers to the Confinee alternatively as CSSN Copeland and CSSN Williams. The IRO used context to relate the facts found from the narrative supplied in the 72-hour letter's enclosures.

j. One of the Confinee's roommates told law enforcement CS2 S.R. waved a knife around while arguing with the Confinee but no knife was found.

H. On 6 June 2025, the Confinee received nonjudicial punishment for his period of UA from 29 May to 1 June.

3. **Applicable Law**

Per R.C.M. 305(j)(2)(A)(iii), the Government must prove by a preponderance of the evidence the requirements for continued confinement under R.C.M. 305(i)(2)(B).

4. **Victim Information**

Ms. Esmerelda Castle, CIV, ABHAN C.R., USN, CSSN S.S., USN, and CS2 S.R., USN were identified as victims in this matter.

The victims were not represented by counsel. The victims were given the opportunity to confer with the representative of the command. The victims were given a reasonable opportunity to be heard; only Ms. Castle exercised her right to be heard.

The IRO will also note that CSSN A.R., USN is considered a victim for the purposes of the Article 118 allegation, however she is deceased.

5. **Conclusions**. Based on the evidence presented at the IRO hearing, the IRO finds the Government has proven the following by a preponderance of the evidence:

A. The following offenses triable by court-martial were committed:[4]
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

B. The Confinee committed the following offenses triable by court-martial:
   a. Article 118 (murder) on or about 29 May 2025; and
   b. Article 120(d) (abusive sexual contact) on or about 26 July 2024.

C. Continued pretrial confinement is necessary because it is foreseeable that:
   a. the Confinee will not appear at trial, pretrial hearing, or preliminary hearing due to:
      i. the seriousness of the charge of murder and its punishments, specifically a maximum punishment of death or confinement for life without the possibility of parole;
      ii. the fact that the Confinee was in a UA status for four days during and after the murder of CSSN A.R.;
      iii. though the Confinee voluntarily terminated his UA status, after doing so he hid CSSN A.R.'s body in a duffel bag that he dumped in a wooded

[4] The IRO notes that the Government did not prove by a preponderance of the evidence that the Confinee committed the offense of sexual assault in violation of Article 120(b).

area, indicating that his decision to terminate his UA status was part of a plan to avoid accountability for his actions leading to CSSN A.R.'s death and would likely impel him to leave the area if he were not confined;

iv. that the Confinee attempted to cover up his involvement in the death of CSSN A.R. by both lying to NCIS investigators and hiding her body in a duffel bag in a wooded area; and

v. the Confinee lacks substantial ties to the Hampton Roads area of Virginia beyond the presence of his command in Norfolk indicating the Confinee has no incentive to remain in the Hampton Roads area were he to be free.

b. the Confinee will engage in serious criminal misconduct due to:

i. the nature and circumstances of the offenses suspected, specifically:

1. that the Confinee committed at least two violent offenses[5] while under investigation by NCIS for two other violent offenses;
2. the Confinee sought to obstruct the investigation into CSSN A.R.'s disappearance by hiding her body in a duffel bag and dumping it in a wooded area, all while keeping his phone in airplane mode to prevent it from confirming his presence where he had dumped CSSN A.R.'s body;

ii. the weight of the evidence against the Confinee, specifically:

1. evidence of his consciousness of guilt from his attempt to mislead NCIS in both the investigation of the abusive sexual contact allegation against him and the disappearance of CSSN A.R.;
2. the strong evidence provided by his phone's GPS, health data, and the screenshot he took that he dumped CSSN A.R.'s body;
3. the presence of human blood in his barracks room; and
4. that he was the last person known to have seen CSSN A.R. alive;

iii. the pattern of escalating violent conduct of the Confinee;[6] and

iv. the fact that the Confinee committed multiple violent offenses against different women all while under investigation for other violent offenses.

D. Less severe forms of restraint are inadequate given:

a. the severity of the allegations against the Confinee as outlined above;

b. the weight of the evidence against him as outlined above;

c. the pattern of escalating violent conduct despite being under multiple criminal investigations from NCIS shows that the moral threat of being held accountable for misconduct is insufficient to deter him from engaging in criminal acts;

d. that the Confinee was willing to be UA before he knew he was suspected of murder of CSSN A.R., despite receiving a direct order to report to the ship shortly

[5] Article 118 (murder) and Article 128 (assault consummated by a battery) or 128b (domestic violence). The IRO recognizes that the Article 128 or 128b offense was not specifically stated in the 72-hour memorandum as the offenses for which CO, JAMES E. WILLIAMS found continued confinement appropriate; however, it is a significant fact that he committed this violent offense while under investigation for two other violent sexual offenses and shortly before the Article 118 (murder) offense.

[6] From abusive sexual contact to assault consummated by a battery / aggravated assault / domestic violence to murder

after his UA period began and he continued being UA for another three days; this shows the IRO that he is willing to disobey orders and that moral restraint is insufficient to ensure the Confinee will be present; and

e. the IRO is not persuaded that less severe forms of restraint are adequate by his presence at NJP on 6 June 2025 because of the substantial difference in the severity of the offenses for which he was placed into pretrial confinement and the significant difference between the punishment available for these offenses at court-martial compared to the maximum punishments available at NJP.

The IRO considered the evidence presented by the Confinee via his counsel but notes that it deals only with the conditions of confinement at NCBC and does not address whether confinement itself is appropriate. While there may be avenues for redress of unduly severe conditions of confinement under other R.C.M.s,[7] they do not provide a basis for finding that continued pretrial confinement is not necessary.[8]

6. **Action of 7-Day Reviewing Officer**

**Continued pretrial confinement for the Confinee is APPROVED.** The Confinee will remain in pretrial confinement.

The Government shall provide a copy of this memorandum to the Confinee, the Defense Counsel, and the confinement facility.

[redacted]
Digitally signed by PFEIL.JASON.ANDREW[redacted]
Date: 2025.06.17 16:33:13 -04'00'

J. A. PFEIL
CDR, JAGC, USN
Initial Review Officer

[7] *See* R.C.M. 305(l).
[8] R.C.M. 305(h)(2)(B) (continued confinement is only permitted where "(i) An offense triable by a court-martial has been committed; (ii) The confinee committed it; (iii) Confinement is necessary because it is foreseeable that: (a) The confinee will not appear at trial, pretrial hearing, or preliminary hearing, or (b) The confinee will engage in serious criminal misconduct; and (iv) Less severe forms of restraint are inadequate.").

13 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commander, Naval Surface Force Atlantic
Via: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS UNDER ARTICLE 138, UCMJ

Ref: (a) Article 138, UCMJ
(b) JAGINST 5800.7G, Chapter III.

Encl: (1) Emails with trial counsel and defense counsel
(2) Emails with defense counsel and the staff judge advocate advising the USS JAMES E. WILLIAMS
(3) CSSN Copeland's Request for Redress of 29 Jul 25
(4) Email from staff judge advocate advising the USS JAMES E. WILLIAMS notifying the defense that the request for redress was denied of 7 Aug 25
(5) Email with Brig Staff
(6) Email from staff judge advocate advising the USS JAMES E. WILLIAMS stating that formal response was not required of 11 Aug 25

1. This complaint of wrong under reference (a) is submitted on behalf of CSSN Jermiah Copeland by his defense counsel, LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN. It is submitted in compliance with reference (b).

2. Complainant information:

a. Current command: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

b. Command at time of alleged wrong: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

c. EAOS: 12 July 2027

d. Current mailing and email address: CSSN Copeland is being held in pretrial confinement in Naval Consolidated Brig Chesapeake. He can be reached through his defense counsel.

3. Respondent information: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

4. Complaint:

a. Alleged wrong: CSSN Copeland has been held in pretrial confinement for 63 days without preferred charges. CSSN Copeland has been in a "maximum status" while at the brig. He remains in his cell 22 hours per day. He is not permitted to have "contact" visits with his defense

counsel. CSSN Copeland has requested to have a private, in-person, meeting with his defense counsel. However, this request was denied.

b. Details:

(1) For 63 days, CSSN Copeland has been held in confinement without preferral of charges.

(2) Per enclosure (1), on 16 June, CSSN Copeland requested through counsel to meet with his attorney's in-person in a private setting. The trial counsel stated that the government could not support this request. The trial counsel ignored the defense's request for more information.

(3) On 3 July 2025, the staff judge advocate advising the USS JAMES E. WILLIAMS reached out to defense counsel. In response, the defense counsel provided her additional information. Namely, that at least one trial court has found that the current policies and procedures in place at Naval Consolidated Brig Chesapeake for pretrial confinees in a "maximum" confinement status is illegal pretrial punishment.

(4) On 23 July 2025, the defense followed up with our original request. This follow up was ignored.

(5) On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting.

(6) On 7 August 2025, CSSN Copeland's request was denied. USS JAMES E. WILLIAMS provided no reasoning for the denial.[1]

c. Relief requested: CSSN Copeland respectfully requests to be able to meet with his attorneys in a private room to have a private conversation without the risk of being heard by people who are not members of his defense team. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig.[2] This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to

[1] Per enclosure (6), the staff judge advocate reads Section 0305.a of the JAGMAN to state that a response to a request for redress is not required. Section 0305.a of the JAGMAN states that

> The commanding officer must act upon a request for redress within 30 calendar days of receipt, and notify the complainant in writing of the action taken, if applicable. If the commanding officer does not respond to the request within 30 calendar days or denies the requested redress, then the complainant may submit an Article 138 complaint to the GCMCA via the commanding officer, as the respondent.

[2] See enclosure (5).

hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of the Sixth Amendment.

Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if they cannot meet and openly discuss the case. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

5. I certify the above information is true and correct to the best of my knowledge, and this complaint is submitted per the guidelines and procedural requirements in Chapter III, Manual of the Judge Advocate General.

6. Please contact me with any questions or concerns you may have at 850-452-5572 or via email Amanda.m.serfess.mil@us.navy.mil.

[redacted]

A. M. SERFESS

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA) |
| **Cc:** | Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | RE: Demand for Speedy Trial ICO CSSN Copeland |
| **Date:** | Monday, June 30, 2025 1:45:00 PM |

CDR Mayo,

Who has decided that CSSN Copeland cannot come to A-50? OSTC? The RLSO? Why can't the government support CSSN Copeland coming to A-50? We have confined clients from other command come to A-50.

Can you please provide me with the name and contact information of the lead agent in this case?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Monday, June 30, 2025 2:10 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

lauren.a.mayo2.mil@us.navy.mil

desk: 757-341-4598

mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister,

Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

757-341-4559

amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: SN Copeland"s Initial Review Hearing
**Date:** Wednesday, July 23, 2025 1:16:00 PM

Elisabeth,

I just wanted to circle back to our request to meet with our client in the same room privately. I emailed the brig today and it will not allow us to visit our client in a contact room – we would only be able to meet with him through glass in non-private area. Is it possible for the command to bring him to A-50 or another location to allow us to meet with him? (Similar to how we will meet with him when he come to the court room for hearings).

Please and thank you

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Thursday, July 3, 2025 2:46 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** FW: SN Copeland's Initial Review Hearing

Elisabeth,

Please see attached. We presented these to the IRO at Copeland's hearing.

There are plenty of spaces at the brig where we could meet with the client and the staff could still see us. CDR Mayo asked them if we could use the IRO room (no windows, but a place we meet with other clients) but the brig said no. We would also agree to have more than one of the defense team in the room during any meeting if it is our safety they are concerned about. We are not concerned about our safety and haven't seen any indication that CSSN Copeland would do anything to harm his defense

team.

Let me know if you have questions or need anything else from me.

Have a Happy Independence Day!!!

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 6:37 AM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** SN Copeland's Initial Review Hearing

Your Honor,

The defense requests that you consider the attached two exhibits for today's seven day review hearing as they go to the severity of CSSN Copeland's confinement, and therefore, to whether less severe forms of restraint are adequate.

I will bring printed copies to the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
757-341-4559
amanda.m.serfess.mil@us.navy.mil

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Green, Deonta J PO1 USN (USA)
**Subject:** RE: CSSN Copeland
**Date:** Wednesday, July 23, 2025 1:04:43 PM

Good afternoon Ma'am,

His status was changed, however his classification remains the same and that is what requires visitation using the non-contact area.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Wednesday, July 23, 2025 12:16 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA) <franklin.j.fejeran.mil@army.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

Now that CSSN Copeland's status has been upgraded, can he do contact visits with his attorneys?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil



| | |
|---|---|
| **From:** | Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) |
| **To:** | Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Cc:** | co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | RE: Request for Redress CSSN Copeland |
| **Date:** | Wednesday, August 13, 2025 12:56:20 PM |

LCDR Morgan,

As it is not required, JWS CO does not wish to provide the additional response requested.

Very Respectfully,

Elisabeth Maddrell Hall
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
*NOTE NEW NIPR EMAIL *: elisabeth.m.hall6.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Controlled by: Department of the Navy
Controlled by: CNSG-ML N01L
CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.m.hall6.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Wednesday, August 13, 2025 1:51 PM
To: Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.m.hall6.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Okay. If the CO is not refusing, will he provide us the formal response like we requested, despite whether it's required or not. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Tuesday, August 12, 2025 2:39 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>;
Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Apologies, no. I meant a formal letter, in addition to the denial notification below, with justification signed by the CO is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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Controlled by: Department of the Navy
Controlled by: CNSG-ML N01L
CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>

Sent: Monday, August 11, 2025 3:47 PM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
<amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

For clarification, are you saying that the CO is refusing to provide us a formal response?

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Monday, August 11, 2025 3:21 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>;
Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Per JAGMAN 0305(a), a formal response is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 10:43 AM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
<amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Good morning. Received. We request a formal response, signed by the CO. Additionally, in his response, we request the CO provide justification as to why he will not accommodate our request. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
: 757-341-4486

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
<elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 8:20 AM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>;
Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG
USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
Office: 757-341-4915
Cell: [redacted]
NIPR: elisabeth.c.maddrell.mil@us.navy.mil
SIPR: elisabeth.maddrell@navy.smil.mil
Legal Distro: cnsg_ml_n01l_jag@us.navy.mil

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CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
cody.rogers@ddg95.navy.mil
cody.rogers@ddg95.navy.smil.mil
Cell: [redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**OF**<br>**CINDY HOFFMEISTER**<br><br>**26 August 25** |

1. I, Mrs. Cindy Hoffmeister, serve as a Defense Paralegal for Defense Service Office Southeast and have been assigned to this case since June 2025. I have been a defense paralegal since 26 February 2023. I have accompanied defense attorneys during visits to clients located at Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake on many occasions. This includes contact and no-contact visits. There is a room at the Chesapeake Brig that is used to facilitate no-contact visits with clients. The client is placed in the room on the other side of a plexiglass wall. The defense team enters the room on the other side of the Plexiglass. The defense can see the client. However, it is difficult for the client to hear his defense attorneys. The attorney will have to talk very loud limiting privacy as there are brig employees outside of the room. Further, it is very hard for the defense team to hear the client. There are small slots next to the plexiglass. However, in order to pass a document to the client, you have to fold it in half for it to fit through the slot. There are no outlets in this room. There is no way to have the client view a video on a computer. There is no way to have the client use a computer. There is no phone in the room to have the client contact other members of the defense, experts, or anyone else.

2. On 16 June 2025, I was present during the no-contact visit at the NCBC Detachment Chesapeake, along with LCDR Amanda Serfess, LCDR Clifton Morgan and CSSN Copeland. The following is a summary of the issues regarding communication that I observed during the meeting:

a. CSSN Copeland and his defense team can only visit through a no-contact room which is a small room that can barely hold four chairs, with Plexiglass between the attorneys and the client. While speaking with the client in this room, me and the other paralegal could not hear what the client was saying. The attorneys had to put their ears to the plexiglass and/or try to read his lips. The attorneys had to repeat themselves a few times as the client could not hear them. You have to speak in a slightly louder voice to be heard on the other side of that plexiglass, risking brig employees and any others not apart of the defense team to hear the conversation.

b. This room makes it nearly impossible for the attorneys to hear the client, and in turn, hard for the client to hear his attorneys.

c. Communications from inside the no-contact room can be heard from outside the room, in the main contact visit sitting area.

Signed today, 26 August 2025.

[redacted]
CINDY HOFFMEISTER, CIV

Enclosure G

| | |
|---|---|
| **From:** | Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) |
| **To:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **Cc:** | Welch, Sharell A CIV USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Cole, Amanda D CPO USN (USA); Busch, Kristina L SFC USARMY 42 MP BDE (USA) |
| **Subject:** | RE: CSSN Copeland |
| **Date:** | Thursday, August 28, 2025 10:49:15 AM |
| **Attachments:** | SOP 806 PRISONER CORRESPONDENCE COMMUNICATIONS AND PUBLICATIONS.pdf |

LCDR Serfess,

Please see the attached SOP regarding privileged correspondence. For safety and security, we may inspect incoming and outgoing privileged correspondence solely to ensure there is no contraband. We do not read the documents, and this inspection is done in the presence of the prisoner. He has been briefed on these procedures and understands his responsibilities WRT privileged correspondence.

Due to his custody classification, meeting in this facility would be conducted in the no contact booth. You can pass documents through the slots on either side of the plexiglass window. Video can be displayed through the same window. There would be nobody else in the room and we have sound machines that can be placed outside the room to create a layer of sound to mask conversations from the guards outside the room. Alternatively, his command could send escorts to take him to a legal office to meet which would allow for you to speak with him privately in the same room.

V/R,

CDR Brian Flanagan
NCBC Det Chesapeake OIC
Office: 757-421-8847
Cell: [redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Thursday, August 28, 2025 9:24 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Welch, Sharell A CIV USN (USA) <sharell.a.welch.civ@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA) <bryan.c.barletto.mil@us.navy.mil>
**Subject:** FW: CSSN Copeland

CDR Flanagan,

Please see below email. I'm trying to get some answers about bringing privileged documents to one of my clients confined at the Chesapeake Brig. Do you have an SOP for the prisoner management division. Will they review privileged documents?

Further, is it possible for CSSN Copeland's defense team to have an in-person, confidential, meeting with him at the brig, one where we can show our client evidence, including video evidence and speak with him privately in the same room.

I copied my XO for his SA.

Please and thank you in advance

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Wednesday, August 27, 2025 2:43 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

If I want to deliver documents to CSSN Copeland, those documents will go to the Prisoner Management Department? What will the Prisoner Management Department do with those documents? Is there an instruction or a point of contact in that department who I can speak with? How can I deliver privileged documents to a client at the brig and be assured that no one will look at those document?

Please and thank you in advance.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Sent:** Wednesday, August 27, 2025 2:39 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

Good afternoon Ma'am,

It can be delivered at the quarterdeck or emailed to myself and IC1 Green and we will get it to the Prisoner Management Department.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Monday, August 25, 2025 11:54 AM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

How can we coordinate with the Prisoner Management Department to get paperwork delivered to CSSN Copeland?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA) |
| **Cc:** | Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Subject:** | RE: Charge Sheet ICO CSSN Copeland |
| **Date:** | Saturday, August 23, 2025 1:15:00 PM |

CDR Mayo,

Additionally, we will need the command's assistance getting CSSN Copeland in the proper uniform for the Article 32.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:14 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** RE: Charge Sheet ICO CSSN Copeland

CDR Mayo,

We have our Art. 6 inspection from 8-19 – but no one is coming to Pensacola so I could really be anywhere for that. Right now, I will be in Jacksonville from 24 Sept – 3 October. So really I could make anything before that work. The week of the 15th being my preference. (But, let me talk to Clifton).

We would like to meet with our client before the Art. 32. We'd request to schedule the hearing in the afternoon so that we can meet with him in the morning. (NCIS can meet with him in person, but we cannot….).

Please let us know what you need from us.

V/r
Amanda Serfess
LCDR, JAGC, USN

Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Friday, August 22, 2025 3:09 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** Re: Charge Sheet ICO CSSN Copeland

LCDR Serfess,

Attached is the preferred charge sheet.

We are looking at mid-September. What does your schedule look like around that time?

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

CONTROLLED UNCLASSIFIED INFORMATION–PRIVACY SENSITIVE. ANY MISUSE OR UNAUTHORIZED DISCLOSURE MAY RESULT IN BOTH CIVIL AND CRIMINAL PENALTIES. The information contained in this e-mail and/or accompanying documents was prepared by the Region Special Trial Counsel and is intended for the exclusive use of the individuals to whom it is addressed. It may contain information that is pre-decisional, privileged or protected from release under the Privacy Act, FOIA or other applicable laws. Do not disseminate this e-mail, or its contents, to anyone who does not have an official need for access, or without the express consent of the sender. If you are not the intended recipient, you are on notice that copying, disclosure or any distribution of this message, in any form, is prohibited.

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Friday, August 22, 2025 3:41 PM

**To:** Mayo, Lauren A CDR USN CNO (USA); Dempsey, Christopher B LT USN (USA)
**Cc:** Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** Charge Sheet ICO CSSN Copeland

CDR Mayo/LT Dempsey,

I understand there are preferred charges in the CSSN Copeland case. Can you please send LCDR Morgan and I a copy of the charge sheet?

When are you thinking of doing the Article 32 hearing?

V/r

Amanda Serfess

LCDR, JAGC, USN

Officer in Charge

Defense Service Office Southeast

Detachment Pensacola, Florida

850-452-5572

amanda.m.serfess.mil@us.navy.mil

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Cc:** | Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Dempsey, Christopher B LT USN (USA); Crossley, Shelley L CIV (USA); Vanetti, Kathleen E PO1 USN (USA) |
| **Subject:** | RE: Pre-Arraignment Plea Offer ICO CSSN Copeland |
| **Date:** | Wednesday, October 1, 2025 10:13:42 AM |

CDR Mayo,

Other than the holiday weekend, I am available.

We plan to litigate the same motion at the arraignment now that the court has jurisdiction.

The plea offer contemplates a significant amount of confinement and a proffer. We cannot do that in the no contact room. The case law is pretty clear that to adequately prepare for trial, an attorney must be in the same room as the client – who has absolutely no incident's of misconduct since he has been in the brig. If the government really would like negotiate a plea agreement, we need to be able to speak with our client in-person. The brig is clear – the command can bring him to A-50 so that we can talk to him. The fact that you were able to prepare your clients for a plea agreement or for a trial in the no contact room, is not evidence that I can. I cannot competently prepare CSSN Copeland (a person with a 15 AFQT score) for this type of complex plea agreement or trial without being able to meet with him in person with papers and a computer.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Wednesday, October 1, 2025 9:05 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Cc:** Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>
**Subject:** RE: Pre-Arraignment Plea Offer ICO CSSN Copeland

LCDR Serfess,

I understand your position. However, the brig and the command have made their position clear. As outlined in our response to your motion, I also do not believe the current brig accommodations are insufficient for private meetings with your client. I say this also as someone who has spent a lot of time in the no contact room at this brig.

For planning purposes, I expect referral will happen shortly - what is your schedule like over the next two weeks for an arraignment?

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Monday, September 29, 2025 2:35 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Cc:** Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>
**Subject:** RE: Pre-Arraignment Plea Offer ICO CSSN Copeland

CDR Mayo,

My suggestion would be for us to be able to talk to him a day or two before the arraignment.

Please and thank you

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Sent:** Thursday, September 25, 2025 6:53 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Cc:** Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>
**Subject:** RE: Pre-Arraignment Plea Offer ICO CSSN Copeland

CDR Mayo,

Received. Is there any way that we can have a face-to-face meeting with our client to discuss this?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, September 23, 2025 4:47 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Cc:** Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>
**Subject:** Pre-Arraignment Plea Offer ICO CSSN Copeland

Defense,

Attached please find a pre-arraignment plea offer ICO CSSN Copeland.

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA)
**To:** Demazure, David R LTJG USN (USA)
**Cc:** Dooley, Patrick Christian (STG2 NOPFWI N311) II CPO USN NOPF WHDB (USA); Green, Deonta J PO1 USN (USA); Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA); Cole, Amanda D CPO USN (USA); Wilcox, Keonna P CPO USN NAVCRUITDIST RAL NC (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** Legal Visit
**Date:** Tuesday, September 30, 2025 1:55:12 PM

Good afternoon Sir,

SNP Copeland is requesting a Temporary Release for a legal visit in person with his defense team. What date would be best to accommodate the request?

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
Email: christopher.m.eck.mil@us.navy.mil
Office: 757-421-8652

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.

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Enclosure K

21 Oct 25

MEMORANDUM FOR THE RECORD

Subj: MEDICATION ERROR INCIDENT

1. Incident Summary: On 17 October 2025, at approximately 1930 hours, a medication error occurred wherein a medication intended for another prisoner was accidentally switched and administered to Prisoner Copeland. The duty corpsman, HM1 Waters, promptly contacted me, the Independent Duty Corpsman (IDC), to report the mishap.

2. Immediate Actions Taken: Upon receiving the report from HM1 Waters, I immediately informed the Command Senior of the incident, who confirmed receipt of the information. Since the medication involved was not a narcotic, I instructed HM1 Waters to monitor Prisoner Copeland's vital signs and assess for any life-threatening adverse reactions.
HM1 Waters completed the assessment and verified that no adverse reactions were evident that evening.

3. Communication and Reporting: Regrettably, I did not notify the Officer-in-Charge (OIC) at the time of the incident, mistakenly assuming that reporting to the Command Senior would suffice, as the information would be pushed through the chain of command. This was an error on my part due to complacency.
On Monday, 20 October 2025, I, along with CMDCS, informed the OIC of the medication error that occurred over the weekend. I also contacted the Commanding Officer to inform him of the incident. The Commanding Officer instructed HMCS Sandi to return his call with both CMDCS and OIC present. A phone call was completed, and details of the medication error were fully communicated. Additionally, a follow up safety check was completed with prisoner Copeland on the morning of 20 October 2025, Monday, completing his reassessment for possible medication adverse reaction.

4. Lessons Learned and Future Prevention Measures:

To prevent similar incidents in the future and to ensure timely and clear communication, the following actions will be implemented:

- The IDC will immediately inform both the OIC and the Commanding Officer directly of any medication errors or significant clinical incidents, regardless of the severity.
- A mandatory follow-up evaluation will be conducted for all prisoners involved in medication errors or adverse events, with the IDC personally conducting or overseeing these follow-ups if necessary.
- The chain of command will be kept fully informed at all stages of incident management to avoid miscommunication or delays in response.
- A review and reinforcement of medication administration protocols will be conducted with all medical personnel to reduce the risk of medication mix-ups.

- **Additional training on incident reporting and communication procedures will be scheduled for all medical staff to promote accountability and prompt reporting.**

[redacted]

/LI/SANDI

[redacted]

22 Oct 25

MEMORANDUM FOR THE RECORD

Subj: MEDICATION ERROR INCIDENT

1. Incident Summary: On 18OCT25, the Duty Corpsman, HM1 Waters, mistakenly issued the wrong medication to Prisoner Copeland. The medication was for Prisoner Toliver who resides in the next cell over. They were antibiotics and hormone therapy medications. HM1 Waters reported it immediately to our IDC, HMCS Sandi, who informed CMDCS Streeter. I was notified upon my return to work on Monday, 20OCT25.

2. Immediate Actions Taken: HM1 Waters took vitals and monitored Prisoner Copeland for any adverse reactions. None were noted. On 20OCT, I reported this incident to my superior, the CO of NAVAL CONSOLIDATED BRIG CHARLESTON, CDR Brisco Jr. I met with CMDCS Streeter and HMCS Sandi to discuss the incident and the way forward, both to prevent further incidents, and to address the poor performance of HM1 Waters. I counseled both CMDCS Streeter and HMCS Sandi for failing to properly inform the Chain of Command of the incident in a timely manner. I also gave HMCS Sandi two weeks of EMI, and she gave two weeks of EMI to HM1 Waters, where HMCS Sandi will oversee everything HM1 Waters does within his Corpsman capacity on the brig staff. I also rescinded the approved secondary employment for HM1 Waters so he could focus on his Navy duties and responsibilities.

3. Future Prevention Measures: Training was held for the entire Medical Department on the proper procedures for issuing medication. The IDC will directly inform me, the OIC, and the Commanding Officer, CDR Brisco Jr. A follow-up evaluation of Prisoner Copeland was conducted and no issues were noted. Medication will be clearly labeled with the proper medication and name of respective prisoner. If any prisoner is uncertain about their medication, they are to notify the CDO who will reach out to HMCS Sandi and myself.

[redacted]

B. P. FLANAGAN

[redacted]

Prescribed by: DoDI 1325.07

CUI (when filled in)

(Updated 20241216)

# PRISONER OBSERVATION REPORT

REPORT DATE (YYYYMMDD): 20250914

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to report favorable, unfavorable, injuries, or behaviors of prisoners. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

| 1. NAME (Last, First, Middle) | 2. REGISTRATION NUMBER |
|---|---|
| COPELAND, JERMIAH, T | 00165476CJ |

| 3. CUSTODY LEVEL | 4. HOUSING UNIT/DORM | 5. CELL BLOCK | 6. DETAIL | 7. CELL #/BUNK # |
|---|---|---|---|---|
| MAX | KILO EAST | SQ | | 58 |

**8. OBSERVATION**

a. TYPE OF OBSERVATION: ☐ FAVORABLE ☐ UNFAVORABLE ☐ INJURY ☐ BEHAVIOR ☒ INFORMATION

| b. DATE (YYYYMMDD) | c. TIME | d. LOCATION | e. WAS THE PRISONER NOTIFIED ABOUT THIS REPORT? |
|---|---|---|---|
| 20250914 | 0500 | K EAST, SQ, CELL 58 | ☐ YES ☒ NO |

**9. OBSERVATION REPORTED BY**

| a. NAME (Last, First, Middle) | b. GRADE | c. TITLE | d. DATE (YYYYMMDD) |
|---|---|---|---|
| SANCHEZ, A | E-6 | SPECIAL QUARTERS SUPERVISOR | 20250914 |

**10. WITNESS**

| a. NAME (Last, First, Middle) | b. GRADE | c. TITLE | d. DATE (YYYYMMDD) |
|---|---|---|---|
| | | | |

**11. OBSERVATION SUMMARY** *(Give an in-depth description of the observation, include all necessary information, provide attachment if necessary)*:
On the above date and time, I, IC1 Sanchez, SQ Supervisor, was informed at turnover by the off-going SQ supervisor that SNP had complained the night before about having abdominal pain. At 0657 SNP refused to eat breakfast due to still feeling abdominal pain. At 0800 HM2 Siler, Duty medical, came into SQ to check on SNP and inquire about his pain. At 1000 SNP was moved to the medical interview room to be examined by Duty medical. At 1058 SNP refused to eat due to the same pain, heMedi only drank juice.

**12. SIGNATURE OF REPORTING PERSON** [redacted] — b. DATE (YYYYMMDD): 20250914

| 13. WAS IMMEDIATE MEDICAL ATTENTION NEEDED? | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|
| ☒ YES ☐ NO | 20250914 | 1000 |

**d. DESCRIBE ANY IMMEDIATE MEDICAL ATTENTION GIVEN:**
Medical Exam conducted on SNP by HM2 Siler at 1000, see SF 600 for details. No immediate treatment given. Higher level of care was recommended. Brig IDC was notified of findings and agreed with assessment and referred SNP to NMCP Emergency Room.

**14. OBSERVATION REPORTED TO**

| a. SUPERVISOR NAME (Last, First, Middle Initial) | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|
| Anderson, S. A CDO | 20250914 | 1400 |

**15. ACTIONS OF CORRECTIONS SUPERVISOR:**
Once notified of the missed meals I advised SQ supervisor to begin writing an OR.

**16. ACTIONS OF REVIEWING AUTHORITY:**
PRISONER WAS MEDICALLY TREATED AND IS BACK TO NORMAL

**17. CORRECTIONAL FACILITY/BRIG COMMANDER OR DESIGNEE REVIEW** [redacted]

| a. NAME, GRADE, TITLE | c. DATE (YYYYMMDD) |
|---|---|
| CDR PLANAGAN, BRIAN, OIC | 20250925 |

GPO U.S. GPO: 2014-722-350

| PRISONER REQUEST *(See Privacy Act Statement)* | TRACKING NUMBER *(If applicable)* SQ242353 |
|---|---|

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO COMMAND DDG 95 JAMES E. WILLIAMS | 2. DATE *(YYYYMMDD)* 20250723 |
|---|---|

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary).*

3.a. TYPE OF REQUEST ☐ INTERVIEW ☐ GRIEVANCE ☐ OTHER

3.b. REMARKS *(Explain request)*

RESPECTFULLY REQUESTING TO GET TR SO I CAN GO TO AN ATM TO PULL OUT MONEY TO ADD TO MY BRIG ACCOUNT SO I CAN PURCHASE MY BASIC NEEDS REGARDING ON EVERYTHING

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| COPELAND, JERMAINE T | 00165476CS | NAVY |

7. SIGNATURE OF PRISONER [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| 9.a. INTERVIEW WAS HELD WITH *(Printed Name, Grade, and Organization)* | 9.b. DATE *(YYYYMMDD)* |

10. REMARKS

PMO IS WORKING WITH COMMAND.

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JERMAINE T | [redacted] | 20250804 |
| 14. STAFF MEMBER'S NAME *(Last, First, Middle Initial)* | 15. SIGNATURE OF STAFF MEMBER | 16. DATE *(YYYYMMDD)* |
| [illegible] | [redacted] | 20250804 |

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GPO U.S. GPO: 2014-722-350

**PRISONER REQUEST**
*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*
SQ242274

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO | 2. DATE *(YYYYMMDD)* |
|---|---|
| COMMAND<br>DDG 95 JAMES E. WILLIAMS | 20250071Z |

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary)*.

**3.a. TYPE OF REQUEST** ☐ **INTERVIEW** ☐ **GRIEVANCE** ☐ **OTHER**

**3.b. REMARKS** *(Explain request)*

RESPECTFULLY REQUESTING SOAP, CONDITIONER/SHAMPOO AND UNDERWEAR FROM MY COMMAND

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| COPELAND, JEREMIAH T | 00165476CT | NAVY |

**7. SIGNATURE OF PRISONER** [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| | |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

**10. REMARKS**

REQUEST GIVEN TO COMMAND.

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JEREMIAH T | [redacted] | 20250717 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| MAI Fiele | [redacted] | 20250717 |

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GPO U.S. GPO: 2014-722-350

**PRISONER REQUEST**
*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*: SQ242310

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO: CHAPS | 2. DATE *(YYYYMMDD)*: 20250721 |
|---|---|

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary).*

**3.a. TYPE OF REQUEST** ☐ **INTERVIEW** ☐ **GRIEVANCE** ☐ **OTHER**

**3.b. REMARKS** *(Explain request)*

RESPECTFULLY REQUESTING TO ATTEND BIBLE STUDY WITH CHAPS

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| COPELAND, JERMAINE T | 00165476CJ | NAVY |

**7. SIGNATURE OF PRISONER** [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| OPS, MA' BANICKI | 20250722 |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

**10. REMARKS**

APPROVED. CHAPS WILL HAVE TO CONDUCT BIBLE STUDY WITH SNP IN CELL. CHAPS WILL SCHEDULE DATE/TIME.

-MA' BANICKI, [redacted]

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JERMAINE, T | [redacted] | 20250722 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| MA' BANICKI, S. | [redacted] | 20250722 |

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GPO U.S. GPO: 2014-722-350

**PRISONER REQUEST**
*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*: 25150

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO | 2. DATE *(YYYYMMDD)* |
|---|---|
| OIC | 20250929 |

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary)*.

3.a. TYPE OF REQUEST: [✓] INTERVIEW [ ] GRIEVANCE [ ] OTHER

3.b. REMARKS *(Explain request)*
RESPECTFULLY REQUESTING TO HAVE AN INTERVIEW WITH OIC WHEN HE HAS THE TIME PLEASE.

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| CORLAND, JERMAINE T | 08116547EC | NAVY |

7. SIGNATURE OF PRISONER: [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| | |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

10. REMARKS
WHAT IS THE CONTEXT OF THE INTERVIEW SO I CAN COME PREPARED TO DISCUSS.

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| CORLAND, JERMAINE | [redacted] | 20251003 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| FLANAGAN, BRIAN P | [redacted] | 20251001 |

GPO U.S. GPO: 2014-722-350

**PRISONER REQUEST**
*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*
SQ24275

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO | 2. DATE *(YYYYMMDD)* |
|---|---|
| COUNCELOR | 20250922 |

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary)*.

**3.a. TYPE OF REQUEST** ☐ **INTERVIEW** ☐ **GRIEVANCE** ☐ **OTHER**

**3.b. REMARKS** *(Explain request)*

RESPECTFULLY REQUESTING TO SPEAK WITH MY LEGAL TEAM ASAP PLEASE.

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| COPELAND, JERMIAH T | 00165476CJ | NAVY |

**7. SIGNATURE OF PRISONER** [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| | |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

**10. REMARKS**

CONDUCTED ON 20250825 @ 1400

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JERMIAH T | [redacted] | 20250827 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| MM Fox | [redacted] | 20250827 |

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GPO U.S. GPO: 2014-722-350

**PRISONER REQUEST**
*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*: SQ242455

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO | 2. DATE *(YYYYMMDD)* |
|---|---|
| COUNSELOR | 20250821 |

**SECTION I - NATURE OF REQUEST**

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary).*

**3.a. TYPE OF REQUEST** ☐ INTERVIEW ☐ GRIEVANCE ☐ OTHER

**3.b. REMARKS** *(Explain request)*

RESPECTFULLY REQUESTING TO SPEAK WITH MY LEGAL TEAM

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| CORELAND, JERMIAH T | 00165476CJ | NAVY |

**7. SIGNATURE OF PRISONER** [redacted]

**SECTION II - FACILITY USE ONLY**

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| | |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

**10. REMARKS**

SCHEDULED FOR 1000 ON 20250822

CONDUCTED

**SECTION III - ACKNOWLEDGEMENT BY PRISONER**

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| CORELAND, JERMIAH T | [redacted] | 20250827 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| GREGAL, DEONTAE J | [redacted] | 20250825 |

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G2O U.S. GPO: 2014-722-350

# PRISONER REQUEST

*(See Privacy Act Statement)*

**TRACKING NUMBER** *(If applicable)*: SQ242362

## PRIVACY ACT STATEMENT

**AUTHORITY:** Chapter 48, Title 10 U.S.C., Military Correctional Facilities; 10 U.S.C. 3013, Secretary of the Army; DoD Directive 1030.1, Victim and Witness Assistance; DoD Directive, Victim and Witness Assistance Procedures; and DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority.

**PRINCIPAL PURPOSE(S):** Prisoners use this form to initiate an interview or communication with Correctional System staff. Staff members approve or disapprove the request, adding pertinent remarks relevant to the interview.

**ROUTINE USE(S):** Information may be disclosed to local, state, and federal law enforcement and investigative agencies for investigation and possible criminal prosecution, civil court actions or regulatory orders. The "Blanket Routine Uses" set forth at the beginning of the Army's compilation of systems of records notices also apply to this system.

**DISCLOSURE:** Voluntary. However, failure to provide the requested information may result in the denial of the request.

| 1. TO | 2. DATE *(YYYYMMDD)* |
|---|---|
| COUNSELORS | 20250731 |

## SECTION I - NATURE OF REQUEST

Indicate type of request in block 3.a. *(X appropriate box(es))* and explain request in block 3.b. *(use the back of this form if necessary).*

3.a. TYPE OF REQUEST ☐ INTERVIEW ☐ GRIEVANCE ☐ OTHER

3.b. REMARKS *(Explain request)*

RESPECTFULLY REQUESTING TO SPEAK WITH MY LEGAL TEAM /AND MY CIVILIAN LEGAL TEAM ASWELL.

| 4. PRISONER'S NAME *(Last, First, Middle Initial)* | 5. REGISTRATION NUMBER | 6. BRANCH OF SERVICE |
|---|---|---|
| COPELAND, JERMAINE T | 00165476CJ | NAVY |

7. SIGNATURE OF PRISONER [redacted]

## SECTION II - FACILITY USE ONLY

| 8.a. FORWARDED TO *(Printed Name, Grade, and Organization)* | 8.b. DATE *(YYYYMMDD)* |
|---|---|
| | |
| **9.a. INTERVIEW WAS HELD WITH** *(Printed Name, Grade, and Organization)* | **9.b. DATE** *(YYYYMMDD)* |
| | |

10. REMARKS

MILITARY CONTACTED ON 20250801.
CIVILIAN AWAITING RESPONSE.

## SECTION III - ACKNOWLEDGEMENT BY PRISONER

| 11. PRISONER'S NAME *(Last, First, Middle Initial)* | 12. SIGNATURE OF PRISONER | 13. DATE *(YYYYMMDD)* |
|---|---|---|
| COPELAND, JERMAINE T | [redacted] | 20250804 |
| **14. STAFF MEMBER'S NAME** *(Last, First, Middle Initial)* | **15. SIGNATURE OF STAFF MEMBER** | **16. DATE** *(YYYYMMDD)* |
| MAI [illegible] | [redacted] | 20250804 |

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**DEPARTMENT OF THE NAVY**
NAVAL CONSOLIDATED BRIG CHARLESTON
1050 REMOUNT RD. BLDG 3107
CHARLESTON, SC 29406-3515

6 Oct 25

From: Commanding Officer, Naval Consolidated Brig Charleston
To: Officer in Charge, Naval Consolidated Brig Charleston Detachment Chesapeake
Info: CAPT Derek Butler, JAGC, USN, Region Special Trial Counsel, Office of Special Trial Counsel

Subj: RESPONSE TO THE REQUEST FOR A CONTACT VISIT WITH COUNSEL ICO CSSN JERMIAH T. COPELAND

Ref: (a) Naval OSTC Det Norfolk ltr of 2 Oct 25

1. In response to ref (a) and in support of the government's position on this unique case, limited exception to policy is cautiously granted with the following caveats:

a. The prisoner will remain restrained at all times during the visit.

b. The prisoner visits will be conducted in a brig contact room and staff will maintain current security protocols; no further adjustments will be authorized.

c. Any guilty Disciplinary Review Board findings, whether related to a visit or not, will revoke this exception and return the prisoner to standard protocols associated with his classification.

d. Any security protocol violations during the visit will return the prisoner to standard protocols associated with his classification.

2. I note that isolated instances of previously demonstrated compliance do not mitigate risk with prisoners facing severe sentences and consequences. This is particularly true in cases where a prisoner may receive unexpected news or information that serve as a trigger for volatile behavior. Allowing contact visits for prisoners designated with a custody classification of "maximum" increases risk to the safety of visiting personnel and my staff. Brig security policy is in place for everyone's safety, even when it is inconvenient. I have seen numerous staff assaulted in my tenure by unstable prisoners who were at times compliant, thus the cautious approval of this unique government request. I hope this level of risk, which I wholly own, is noted for any future requests.

[redacted]
J. M. BRISCO JR.

Enclosure M

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – SUPPLEMENT TO MOTION FOR APPROPRIATE RELIEF**<br><br>**(Illegal Pre-Trial Punishment -Article 13)**<br><br>**21 May 2026** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

n. Enclosure N: Brig OIC Email of 15 Jan 26
o. Enclosure O: Prisoner Disciplinary report of 10 Feb 26
p. Enclosure P: Ms. Welch Email of 19 Feb 26
q. Enclosure Q: Custody Classification Documents
r. Enclosure R: Trial Counsel and OIC Emails of 20 Mar 26
s. Enclosure S: Photos Provided by the Brig
t. Enclosure T: Paralegal Affidavit S.L. Smith
u. Enclosure U: Copeland Affidavit

## Dempsey, Christopher B LCDR USN (USA)

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA)
**Sent:** Thursday, January 15, 2026 2:55 PM
**To:** Dempsey, Christopher B LCDR USN (USA)
**Subject:** RE: Relevant Paperwork
**Signed By:** brian.p.flanagan.mil@us.navy.mil

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

LCDR Dempsey,

Wanted to follow up on the hearing that I participated in, specifically regarding Copeland's MAX status. Did the Judge make any determination in favor of one direction or another? Right now he is still MAX and POI, though I think we will be taking him off POI based on clinical recommendation. With his recent punching of walls and picking at scabs, I am more inclined to keep him as a MAX. To me, it seems he is having trouble controlling whatever emotion is causing him to lash out in that way, what is to stop him from doing that to another prisoner if he was moved to gen pop? That is all still within what the SECNAV says I have the authority to determine as far as maintaining a MAX status.

V/R,

OIC

---

**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Thursday, December 11, 2025 12:56 PM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Subject:** RE: Relevant Paperwork

Good Afternoon Sir,

Copy all haha. The relevant schedule is as follows:

- Motions hearing on 5 March 2026
- Motions hearting on 23 April 2026
- Trial 2-26 June 2026

Thank you!

V/r,

LCDR Dempsey

---

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Sent:** Thursday, December 11, 2025 7:40 AM

**To:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** RE: Relevant Paperwork

LCDR Dempsey,

Thank you for the follow up and please keep me posted. Also for the clarification. I was tracking it was denied/ruled against because the SECNAV clearly states we can do what we are doing. Reading the attachment, I vaguely remember now but tough to keep track of all these things as I sign/review documents throughout the day every day, so from October to now I was drawing a blank. Comforting to see it's not my signature at least!

What I am tracking now is the next hearing is in June?

V/R,

OIC

---

**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Wednesday, December 10, 2025 5:38 PM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Subject:** RE: Relevant Paperwork

Good Afternoon Sir,

Thank you for your flexibility and assistance today! The hearing just ended. The military judge will issue a ruling on potential unlawful pretrial punishment at a later date. To be clear, and this was likely lost in translation on my part, the last motion was not "denied." Instead, the judge said he would not hear it because there was not technically a court-marital yet (and he was not appointed as the judge).

I will update you ASAP. FYSA, I've also attached your CO's approval for contact visitation with Copeland in case that comes up again.

Thank you again!

V/r,

LCDR Dempsey

---

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Sent:** Wednesday, December 10, 2025 8:18 AM
**To:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** RE: Relevant Paperwork

LCDR Dempsey,

What in particular about those two dates? Both recommend reducing his classification based on the points, one recommends this still and the other recommends override.

V/R,

OIC

---

**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Tuesday, December 9, 2025 7:53 PM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Subject:** Relevant Paperwork

Good Evening Sir,

If you have any time tomorrow morning prior to your testimony, I've compiled the relevant C&A boards/notes for CSSN Copeland. These dates may become relevant during your testimony, specifically 11 August and 14 October.

Thank you, sir!

Very Respectfully,

Christopher B. Dempsey
LCDR, JAGC, USN
Special Trial Counsel
757-341-4545
Officer of Special Trial Counsel Det. Norfolk
9620 Maryland Avenue
Norfolk, Virginia 23511

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Prescribed by: DoDI 1325.07

CUI (when filled in)

# PRISONER DISCIPLINARY REPORT/ACTION

REPORT DATE (YYYYMMDD) 20260210

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to record information about rules violations by a prisoner, a summary of any related investigation, findings, and disposition. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PRISONER**

| a. NAME (Last, First, Middle) | b. REGISTRATION NUMBER |
|---|---|
| COPELAND, JERMIAH | 00165476CJ |

| 2. CUSTODY LEVEL | 3. HOUSING UNIT/DORM | 4. CELL BLOCK | 5. DETAIL | 6. CELL #/BUNK # |
|---|---|---|---|---|
| MAX/PVD | KILO EAST | SQ | | K-78 |

**7. INCIDENT**

a. VIOLATION(S)

DISRESPECT (CATIV)

| b. DATE (YYYYMMDD) | c. TIME | d. LOCATION |
|---|---|---|
| 20260210 | 1750 | K-78 |

e. DETAILS OF CHARGE(S) *(Include evidence (if any), use of force, list staff witness(es), and action taken.)* *(Continued on Page 3.)*

On the above date and time I DC2 Heggenberger, was conducting my CDO rounds in Kilo East. I started on the upper level and as i came upon cell K-78 SNP Copeland asked me if he could do his personal time later in the evening. It was reported to me by my watch standers that he refused so i asked him if he refused and he said "No, i want to do it later". I told him to give me a second so i could return to the bubble and ask the watch standers what happened. I returned to the bubble and asked ABE2 Cantu what happened. He stated to me that he went to let out SNP Copeland for personal time before dinner and that SNP Copeland came to the door and shut it and then hit the button and stated " Never mind, i want to do it later". ABE2 Cantu said we can support your personal time now, if you dont want to do it, it will be marked down as a refusal. SNP Copeland

**8. INCIDENT REPORTED BY**

| a. NAME (Last, First, Middle) | b. GRADE | c. TITLE | d. SIGNATURE | e. DATE (YYYYMMDD) | f. TIME |
|---|---|---|---|---|---|
| Heggenberger, L | E-5 | CDO | [redacted] | 20260210 | 1750 |

**9. INCIDENT REPORTED TO**

| a. SUPERVISOR NAME (Last, First, Middle) | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|
| HEGGENBERGER, L | 20260210 | 1750 |

d. DISPOSITION TAKEN:

Informed Operations and the chain of command. Forwarded to Investigations.

| 10.a. WAS IMMEDIATE MEDICAL ATTENTION NEEDED? | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|
| ☒ YES ☐ NO | 20260210 | 1815 |

d. DESCRIBE ANY MEDICAL ATTENTION GIVEN:

HM2 went and questioned SNP. SNP stated that he had no current homicidal or suicidal ideations.

| | | | |
|---|---|---|---|
| 11. INVESTIGATION REQUIRED? | ☒ YES | ☐ NO | ☐ N/A |
| 12.a. ADVISEMENT OF RIGHTS GIVEN? *(If yes, attach original rights acknowledgment form)* | ☒ YES | ☐ NO | ☐ N/A |
| b. PRISONER WAIVED RIGHTS? *(If yes, see attachment)* | ☒ YES | ☐ NO | ☐ N/A |
| c. PRISONER STATEMENT *(If yes, attach statement)* | ☒ YES | ☐ NO | ☐ N/A |
| 13.a. INVESTIGATIVE SUMMARY? | ☒ YES *(Please attach copy of report)* | | ☐ NO |

b. BRIEF SYNOPSIS:

See attached.

| c. NAME AND TITLE OF INVESTIGATOR | d. SIGNATURE | e. DATE (YYYYMMDD) |
|---|---|---|
| MAC Jones, L | [redacted] | 20260212 |

**14. ATTACHMENTS** *(Use DD Form 2719)*

2026-09

## PRISONER DISCIPLINARY REPORT/ACTION

**15.a. INITIAL REVIEWING AUTHORITY DISPOSITION**

FORWARD TO DDA BOARD

| b. INITIAL REVIEWING AUTHORITY NAME, GRADE AND TITLE | c. SIGNATURE | d. DATE (YYYYMMDD) |
|---|---|---|
| CMDCS STREETER | [redacted] | 20260212 |

**16. RESULTS OF DISCIPLINARY AND ADJUSTMENT BOARD**

a. FINDINGS: ☑ PRISONER DID COMMIT THE OFFENSE REPORTED ☐ PRISONER DID NOT COMMIT THE OFFENSE REPORTED

FINDINGS ARE BASED ON THE FOLLOWING:

| | W | D | P |
|---|---|---|---|
| 1. | G | G | G |

b. RECOMMENDATION OF DISCIPLINARY AND ADJUSTMENT BOARD

LOSS OF PRIVILEGES NTE 10 DAYS HELD IN ABEYANCE

c. APPEAL RIGHTS EXPLAINED TO PRISONER: ☐ YES ☐ NO

| d. NAME AND TITLE OF BOARD PRESIDENT | e. SIGNATURE | f. DATE (YYYYMMDD) |
|---|---|---|
| LtCol Willard, Kitchens | [redacted] | 20260218 |

**17.a. RECOMMENDATION OF THE REVIEWING OFFICER**

CONCUR WITH BOARD RECOMMENDATION

| b. NAME AND TITLE OF REVIEWING OFFICER | c. SIGNATURE | d. DATE (YYYYMMDD) |
|---|---|---|
| CMDCS STREETER | [redacted] | 20260303 |

**18.a. ACTION TAKEN BY THE APPROVING AUTHORITY**

LOP NTE 10 DAYS HELD IN ABEYANCE.

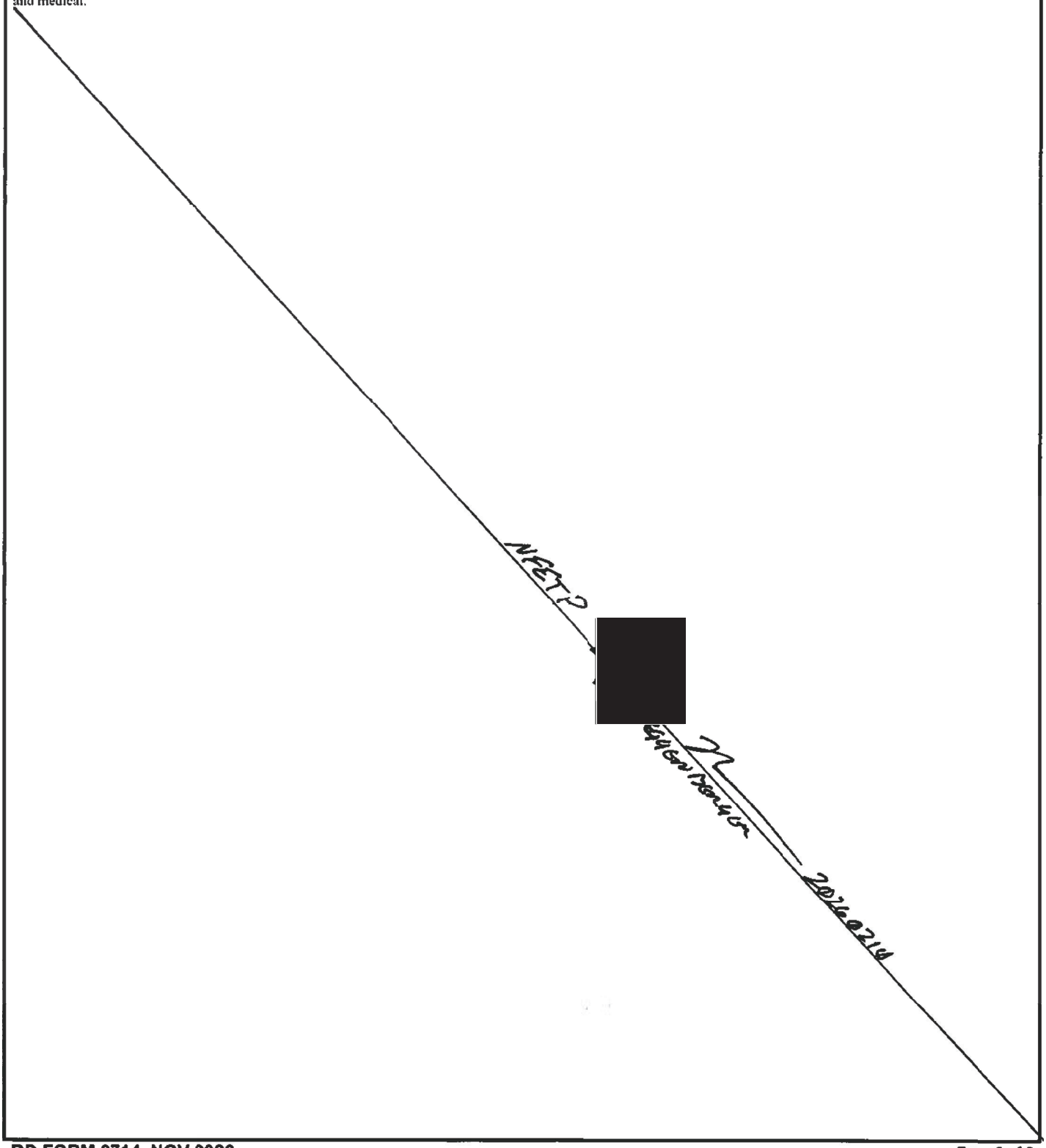
| b. NAME AND TITLE OF APPROVING OFFICER | [redacted] | . DATE (YYYYMMDD) |
|---|---|---|
| CDR FLANAGAN, BRIAN | | 20260304 |

**19.a. ACTION TAKEN BY THE APPEAL AUTHORITY**

| b. NAME AND TITLE OF APPEAL AUTHORITY | c. SIGNATURE | d. DATE (YYYYMMDD) |
|---|---|---|
| | | |

e. DETAILS OF CHARGE(S) *(Include evidence (if any), use of force, list staff witness(es), and action taken.) (Continued from Page 1.)*

acknowledged ABE2 and still said "Not right now". I then left the bubble and returned to the upper SQ level and stopped in front of cell K-78 to brief the SNP that he was offered his personal time and that he changed his mind and decided to remain in his cell. Before i could even talk to SNP Copeland about any kind of solution he became aggrivated and raised his voice upset saying "Why does it even matter if i say later? My family is on the west coast. Y'all dont do shit on nights. Y'all treat me like shit." I then stated that we still have tasks to do on nights and that he doesnt know whats going on and who is it that treats him poorly. SNP then stated "I know what y'all do. Y'all dont do shit. Ive had staff tell me everything that goes on in here. Cantu and OS2 Hunter treat me like shit" I then asked him which staff member has told you the Brig operations and what did my watch standers do for him to feel that way. He said "Who are you to ask me that? I dont have to tell you shit". He then proceeded to say "Y'all make me want to kill myself soon." I asked him "Soon like tonight?" He then said "Naw, but soon." I then had BM2 wells stand by SNP Copelands cell while i left to contact the chain of command and medical.



# D&A BOARD COVER SHEET

**Report Number**
**DR 2026-09**

| 3. INMATE'S NAME (LAST, FIRST, MIDDLE) | 5. ID NUMBER (RCN) |
|---|---|
| COPELAND, JERMIAH T. | 00165476CJ |

| OFFENSES: | | | |
|---|---|---|---|
| 1: DISRESPECT (CAT IV) | P: | F: G | V: |
| 2: | P: | F: | V: |
| 3: | P: | F: | V: |
| 4: | P: | F: | V: |
| 5: | P: | F: | V: |

CURRENT NUMBER GOOD DAYS:

CURRENT NUMBER EARNED DAYS:

LENGTH OF SENTENCE:

LENGTH SERVED: 247 DAYS (11FEB26)

RELEASE DATE:

PRE-TRIAL AGREEMENT: ☐ YES ☒ NO

UNDER SUSPENDED PUNISHMENT: ☐ YES ☒ NO

REPEAT OFFENSE: ☒ YES ☐ NO

DR HISTORY:
REPORT DATE: 20260204
CHARGES: DISOBEDIENCE (CAT-III), STAFF HARASSMENT (CAT-III), DISRESPECT (IV)
RESULTS: LOP NTE 10 DAYS

[redacted]

BOARD CHAIRPERSON BOARD MEMBER BOARD MEMBER

# VOLUNTARY STATEMENT

1. Place: K-East
2. Date Time: 02 10 26
3. 1732

I, ABE2 Cantu, make the following free and voluntary statement to MAC Jones, whom I know to be a command investigator for the Naval Consolidated Brig Chesapeake. I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement concerning my knowledge of: SNP Copeland, incident with personal time.

At the above date and time, I was posted as Kilo East Dorm Supervisor. I asked SNP Copeland if he wished to take personal call. SNP initially agreed, so I allowed him out of his cell. I then resumed writing in my logbook.

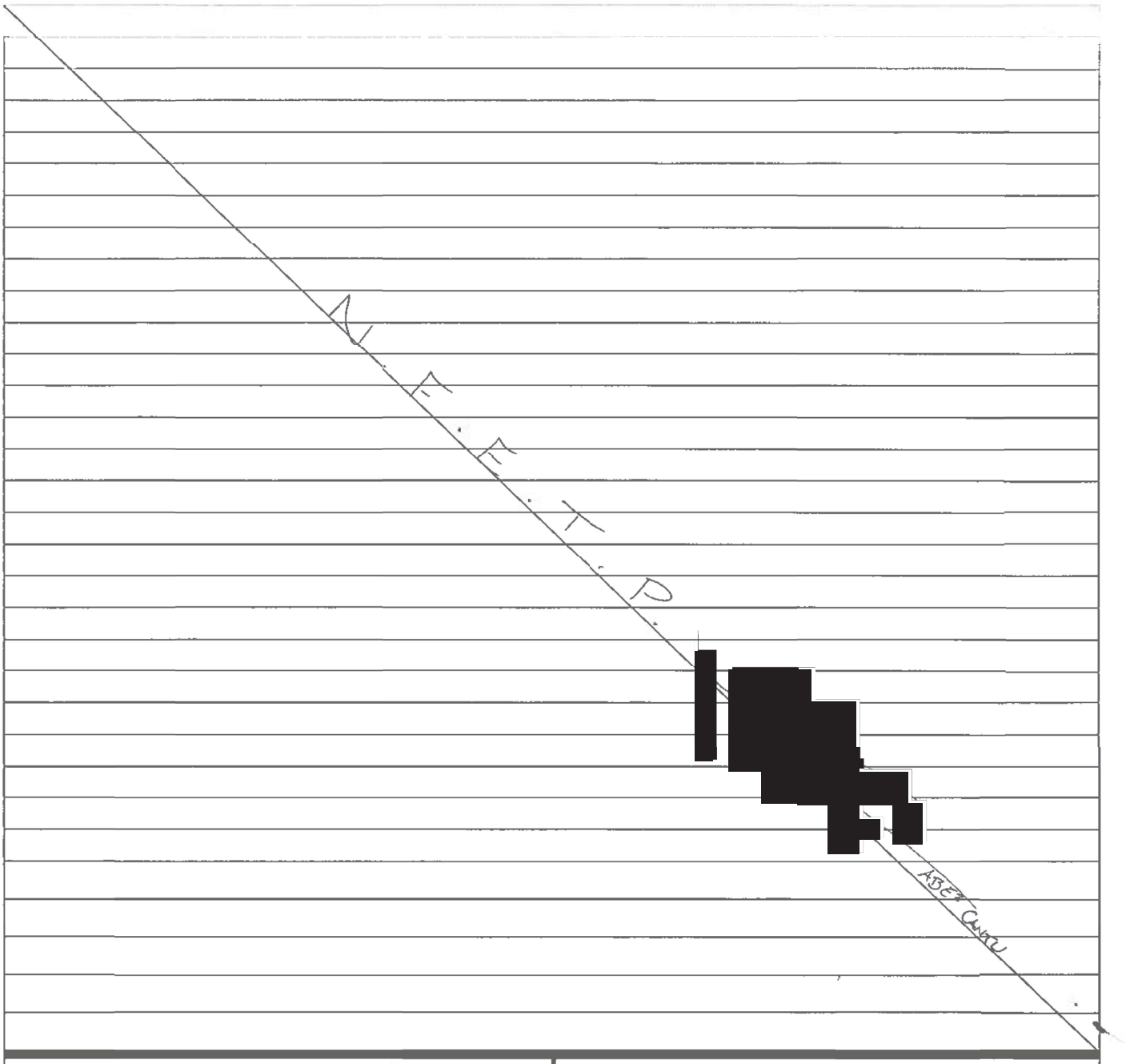
Moments later, SNP Copeland pressed his call button and stated, "Never mind. I'd like to take my personal time later." I informed SNP that personal time is being offered at this time and that he could not choose when to take it. I advised him that this was his opportunity to participate. SNP argued that there were other sets stating that he is allowed to take personal time whenever he wants, adding that we were singling him out. I asked SNP again if he wished to participate, and he responded, "No. I want to do it later." In accordance with the directive passed down to all sets, I documented SNP Copeland's personal time as a refusal.

At approximately 1750, the CDO conducted a tour of Special Quarters. During this tour, SNP Copeland informed the CDO that he believed he was being treated unfairly. During the conversation, SNP raised his voice and used profane language, making statements including, "You guys treat me like shit," "I watch y'all inside the bubble. Y'all don't do shit," "I got guards that tell me what y'all do around the brig," "Y'all are able to let me out when I want," "There's only three of us up here," and "It be your own people."

The CDO asked SNP to clarify these statements as they were made. SNP responded to each inquiry by stating, "I don't have to tell you shit."

Near the conclusion of the conversation, SNP stated that he was becoming *so frustrated* that he felt like killing himself. The CDO immediately asked SNP if he was feeling suicidal at that moment and whether he had a plan to harm himself. SNP responded, "No." The CDO returned to the bubble, confirmed with me that I had heard the conversation, and directed BM2 Wells to monitor SNP Copeland while he notified the chain of command.

N. E. E. T. P [redacted] CANTU




Subscribed and Sworn Before Me This 10th

Day of February, 2024

Signatur[redacted]

Print: MAC Jones, L

I have read over this statement, which contains information/facts I have voluntarily provided. I have initialed corrections and made changes that I desire. This statement is true and correct to the best of my knowledge and recollection.

[redacted]

Signature

ABE² CANTU

Print Name

# VOLUNTARY STATEMENT

1. Place: K-East
2. Date Time: 02 10 26
3. 1750

I, OS2 Hunter, make the following free and voluntary statement to MAC Jones, whom I know to be a command investigator for the Naval Consolidated Brig Chesapeake. I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement concerning my knowledge of: SNP Copeland, incident with personal time.

At the above date and time, I was posted as Kilo East Dorm Supervisor.
At approximately 1750, the CDO conducted a tour of Special Quarters. During this tour, SNP Copeland informed the CDO that he believed he was being treated unfairly. During the conversation, SNP raised his voice and used profane language, making statements including, "You guys treat me like shit," "I watch y'all inside the bubble. Y'all don't do shit," "I got guards that tell me what y'all do around the brig," "Y'all are able to let me out when I want," "There's only three of us up here," and "It be your own people."
The CDO asked SNP to clarify these statements as they were made. SNP responded to each inquiry by stating, "I don't have to tell you shit."
Near the conclusion of the conversation, SNP stated that he was becoming so frustrated that he felt like killing himself. The CDO immediately asked SNP if he was feeling suicidal at that moment and whether he had a plan to harm himself. SNP responded, "No." The CDO returned to the bubble, confirmed with me that I had heard the conversation, and directed BM2 Wells to monitor SNP Copeland while he notified the chain of command.

VOLUNTARY STATEMENT CONTINUED NAME: OSC Hunter, T

NFETS OSC HUNTER

[redacted]

Subscribed and Sworn Before Me This 10th

Day of February, 2026

Signature [redacted]

Print: MAC Jones, L

I have read over this statement, which contains information/facts I have voluntarily provided. I have initialed corrections and made changes that I desire. This statement is true and correct to the best of my knowledge and recollection.

[redacted]

Signature

Terrance Hunter

Print Name

# REPORT OF INVESTIGATION

From: MAC Jones, USN, Command Investigator
To: Commanding Officer, NAVCONBRIG CHARLESTON

Subj: REPORT OF INVESTIGATION ICO: Prisoner Copeland, Jermiah T.

Encl: (1) Disciplinary Report DD Form 2714 ICO: Prisoner Copeland, Jermiah T.
(2) Advisement of Rights ICO: Prisoner Copeland, Jermiah T.
(3) Witness Statement ICO: ABE2 Cantu, A.
(4) Witness Statement ICO: OS2 Hunter, T.
(5) Video Evidence
(6) Hard Card ICO: Prisoner Copeland, Jermiah T.

CASE CONTROL NUMBER: 2026-09

SUSPECT 1: Prisoner Copeland, Jermiah T. RCN 00165476CJ

CHARGE(S): Disrespect (CAT-III)

COMPLAINANT: Heggenberger, L./ E-5 / USN

**SYNOPSIS**: On 10 February 2026 at approximately 1750, DC2 Heggenberger was CDO conducting rounds in Kilo East and was asked by Prisoner Copeland if he could do his personal time later in the evening. It was reported to Heggenberger by his watch standers that Copeland had refused. Heggenberger asked him if he had refused and Copeland replied "No, I want to do it later". Heggenberger went to verify with the watch standers in the bubble and asked ABE2 Cantu what happened? Cantu stated he went to let out Copeland for personal time before dinner, Copeland came to the door, shut it, hit the call button, and stated "Never mind, I want to do it later". Cantu stated "we can't support your personal time now, if you don't want to do it, it will be marked down as a refusal. Cantu stated Copeland acknowledged and still said "Not right now". Heggenberger left the bubble and returned to the SQ area to brief Copeland. Heggenberger stated to Copeland that he was offered personal time and that he changed his mind and decided to remain in his cell. Copeland became aggravated and raised his voice saying, "Why does it even matter if I say later?" "My family is on the West Coast. Yall don't do shit on nights. Yall treat me like shit. Heggenberger stated to Copeland that they still have tasks to do on nights and that he doesn't know what's going on and who it is that treats him poorly. Copeland further stated "I know what yall do. Yall don't do shit. Ive had staff tell me everything that goes on here. Cantu and OS2 Hunter treat me like shit". Heggenberger asked Copeland which staff member had told him about the Brig operations and what did his watch standers do for Copeland to feel that way. Copeland responded "Who are you to ask me that? I don't have to tell you shit. Yall make me want to kill myself soon". Heggenberger asked Copeland "Soon, like tonight?" Copeland replied "Naw, but soon". Heggenberger had BM2 Wells stand by Copelands cell while he contacted the chain of command and medical.

**COMPLAINANT STATEMENT**: In his statement, Heggenberger stated on 10 February 2026 at approximately 1750, he was CDO conducting rounds in Kilo East and was asked by Prisoner Copeland if he could do his personal time later in the evening. It was reported to Heggenberger by his watch standers that Copeland had refused. Heggenberger stated he asked Copeland if he had refused and Copeland replied "No, I want to do it later". Heggenberger further stated he went to verify with the watch standers in the bubble and asked Cantu what happened? Heggenberger stated Cantu advised him, he went to let out Copeland for personal time before dinner, Copeland came to the door, shut it, hit the call button, and stated "Never mind, I want to do it later". Cantu stated "we can't support your personal time now, if you don't want to do it, it will be marked down as a refusal. Cantu also

stated Copeland acknowledged and still said "Not right now". Heggenberger left the bubble and returned to the SQ area to brief Copeland. Heggenberger stated to Copeland that he was offered personal time and that he changed his mind and decided to remain in his cell. Heggenberger stated Copeland became aggravated and raised his voice saying, "Why does it even matter if I say later?" "My family is on the West Coast. Yall don't do shit on nights. Yall treat me like shit. Heggenberger also stated to Copeland that they still have tasks to do on nights and that he doesn't know what's going on and who it is that treats him poorly. Copeland further stated to Heggenberger, "I know what yall do. Yall don't do shit. Ive had staff tell me everything that goes on here. Cantu and OS2 Hunter treat me like shit". Heggenberger stated he asked Copeland which staff member had told him about the Brig operations and what did his watch standers do for Copeland to feel that way. Copeland responded to Heggenberger "Who are you to ask me that? I don't have to tell you shit. Yall make me want to kill myself soon". Heggenberger asked Copeland "Soon, like tonight?" Copeland replied "Naw, but soon". Heggenberger had BM2 Wells stand by Copelands cell while he contacted the chain of command and medical.

**WITNESS STATEMENT**: On 10 February 2026, at approximately 1732, MAC Jones met with Cantu who provided a sworn written statement. Cantu's statement corroborated with Heggenberger's statement.

**WITNESS STATEMENT**: On 10 February 2026, at approximately 1750, MAC Jones met with Hunter who provided a sworn written statement. Hunter's statement corroborated Heggenberger's statement.

**SUSPECT STATEMENT**: On 11 February 2026, at approximately 1200, MAC Jones advised SNP Copeland of his rights (Enclosure 2). SNP acknowledged his rights and provided a verbal statement and pleaded "No Plea" to his charge. In his statement, Copeland stated there was more than just Cantu and Hunter in the bubble on the day of the DR. Copeland further stated the CDO told him he was just a prisoner, never told him he was being disrespectful, and that he was not doing his incentive level 3 due to his actions. Copeland stated he just smiled and said OK to the CDO. Copeland also stated he was asked by Cantu if he was doing his personal time today and he replied yes and asked if he could do it later. Copeland stated he never raised his voice, he just stated the facts about how he felt and towards the end he got agitated. Copeland further stated he did tell the CDO that they make him want to kill himself, but the CDO didn't aske him if he had a plan to harm himself.

**INVESTIGATIVE COMMENTS**: MAC Jones reviewed camera footage of the interaction between Heggenberger and Copeland via C204. Heggenberger approached Copeland's cell, kneels, and began talking to him as Hunter was completing his rounds on the SQ floor. Heggenberger then proceeds to check on the other prisoners in the SQ area, sign the 509 and then departs. At 1829, Heggenberger returns as Hunter is departing SQ area and appears to ask Hunter to stand by as he talks with Copeland. Heggenberger approaches Copleand cell door with Hunter standing off to the side, as witness to the interaction. Heggenberger remains at Copelands cell door talking to him for six minutes before leaving and Wells arriving. Wells arrives and stands at Copeland cell door watching him for 23 minutes. At 1907, Heggenberger arrives again to talk with Copeland for a few moments then leave. HM2 Siler arrives to check on Copeland.

Investigations recommend the charges Disrespect be forwarded to D&A board for processing.

[redacted]

L. T. Jones, MAC
Command Investigator

| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20260211 |
|---|---|
| 1. TITLE OF FORM **ADVISEMENT OF RIGHTS** | 2. DD FORM **DD FORM 2714** |
| 3. PRISONERS NAME (Last, First, Middle) COPELAND, JERMIAH T. | 4. REGISTRATION NUMBER 00165476CJ |

MAC Jones, the Command Investigator, has informed me I am accused of violating one or more Naval Consolidated Brig rules/regulations and that a Disciplinary and Adjustment (D&A) Board hearing will be conducted. This Board is authorized to hear evidence relating to the alleged violation(s) presented by the Brig staff or me. After the hearing, the D&A Board may recommend punishment in the case to the Brig Officer in Charge. I have also been briefed on the following issues concerning the D&A Board procedure:

JC 1. I have the right to make no statement at all.

JC 2. Any statement I make can be used against me in a trial by courts martial, the D&A Board or other judicial or administrative proceedings.

JC 3. I have the right to a written copy of the charge(s) against me, 24-hours prior to the hearing;
Received (date/time): 11 FEB 26 1700 Prisoner's Initials: JC

JC 4. The right to ask the D&A Board President to appoint a staff member to act as an interpreter, spokesperson or to explain the charges to me if I am unable to understand them myself. I do not have the right to a specific staff member.

_____ I request the D&A Board President appoint a staff member to:
_____ Act as an interpreter, ____ Help me understand/comprehend the charges
Language required:_____ Staff Member Assigned: _____

JC 5. The right to consult with legal counsel. **However, legal counsel is not authorized to be present at this hearing.** Requests for delay must be submitted in writing.

JC 6. The right to submit a written request to review the evidence (except video/camera footage) and statements up to 24 hours prior to the D&A Board.

JC 7. To call witnesses and present documentary evidence on my behalf, providing security and good order and discipline is not jeopardized;

Witness: _____, _____, _____ (list others on a separate page)

JC 8. The right to be present during open sessions of the hearing and make statements in my defense.

JC 9. The right to be advised of the boards' decision in the case and the facts supporting the decision

JC 10. The right to appeal the decision to the Officer in Charge within 15 days of the hearing

JC 11. The right to be informed of the Officer in Charge's decision in writing.

**DISCIPLINE AND ADJUSTMENT BOARD HEARING NOTIFICATION**

I hereby acknowledge notification that a Discipline and Adjustment Board hearing is scheduled to hear my case and that I have received at least 24-hours notice before the hearing. I understand that I may schedule witnesses to appear on my behalf and that they will be allowed to attend the hearing on the scheduled date.

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T. | [redacted] | 20260211 |

I wish to waive the 24-hour waiting period so that I may expedite the proceedings on my behalf.

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T. | | 20260211 |

| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20260211 |
|---|---|
| 1. TITLE OF FORM ACKNOWLEDGEMENT OR WAIVER OF HEARING STATEMENT | 2. DD FORM DD FORM 2714 |
| 3. PRISONERS NAME (Last, First, Middle) COPELAND, JERMIAH T. | 4. REGISTRATION NUMBER 00165476CJ |

I contend that I am ☐ Guilty ☐ Not Guilty or ☒ No Plea.

[redacted] 20260211

SIGNATURE DATE (YYYYMMDD)

APPEARANCE DECISION

_____ I will appear before the D&A Board.

X I do not wish to appear before the D&A Board. I understand that with this waiver, I maintain my right to appeal the decision of the D&A Board and any punishment that the Officer in Charge may direct. I also understand that I must file an appeal within fifteen (15) days of the decision.

COPELAND, JERMIAH. T [redacted] 20260211

NAME (Last, First, Middle) SIGNATURE DATE (YYYYMMDD)

**Witness**

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| BM2 BASS, B | [redacted] | 20260211 |
| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
| | | |

**Initial Review**

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| | | |

1640
D&A
11 February 2026

From: Command Discipline and Adjustment (D&A) Board Chair
To: Housing Unit Manager and Prisoner on LOP
Via: Brig Officer, Naval Consolidated Brig Chesapeake

Subj: PUNISHMENT IMPOSED REQUIRING UNIT ENFORCEMENT: LOSS OF PRIVILEGES (LOP)

1. **LOP**. Prisoner COPELAND, JERMIAH C. (00165476CJ) is awarded punishment consisting of below-listed LOSS OF PRIVILEGES (LOP) for a period of 10 days commencing on the date of this letter. 0 days are suspended for 0 days. The LOP shall start on the date of this letter and end at TAPS on 21 FEBRUARY 2026. Unit staff and work center supervisor shall enforce the loss of privileges indicated below.

X Dayroom access (remain in cell during personal time)
X Housing unit recreation (board games, cards, etc.)
_ TV use
_ Brig issued PMD
_ Telephone use
X Personal music device (CD player/radio)
_ Participation in recreation call
X Library use (retain personal books unless otherwise noted)
X All voluntary activities except Sunday worship services.
_ Personal Visitation
X Other: NONE

2. The prisoner shall serve the LOP in cell **KE-78** in **full uniform**. Prisoners on LOP shall continue to participate in all assigned work details during normal work hours. Prisoners also serve LOP during their scheduled days off.

3. Any equipment/item prohibited during this LOP period shall be turned into the unit staff immediately including library and library cart materials. If TV call, movie call, and brig-issued/personal music devices (PMD) are part of the LOP, the prisoner must turn in his/her headphone(s) and ear buds to the Quarters Supervisor.

4. There is no provision entitling the prisoner to one phone call per week if phone privileges are part of the LOP. If there is a requirement for an urgent call, the prisoner must submit a DD 510 chit request. Only the OIC can give final approval. **(Staff shall walk the chit through if urgent.)**

5. Prisoners on LOP may sit, but not lie down, on the rack between reveille and 2000 hours. Exceptions require a valid medical chit authorizing it. In that case, the prisoner must first receive permission from the on-duty Quarters Supervisor, who shall time the rest period. Prisoners on LOP will shower after 2000 hours.

6. Unit staff are not authorized to override any of the LOP provisions or any other punishment awarded. Only the OIC can override them and it requires an approved DD 510 chit request.

7. Other punishment, if imposed, is recorded in the Discipline Board summary (a copy is given to the prisoner, the CDO, and the original is placed in the prisoner record) and the D&A Board Log.

Recommended by:

[redacted] ASC Wilcox

D&A Board Chair

Approved by:

[redacted]

Your signature below verifies acknowledgement and understanding of what is required of you.

[redacted] Date: 11FEB26

Prisoner signature

MAC Jones [redacted] Date: 11FEB2026

Staff Name and S

Copy to:
Counselor
Quarter Supervisor
Prisoner File

# PRISONER DISCIPLINARY REPORT/ACTION

REPORT DATE (YYYYMMDD): 20260204

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to record information about rules violations by a prisoner, a summary of any related investigation, findings, and disposition. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PRISONER**

| a. NAME (Last, First, Middle) | b. REGISTRATION NUMBER |
|---|---|
| Copeland. J | 00165476CJ |

| 2. CUSTODY LEVEL | 3. HOUSING UNIT/DORM | 4. CELL BLOCK | 5. DETAIL | 6. CELL #/BUNK # |
|---|---|---|---|---|
| MAX | Kilo East | SQ | | K-78 |

**7. INCIDENT**

a. VIOLATION(S)
Disrespect (CAT IV), Disobedience(CAT III), and Staff Harassment (CAT II)

| b. DATE (YYYYMMDD) | c. TIME | d. LOCATION |
|---|---|---|
| 20260204 | 1020 | NAVCONBRIG CHARLESTON DET CHESAPEAKE |

e. DETAILS OF CHARGE(S) *(Include evidence (if any), use of force, list staff witness(es), and action taken.)* *(Continued on Page 3.)*
At the above date and time, I, MA2 Lozano, CDO received a call from BM2 Flores, Special Quarters supervisor, to inform me that while conducting her rounds observed SNP Copeland's cell, he was lying on his rack, wrapped up in his blankets, appeared to be sleeping. When she woke him up, she told him that he was not allowed to sleep or lay down during working hours. She then informed me that SNP Copeland stated that "the CDO gave him permission to lay down". That is why she wanted to confirm with me. He then grabbed his boxes from underneath the rack, made a makeshift bed and laid on top, covered himself in the blanket.
At 1030, I arrived at Kilo-East and I explained to BM2 Flores that I never gave him permission to do that and that I would be the one issuing him a negative (-) on his hard card. I asked MA1 Eck if he could come with me to have him sign it. MA1 and I went up into Special Quarters, MA1 handed me the Rules and Regulations Book, and I grabbed

**8. INCIDENT REPORTED BY**

| a. NAME (Last, First, Middle) | b. GRADE | c. TITLE | d. SIGNATURE | e. DATE (YYYYMMDD) | f. TIME |
|---|---|---|---|---|---|
| MA2 Lozano, G. | E-5 | CDO | [redacted] MA2 LOZANO | 20260204 | 1030 |

**9. INCIDENT REPORTED TO**

| a. SUPERVISOR NAME (Last, First, Middle) | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|
| SGT Ricard, M. | 20260204 | 1125 |

d. DISPOSITION TAKEN:

| 10.a. WAS IMMEDIATE MEDICAL ATTENTION NEEDED? | ☐ YES | ☒ NO | b. DATE (YYYYMMDD) | c. TIME |
|---|---|---|---|---|
| | | | | |

d. DESCRIBE ANY MEDICAL ATTENTION GIVEN:

| | | | |
|---|---|---|---|
| 11. INVESTIGATION REQUIRED? | ☒ YES | ☐ NO | ☐ N/A |
| 12.a. ADVISEMENT OF RIGHTS GIVEN? *(If yes, attach original rights acknowledgment form)* | ☒ YES | ☐ NO | ☐ N/A |
| b. PRISONER WAIVED RIGHTS? *(If yes, see attachment)* | ☒ YES | ☐ NO | ☐ N/A |
| c. PRISONER STATEMENT *(If yes, attach statement)* | ☒ YES | ☐ NO | ☐ N/A |
| 13.a. INVESTIGATIVE SUMMARY? | ☒ YES *(Please attach copy of report)* | | ☐ NO |

b. BRIEF SYNOPSIS:
See attached

| c. NAME AND TITLE OF INVESTIGATOR | d. SIGNATURE | e. DATE (YYYYMMDD) |
|---|---|---|
| MAC Jones, L | [redacted] | 20260209 |

14. ATTACHMENTS *(Use DD Form 2719)*

## PRISONER DISCIPLINARY REPORT/ACTION

**15.a. INITIAL REVIEWING AUTHORITY DISPOSITION**

FORWARD TO D&A BOARD.

| b. INITIAL REVIEWING AUTHORITY NAME, GRADE AND TITLE | [redacted] | d. DATE *(YYYYMMDD)* |
|---|---|---|
| CMDCS STREETER | | 20260209 |

**16. RESULTS OF DISCIPLINARY AND ADJUSTMENT BOARD**

a. FINDINGS: ☑ PRISONER DID COMMIT THE OFFENSE REPORTED ☐ PRISONER DID NOT COMMIT THE OFFENSE REPORTED

FINDINGS ARE BASED ON THE FOLLOWING:

| | W | M | H |
|---|---|---|---|
| 1. | G | G | G |
| 2. | G | G | G |
| 3 | G | G | G |

b. RECOMMENDATION OF DISCIPLINARY AND ADJUSTMENT BOARD

LOP NTE 10 DAYS

c. APPEAL RIGHTS EXPLAINED TO PRISONER: ☑ YES ☐ NO

| d. NAME AND TITLE OF BOARD PRESIDENT | e. SIGNATURE | f. DATE *(YYYYMMDD)* |
|---|---|---|
| [redacted] | [redacted] | 20260210 |

**17.a. RECOMMENDATION OF THE REVIEWING OFFICER**

CONCUR WITH BOARD.

| b. NAME AND TITLE OF REVIEWING OFFICER | c. SIGNATURE | d. DATE *(YYYYMMDD)* |
|---|---|---|
| CMDCS STREETER | [redacted] | 20260210 |

**18.a. ACTION TAKEN BY THE APPROVING AUTHORITY**

LOP NTE 10 DAYS.

| b. NAME AND TITLE OF APPROVING OFFICER | [redacted] | d. DATE *(YYYYMMDD)* |
|---|---|---|
| CDR FLANAGAN, BRIAN OIC | | 20260211 |

**19.a. ACTION TAKEN BY THE APPEAL AUTHORITY**

| b. NAME AND TITLE OF APPEAL AUTHORITY | c. SIGNATURE | d. DATE *(YYYYMMDD)* |
|---|---|---|
| | | |

e. DETAILS OF CHARGE(S) *(Include evidence (if any), use of force, list staff witness(es), and action taken.) (Continued from Page 1.)*
CONTINUED

SNP Copeland's Handling letter. As I approached cell KE-78, I saw SNP Copeland was still lying down on top of his boxes, covered in his blankets. I knocked on the door and told SNP Copeland that he is not allowed to be laying down and sleeping during working hours. I then explained to him that just because I said, "You can't be fully covered in your blanket isn't me giving you permission to sleep". I read his handling letter where it said word for word "Make bunk daily after reveille and taps. Sitting on the bunk is authorized between reveille and taps. No laying down unless on personal time" and then I went into the Rules and Regulations Book, to PG. 38, Section 407, under #1. "You shall not lie on your bedding while in uniform (Uniform, shoes/boots)". I informed SNP Copeland that on 27JAN26 he was given a verbal warning for sleeping during the day and this time it would be a negative. He said "this is the only set that is in forcing this", "no other sets care including OIC", and "that he feels targeted because he's the only one being talked to" I explained to him that he's not the only one but it's not his job to worry about everyone else and just to focus on what is going on now, with him and if he wanted to sign is hard card or refuse. SNP Copeland went to grab a pen but turned around very quickly and said, "Show me where the fuck it says I can't lay down on my bed" I asked, "Are you refusing to sign?", he stated "No but show me where the fuck it says that! Where the fuck does it say I can't lay down on the boxes since it isn't his bed." MA1 Eck told him to "watch your language" I then opened the Rules and Regulations book to PG. 10, Section 205, under #1, "Orders given by staff personnel (military or civilian) or written orders are not subject to argument, discussion or negotiation. Orders will be obeyed immediately and without question." Handed him his hard card and he signed. MA1 Eck was about to say something when SNP Copeland then started shouting, "Stop talking to me! I don't want to talk to you no more, just leave me the fuck alone!" I grabbed the hard card and we walked away.

# D&A BOARD COVER SHEET

**Report Number**
**DR 2026-07**

| 3. INMATE'S NAME (LAST, FIRST, MIDDLE) | 5. ID NUMBER (RCN) |
|---|---|
| COPELAND, JERMIAH T. | 00165476CJ |

| OFFENSES: | | | |
|---|---|---|---|
| 1: DISOBEDIENCE (CAT-III) | P: NG | F: G | V: |
| 2: STAFF HARASSMENT (CAT-II) | P: NG | F: G | V: |
| 3: DISRESPECT (CAT IV) | P: G | F: G | V: |
| 4: | P: | F: | V: |
| 5: | P: | F: | V: |

CURRENT NUMBER GOOD DAYS:

CURRENT NUMBER EARNED DAYS:

LENGTH OF SENTENCE:

LENGTH SERVED: 242 DAYS (06FEB26)

RELEASE DATE:

PRE-TRIAL AGREEMENT: ☐ YES ☒ NO

UNDER SUSPENDED PUNISHMENT: ☐ YES ☒ NO

REPEAT OFFENSE: ☐ YES ☒ NO

DR HISTORY:

[redacted]

BOARD CHAIRPERSON BOARD MEMBER BOARD MEMBER

PRISONER HARDSHIP SEGREGATION SHEET

| Last, First, Middle | Status | Service | RUC |
|---|---|---|---|
| COPELAND, JERMAIN | MAX | USN | 00165476CJ |

| | Staff Mbr Print | SNP Init | Staff Init |
|---|---|---|---|
| 1. All my items have been itemized, inspected and stowed." | BM2 FIELDS | JC | |
| 2. I have completed the initial cell inspection form." | BM2 FIELDS | JC | |
| 3. I have completed Emergency Egress for my assigned dorm | BM2 FIELDS | JC | |
| 4. I have completed my initial DD Form 564 Requesting Health and Comfort Items | BM2 FIELDS | JC | |
| 5. I have completed my initial Mail and Visitation Form NAVPERS 1640/15 | BM2 FIELDS | JC | |
| 01JUL (-) NOT STANDING DURING COUNT | ABE2 BROWN | JC | |
| 12JUL (+) FOLDED R+R LAUNDRY | IC2 MCINTYRE | JC | |
| 5JUL25(+) FOLDED R+R CLOTHES | OS2 HARRIMAN | JC | |
| 5JUL25 (+) CLEANED CELL G1 | OS2 HARRIMAN | JC | |
| 13AUG25 (+) CLEAND SQ DAY ROOM + SHOWER | OS2 HARRIMAN | JC | |
| 13AUG25 (+) CLEANED CELL G1 | OS2 HARRIMAN | JC | |
| 19 AUG25 (+) CLEANED SQ DAY ROOM UPSTAIRS | OS2 HARRIMAN | JC | |
| 19AUG25 (+) CLEANED SQ DAY ROOM DOWNSTAIRS | OS2 HARRIMAN | JC | |
| 19AUG25 (+) CLEANED CELL G1 | OS2 HARRIMAN | JC | |
| 19 AUG25 MOVED TO CELL NE-78 | SGT RICARD | JC | |
| 27AUG25 (+) SNP CLEANED SQ DAY ROOM + SHOWER | CM2 RUSSELL | JC | |
| 28Aug25(+) SNP has completed 4 educational classes with positive attitude | COX | JC | |
| 30 AUG25 VERBAL WARNING; SNP BROKE PUNISHMENT IN TO BELOW | DC2 HUGGINS | JC | |
| 31AUG25 SNP MOVED TO CELL IC-79 AND TO ANTS | | JC | |
| 31AUG25 SNP CLEANED CELL IC-78 | | JC | |
| 04SEP25 (+) SNP CLEANED DAYROOM DURING PERSONAL TIME | CS2 EBICAME | JC | |
| 02SEP25(+) SNP CLEANED SQ DAY ROOM | OS2 HARRIMAN | JC | |
| 05SEP25 (+) FOLDING R+R LAUNDRY | CM2 RUSSELL | JC | |
| 08SEP25 (+) FOLDING R+R LAUNDRY | ABE2 BROWN | JC | |
| 22SEP25 ~~VERBAL WARNING FOR~~ REFUSING TO SHAVE AM2 LOGICO | | | |
| 25Sep25 (+) excellent job in Library & Cland | COX | JC | |
| 05OCT25 (+) CLEANING THE DAY ROOM DURING PERSONAL HOURS | CS2 EBICAME | JC | |
| 07OCT25 (+) SNP CLEANED SQ DAYROOM. | IC1 SANCHEZ | JC | |
| 10OCT25 SNP MOVED FROM CELL NE-56 to ~~NE-81~~ NE-79 | DC2 HUGGINS | JC | |
| 15OCT25 (-) SNP NOT STANDING FOR COUNT | MA1 ECIS | JC | |

Enclosure (1)

PRISONER HEALTH APPEAL OR SEVERITY SHEET

| Last, First, Middle | Status | Service | RCN |
|---|---|---|---|
| COPELAND, JERMAIN | MAX | USN | 00165476CJ |

| Date | Staff Mbr Print | SNP Init | Staff Init |
|---|---|---|---|
| 1. I have items have been stenciled, inspected and stored | | | |
| 2. I have completed the initial cell inspection form | | | |
| 3. I have completed Emergency Egress for my assigned area | | | |
| 4. I have completed my initial DD Form 564 Requesting Health and Comfort Items | | | |
| 5. I have completed my initial Mail and Visitation form NAVPERS [illegible] | | | |
| 04NOV25 (+) SNP FOLDED RACK LAUNDRY ON PERSONAL TIME | IC1 SANCHEZ | | |
| 11NOV25 (+) Cleaned SQ Dayroom @personal time | OS2 HUNTER | | JC |
| 18NOV25 Completed Step down cleaning in JW. | BM1 ANDERSON | | JC |
| 21 NOV25 REFUSED DINNER (OR WRITTEN) | ABE2 BROWN | | JC |
| 21 NOV25 REFUSED MEDICATION | ABE2 BROWN | | JC |
| 22 NOV25 REFUSED RECREATION CALL | ABE2 BROWN | | JC |
| 23NOV25 Cleaned | OS2 HUNTER | | JC |
| 26NOV25 REFUSED BREAKFEST | BM3 CUEVAS | | |
| 26NOV25 REFUSED REC | BM3 CUEVAS | | |
| 27NOV SNP REFUSED BREAKFAST | OS2 EBICAME | | JC |
| SNP REFUSED REC | OS2 EBICAME | | |
| 29NOV25 SNP REFUSED 2 MEALS | IC2 MCINTIRE | | |
| 01DEC25 REFUSED REC | OS2 EBICAME | | |
| 02DEC25 SNP CLEANED DAY ROOM FROM 1105 TO 1118 | OS2 CARLOW | | JC |
| 01DEC25 SNP ASKED TO CLEAN, SET COULDN'T SUPPORT LB* | OS2 CARLOW | | JC |
| 02DEC25 SNP FOLDED CLOTHES IN SQ DAYROOM | AGR WARNER? | | JC |
| 03DEC25 SLEEPING DURING DAY | [illegible] | | JC |
| 04DEC SNP REFUSED REC | PS1 CHERRY | | |
| 05DEC (CLEANED) DORM J-WEST | PS1 CHERRY | | JC |
| 06DEC25 SNP REFUSED REC | OS2 BOSIER | | |
| 06DEC SNP REFUSED SHOWER | PS1 CHERRY | | JC |
| 07DEC25 SNP REFUSED REC | BM3 CUEVAS | | JC |
| 09DEC25 VERBAL WARNING FOR IMPROPER UNIFORM FOR COUNT. | OS2 NAPOLITAN | | |
| | OS2 NAPOLITAN | | JC |
| 10DEC25 SNP REFUSED REC. | OS2 AGOSTA | | |
| 11DEC25 SNP REFUSED REC | OS2 CARLOW | | JC |

[redacted]

Enclosure (1)

NCBCDETCHESAPEAKESOP 440
APR 0 7 2020

# PRISONER HARDCARD INFORMATION SHEET

| Last, First, Middle | Status | Service | RCN |
|---|---|---|---|
| COPELAND, JERMAIN MAX | | USN | 00165476CJ |

| Date | | Staff Mbr Print | SNP Init | Staff Init |
|---|---|---|---|---|
| | All my items have been stenciled, inspected and stowed? | | | |
| | Have completed the initial cell inspection form? | | | |
| | Have completed Emergency Egress for my assigned dorm | | | |
| | Have completed my initial DD Form 504 Requesting Health and Comfort Items | | | |
| | Have completed my initial Mail and Visitation form NAVPERS 1640/15 | | | |
| | REFUSED REC CALL | CSC EBILANE | | |
| 20DEC25 | (-) CONTRABAND IN CELL (COOKIES) | IC² MCINTYRE | | JC |
| 21DEC25 | REFUSED BREAKFAST | MAI KIM | | JC |
| 21DEC25 | REFUSED LUNCH | MAI KIM | | JC |
| 21DEC25 | REFUSED SHOWER | MAI KIM | | JC |
| 22DEC25 | REFUSED REC | CS² EBILANE | | JC |
| 22DEC25 | REFUSED BREAKFAST | CS² EBILANE | | JC |
| 24 DEC | SNP moved From H-79 TO Hw 46 | OS² DOSIER | | JC |
| 01JAN26 | SNP REFUSED ~~BREAKF~~ LUNCH | [illegible] SMITH | | |
| ~~02JAN26~~ | ~~SNP REFUSED REC CALL~~ | CSC2 BENZ | | JC |
| 19JAN26 | SNP REFUSED REC CALL (0958) | GSM1 ZHANG | | JC |
| | SNP REFUSED SHOWER (1038) | GSM1 ZHANG | | JC |
| 21JAN26 | SNP MOVED TO CELL HE-75 | CS² DOSIER | | JC |
| 21JAN26 | VERBAL WARNING FOR SLEEPING DURING COUNT. | MA2 LOZANO | | |
| 27JAN26 | VERBAL WARNING FOR SLEEPING DURING DAY @ 1415 | BM2 FLORES | | JC |
| 30JAN26 | VERBAL FOR NOT STANDING PROPERLY FOR COUNT. | [illegible] | | JC |
| (-) 4FEB26 | SLEEPING DURING DAY @1028 NEGATIVE | MA2 LOZANO | | JC |

[redacted]

Enclosure (1)

# REPORT OF INVESTIGATION

From: MAC Jones, USN, Command Investigator
To: Commanding Officer, NAVCONBRIG CHARLESTON
Subj: REPORT OF INVESTIGATION ICO: Prisoner Copeland, Jermiah T.
Encl: (1) Disciplinary Report DD Form 2714 ICO: Prisoner Copeland, Jermiah T.
(2) Advisement of Rights ICO: Prisoner Copeland, Jermiah T.
(3) Witness Statement ICO: BM2 Flores, J.
(4) Witness Statement ICO: MA1 Eck, C.
(5) Video Evidence
(6) Hard Card ICO: Prisoner *Copeland*, Jermiah T.

CASE CONTROL NUMBER: 2026-07

SUSPECT 1: Prisoner Copeland, Jermiah T. RCN 00165476CJ

CHARGE(S): Disrespect (CAT-III), Disobedience (CAT-III), and Staff Harassment (CAT-II)

COMPLAINANT: Lozano, G./ E-5 / USN

**SYNOPSIS**: On 04 February 2026 at approximately 1020, MA2 Lozano was CDO and received a call from BM2 Flores, Kilo East Special Quarters Supervisor, informing her that while Flores was conducting rounds, she observed SNP Copeland laying in his rack, wrapped up in his blankets, and appeared to be sleeping. Flores also informed Lozano that SNP stated "the CDO gave him permission to lay down". Flores wanted to confirm with Lozano. SNP then grabbed his boxes from under his rack, made a makeshift bed, laid on top, and covered himself in the blanket. Lozano arrived at KE SQ and explained to Flores that she never gave SNP permission to lay down and she would be issuing him a negative on his hard card. Lozana then asked MA1 Eck to go with her to have SNP sign the hard card. Eck handed the Prisoner Rules and Regulations book to Lozano, and she grabbed SNP's Handling Letter. As they approached SNP's cell, SNP was still lying down on top of his boxes, covered in his blankets. Lozano knocked on the cell door and advised SNP he is not allowed to be laying down and sleeping during working hours and further explained that just because she stated, "you can't be fully covered in your blanket isn't me giving you permission to sleep". Lozano read SNP's handling letter to him, Prisoner Rules and Regulations section 407, also on 27 January 2026 SNP had received a verbal warning for sleeping during the day, and this time it would be a negative. SNP replied, "this is the only set that is enforcing this, no other sets care including OIC and he feels targeted because he is the only one being talked to". Lozano stated to SNP that he is not the only one, but it is not his job to worry about everyone else and just to focus on what is going on now with him and if he wanted to sign the hard card or refuse. SNP turned around to grab a pen but turned back around very quickly and stated, "show me where the fuck it says I can't lay down on my bed". Lozano asked, "are you refusing to sign?" Eck told SNP to "watch your language". Lozano then showed SNP section 205 of the Prisoner Rules and Regulations and handed SNP the hard card to sign.

**COMPLAINANT STATEMENT**: In her statement, Lozano stated on 04 February 2026 at approximately 1040, she was CDO and received a call from BM2 Flores, Kilo East Special Quarters Supervisor, informing her that while Flores was conducting rounds, she observed SNP Copeland laying in his rack, wrapped up in his blankets, and appeared to be sleeping. Lozano also stated Flores also informed her that SNP stated "the CDO gave him permission to lay down" and Flores wanted to confirm it with her. Lozano stated Flores also stated SNP then grabbed his boxes from under his rack, made a makeshift bed, laid on top, and

covered himself in the blanket. Lozano also stated when she arrived at KE SQ, she explained to Flores that she never gave SNP permission to lay down and she would be issuing him a negative on his hard card. Lozano then asked MA1 Eck to go with her to have SNP sign the hard card. Lozano also stated Eck handed her the Prisoner Rules and Regulations book and she grabbed SNP's Handling Letter. Lozano further stated as they approached SNP's cell, SNP was still lying down on top of his boxes, covered in his blankets. Lozano stated she knocked on the cell door and advised SNP he is not allowed to be laying down and sleeping during working hours and further explained that just because she stated, "you can't be fully covered in your blanket isn't me giving you permission to sleep". Lozano also stated she read SNP's handling letter to him, Prisoner Rules and Regulations section 407, also on 27 January 2026 SNP had received a verbal warning for sleeping during the day, and this time it would be a negative. SNP replied, "this is the only set that is enforcing this, no other sets care including OIC and he feels targeted because he is the only one being talked to". Lozano stated to SNP that he is not the only one, but it is not his job to worry about everyone else and just to focus on what is going on now with him and if he wanted to sign the hard card or refuse. SNP turned around to grab a pen but turned back around very quickly and stated, "show me where the fuck it says I can't lay down on my bed". Lozano asked, "are you refusing to sign?" SNP stated "No, but show me where the fuck it says that! Where the fuck does it say I can't lay down on the boxes since it isn't my bed?" Eck told SNP to "watch your language". Lozano stated she then read SNP Section 205 of the Prisoner Rules and Regulations. Lozano also stated she handed SNP the hard card and he signed it. Lozano stated Eck was about to say something to SNP, then SNP started shouting "stop talking to me! I don't want to talk to you no more, just leave me the fuck alone!"

**WITNESS STATEMENT**: On 04 February 2026, at approximately 0820, MAC Jones met with Flores who provided a sworn written statement. Flores' statement corroborated Lozano's statement.

**WITNESS STATEMENT**: On 04 February 2026, at approximately 1030, MAC Jones met with Eck who provided a sworn written statement. Eck's statement corroborated with Lozano's statement. Eck also stated Lozano apologized to SNP for not being clear with the direction she had given him earlier that morning. Eck stated Lozano specified the storage box could be sat near the door for better TV view during TV time, but not for turning into a makeshift bed. Eck further stated SNP continued displaying attitude about the situation after he signed the hard card entry and Eck attempted to point out the fact that SNP is on the step-down program and SNP told Eck "stop talking".

**SUSPECT STATEMENT**: On 06 February 2026, at approximately 1345, MAC Jones advised SNP Copeland of his rights (Enclosure 2). SNP acknowledged his rights and provided a verbal statement and pleaded "No Guilty" to his charge. In his statement, SNP stated BM2 knocked on his cell door and told him to get up, do something with his life, and that he knew better. SNP further stated Flores left and came back, he told her "you the only one who cares that I sleep, not even the CDO cares nor the OIC", so why is it such a big deal?" SNP stated Flores asked "which CDO" and he replied "MA2 Lozano". SNP further stated Flores left and later Lozano and Eck came and he was laying down. SNP stated he heard Lozano say "unacceptable" and knock on his cell door. SNP also stated he got up, and Lozano stated he is not allowed to sleep on the gray bin as a makeshift bed only to watch TV. SNP stated he asked Lozano, "how is it okay to sit and watch TV but not lay on it?" SNP further stated Lozano didn't reply she just looked over at Eck and stated to SNP that he had a negative for sleeping. SNP also stated Lozano took it personally when he told her that she had told him that morning that if he was sleeping, he needed to show skin. SNP stated he advised Lozano that he feels targeted and no one else is getting a negative

hard card entry, to which she replied he needed to worry about himself and no one else. SNP also stated he was frustrated and cursed but it was not like they made it out to be.

**INVESTIGATIVE COMMENTS:** MAC Jones reviewed camera footage of the interaction between Lozano and SNP via C204. Lozano approached SNP's cell and began talking to him. A few seconds later, Eck arrived with the Prisoner Rules and Regulations book. Lozano appears to be talking to SNP for several minutes; she also squats down to talk through the feed tray. Lozano and Eck remained at SNP's cell for approximately 13 minutes before she placed a piece of paper on the feed tray and then retrieved it a short time later. Both Lozano and Eck then depart the SQ's area.

Investigations recommend the charges Disobedience, Disrespect, and Staff Harassment be forwarded to D&A board for processing.

[redacted]

L. T. Jones, MAC
Command Investigator

| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20260206 |
|---|---|
| 1. TITLE OF FORM ADVISEMENT OF RIGHTS | 2. DD FORM DD FORM 2714 |
| 3. PRISONERS NAME (Last, First, Middle) COPELAND, JERMIAH T. | 4. REGISTRATION NUMBER 00165476CJ |

MAC Jones, the Command Investigator, has informed me I am accused of violating one or more Naval Consolidated Brig rules/regulations and that a Disciplinary and Adjustment (D&A) Board hearing will be conducted. This Board is authorized to hear evidence relating to the alleged violation(s) presented by the Brig staff or me. After the hearing, the D&A Board may recommend punishment in the case to the Brig Officer in Charge. I have also been briefed on the following issues concerning the D&A Board procedure:

JC 1. I have the right to make no statement at all.

JC 2. Any statement I make can be used against me in a trial by courts martial, the D&A Board or other judicial or administrative proceedings.

JC 3. I have the right to a written copy of the charge(s) against me, 24-hours prior to the hearing;
Received (date/time): FEB 26 1343 Prisoner's Initials: JC

JC 4. The right to ask the D&A Board President to appoint a staff member to act as an interpreter, spokesperson or to explain the charges to me if I am unable to understand them myself. I do not have the right to a specific staff member.

JC I request the D&A Board President appoint a staff member to:
_____ Act as an interpreter, JC Help me understand/comprehend the charges
Language required:_____ Staff Member Assigned: _____

JC 5. The right to consult with legal counsel. **However, legal counsel is not authorized to be present at this hearing.** Requests for delay must be submitted in writing.

JC 6. The right to submit a written request to review the evidence (except video/camera footage) and statements up to 24 hours prior to the D&A Board.

JC 7. To call witnesses and present documentary evidence on my behalf, providing security and good order and discipline is not jeopardized;

Witness: _____, _____, _____ (list others on a separate page)

JC 8. The right to be present during open sessions of the hearing and make statements in my defense.

JC 9. The right to be advised of the boards' decision in the case and the facts supporting the decision

JC 10. The right to appeal the decision to the Officer in Charge within 15 days of the hearing

JC 11. The right to be informed of the Officer in Charge's decision in writing.

**DISCIPLINE AND ADJUSTMENT BOARD HEARING NOTIFICATION**

I hereby acknowledge notification that a Discipline and Adjustment Board hearing is scheduled to hear my case and that I have received at least 24-hours notice before the hearing. I understand that I may schedule witnesses to appear on my behalf and that they will be allowed to attend the hearing on the scheduled date.

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T. | [redacted] | 20260206 |

I wish to waive the 24-hour waiting period so that I may expedite the proceedings on my behalf.

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T. | [redacted] | 20260206 |

| CORRECTIONAL FACILITY CONTINUATION SHEET | REPORT DATE (YYYYMMDD) 20260206 |
|---|---|
| 1. TITLE OF FORM ACKNOWLEDGEMENT OR WAIVER OF HEARING STATEMENT | 2. DD FORM DD FORM 2714 |
| 3. PRISONERS NAME (Last, First, Middle) COPELAND, JERMIAH T. | 4. REGISTRATION NUMBER 00165476CJ |

I contend that I am ☐ Guilty ☒ Not Guilty or ☐ No Plea.

[redacted] 20260206

SIGNATURE DATE (YYYYMMDD)

APPEARANCE DECISION

JC I will appear before the D&A Board.

____ I do not wish to appear before the D&A Board. I understand that with this waiver, I maintain my right to appeal the decision of the D&A Board and any punishment that the Officer in Charge may direct. I also understand that I must file an appeal within fifteen (15) days of the decision.

COPELAND, JERMIAH T [redacted] 20260206

NAME (Last, First, Middle) SIGNATURE DATE (YYYYMMDD)

**Witness**

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| Ricard, M [redacted] | | 20260206 |
| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |

**Initial Review**

| NAME (LAST, FIRST, MIDDLE) | SIGNATURE | DATE (YYYYMMDD) |
|---|---|---|
| | | |

# VOLUNTARY STATEMENT

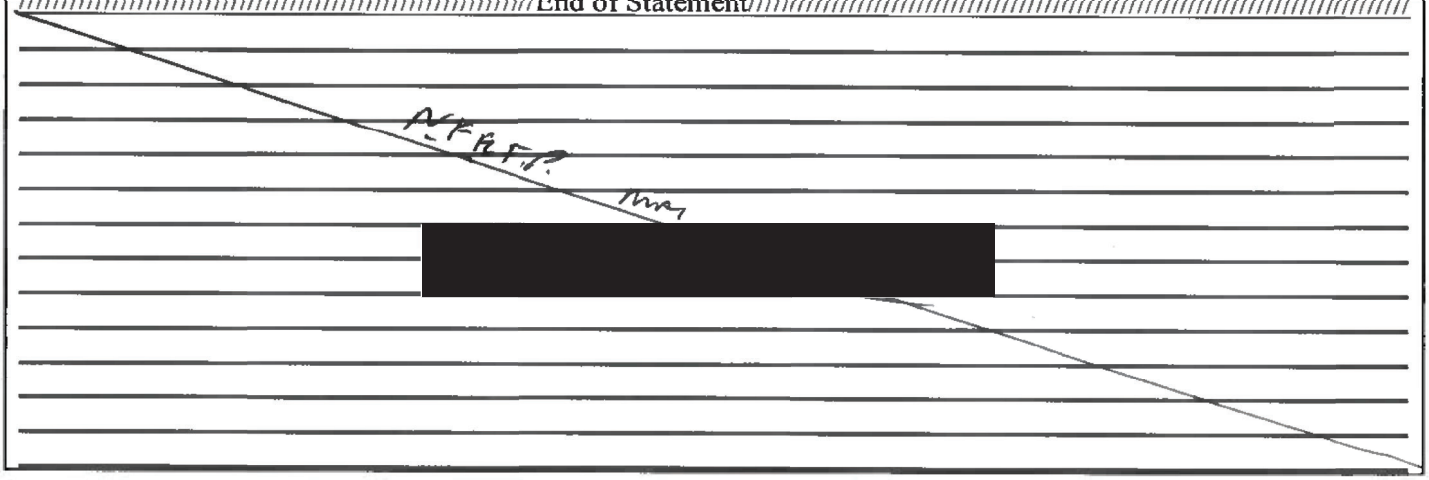
1. Place: KILO-EAST / SPECIAL QUARTERS CELL K-78

2. Date/Time: 04FEB2026 1030

I, MA1 Eck make the following free and voluntary statement to MAC Jones, whom I know to be a command investigator for the Naval Consolidated Brig Chesapeake. I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement concerning my knowledge of: SNP Copeland.

On the date and time stated above, I MA1 Eck witnessed a conversation between CDO (MA2 Lozano) and SNP Copeland. CDO informed SNP Copeland that he was getting a negative hard card entry for turning his storage box into a makeshift bed and sleeping completely covered up during working hours. SNP Copeland lowered his head and gave the appearance of being sad or frustrated. SNP Copeland asked why he was the one getting a negative when other prisoners were not. CDO informed him that is concern needs to be about himself and that the other prisoners are not his responsibility. She further stated that his actions the subject and there are other hard cards are being looked at as well. SNP Copeland responded that BM2 Flores is the only one that has issues with him laying down and that the CDO told him he could use the storage box that morning. The CDO apologized for not being clear with the direction and specified the storage box could be sat on near the door for better TV view during TV time, but not for turning into a makeshift bed. CDO informed him the reason for the negative is due to already having received a verbal before and the next step is a negative. She further asked if he is willing to sign or if she should put refusal to sign. SNP Copeland stated he felt targeted about the sleeping issue and being completely covered when laying down further stating that "others can wear blankets while walking around and no one says shit." CDO stated that she is fair and focuses on everybody equally and in this moment the focus is on him, not to be concerned about other prisoners. SNP Copeland stated "he does not understand the big fucken deal about laying on the box anyway." I then interjected about his language and told him "the cursing will stop; it's against the regulations and will make this bigger than this needs to be." SNP Copeland continued and asked where it says he cannot lay down because the rules and regs says on the bed specifically. The CDO informed him he cannot lay down during the duty day. SNP Copeland rebutted that "it's not like I have duty." SNP Copeland got up and walked away as CDO laid the hard card onto his feed tray and she then picked it back up. SNP Copeland returned to the door with a pen and after clearing up a miscommunication about the reason he got up, CDO place it down on the feed tray and he took it to sign. He continued displaying attitude about the situation and I attempted to point out the fact he is on the step down program and he told me to "stop talking." CDO picked up his hard card and we departed from his cell door.

////////////////////////////////////////////////////End of Statement////////////////////////////////////////////////////



VOLUNTARY STATEMENT CONTINUED NAME: MA1 Eck

[redacted]

Subscribed and Sworn Before Me This 4th

Day of February, 2022

[redacted]

Print: MAC JONES

I have read over this statement, which contains information/facts I have voluntarily provided. I have initialed corrections and made changes that I desire. This statement is true and correct to the best of my knowledge and recollection.

[redacted]

Signature

MA1 ECK

Print Name

# VOLUNTARY STATEMENT

1. Place: KILO EAST
2. Date/Time: 20260204 / 0820

I, BM2 Flores, make the following free and voluntary statement to Chief Jones, whom I know to be a command investigator for the Naval Consolidated Brig Chesapeake. I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement concerning my knowledge of: On 04FEB2026, at 0820, at Kilo East Dorm, as I was conducting rounds, and noticed SNP Copeland was sleeping, I knocked on his cell door and told him to wake up, and I said "why are you laying down?; you know better" and then walked away. Later as I was conducting rounds, SNP said " how come my sleeping is always a problem with you, the CDO and OIC don't even care I sleep during the day, even the CDO said this morning I was able to sleep, as long as I showed skin, nobody cares about me sleeping during the day, to which I responded, "I am just doing my job, and in your handling letter, it states you "Make bunk daily after reveille and taps. Sitting on the bunk is authorized between reveille and taps. No laying down unless on personal time.", but I will ask the CDO about this"; then SNP said "no, it's all good, I'm just wondering why you're are the only one with a problem with me sleeping. To which I responded "interesting" and I walked away. I notified the CDO (MA2 Lozano) ——————END OF STATEMENT——————

N.E.E.T.P
BM2 FLORES

[redacted]

N.E.E.T.P BM2 FLORES [redacted]

Subscribed and Sworn Before Me This 4th

Day of February , 2004

[redacted]

Print: MAC JONES

I have read over this statement, which contains information/facts I have voluntarily provided. I have initialed corrections and made changes that I desire. This statement is true and correct to the best of my knowledge and recollection [redacted]

Signature

BM2 FLORES

Print Name

## Dempsey, Christopher B LCDR USN (USA)

**From:** Welch, Sharell A CIV USN (USA)
**Sent:** Thursday, February 19, 2026 7:00 AM
**To:** Dempsey, Christopher B LCDR USN (USA)
**Cc:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA); Mayo, Lauren A CDR USN CNO (USA); Vanetti, Kathleen E PO1 USN (USA); Crossley, Shelley L CIV (USA)
**Subject:** RE: US v. Copeland - Contact Visit for Recidivism Analysis
**Signed By:** sharell.a.welch.civ@us.navy.mil

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Good morning, JAG.

Unfortunately, I don't believe our medical office is set up for these type visits. OIC Det can confirm but I don't believe that to be the case, therefore, the no contact room is the only option at present due to the standing modification order signed by the CO that was violated by the prisoner with his recent misconduct. I do believe if a new letter is issued by the current CO, CDR Howard, he would not override what was previously directed.

Standing by for further questions and thank you.
Sharell

*V/R*
*Sharell A. Welch*

Legal Advisor
Naval Consolidated Brig Charleston
1050 Remount Rd. Bldg 3107
Charleston, SC 29406

***Email:*** ***sharell.a.welch.civ@us.navy.mil***
☏(843) 794-0996
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*****Office hours 0630-1500 M-F*****
https://www.public.navy.mil/bupers npc/support/correctionprograms/brigs/charleston/Pages/default.aspx

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**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Wednesday, February 18, 2026 8:01 PM
**To:** Welch, Sharell A CIV USN (USA) <sharell.a.welch.civ@us.navy.mil>

**Cc:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Vanetti, Kathleen E PO1 USN (USA) <kathleen.e.vanetti.mil@us.navy.mil>; Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>
**Subject:** US v. Copeland - Contact Visit for Recidivism Analysis

Good Afternoon Ms. Welch,

Recently, the Defense in the US v. Copeland case requested to meet with their client for 3 days in the brig in a contact visit setting. CDR Flanagan denied this request because of Copeland's recent behavior.

Although I have not fully confirmed this with the Defense, the reason for this meeting appears to be to conduct a recidivism analysis with a psychiatrist/psychologist. If that is true, would it be possible for this expert to meet with Copeland in the medical office in a contact setting?

If not, I understand, I just want to speak with the Defense understanding all of the potential COAs. Thank you.

Very Respectfully,

Christopher B. Dempsey
LCDR, JAGC, USN
Special Trial Counsel
757-341-4545
Officer of Special Trial Counsel Det. Norfolk
9620 Maryland Avenue
Norfolk, Virginia 23511

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escribed by: DoDI 1325.07 CUI (when filled in)

# CUSTODY RECLASSIFICATION

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to record information and decisions regarding changes in a prisoner's custody classification. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

| 1. INTERVIEWER NAME | 2. (X one) |
|---|---|
| IC1 GREEN | [X] PRETRIAL [ ] POST-TRIAL |

**3. IDENTIFICATION**

| a. PRISONER NAME (Last, First, Middle) | b. REGISTRATION NUMBER | c. RELEASE DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T | 00165476CJ | |

| d. PRESENT CUSTODY | e. HOUSING UNIT |
|---|---|
| MAX | KILO EAST |

| 4. ADMINISTRATIVE FACTORS (X as applicable) | NO | YES |
|---|---|---|
| a. SUICIDE RISK | [ ] | [X] |
| b. PHYSICAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| c. MENTAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| d. SEGREGATION | [X] | [ ] |
| e. VICTIM/WITNESS NOTIFICATION PROGRAM | [X] | [ ] |
| f. SEX OFFENDER REGISTRATION REQUIREMENTS | [X] | [ ] |
| g. WAS THERE AN OVERRIDE ON LAST CLASSIFICATION? | [ ] | [X] |

| 5. CLASSIFICATION CRITERIA (Enter point values) | POINTS |
|---|---|
| a. OFFENSE SEVERITY = 1 - 8 | 8 |
| b. NUMBER OF DISCIPLINARY BOARDS (Last 90 days)<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 | 0 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 | 0 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS (Last 90 days)<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 | 0 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS (Last 90 days)<br>NONE = 0 ONE OR MORE = -1 | 0 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 (only if no program completed)<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 | -2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 | 0 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 | 0 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE (See DoDI 1325.07, Severity Code Tables) | 0 |
| j. TOTAL POINTS | 6 |

**6. CLASSIFICATION DECISION**

a. (X one) [X] REDUCE (0 - 6 Points) [ ] SAME (7-10 Points) [ ] INCREASE (11+Points)

b. RATIONALE

SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals

**7. OVERRIDE**

a. (X one) [ ] NO [X] YES (Enter code) [ ] NOT APPLICABLE (Policy)

b. RATIONALE

RECCOMMENDATION TO REMAIN MAX

**8. RECOMMENDED DECISION**

Remain MAX

**9. FACILITY COMMANDER/DESIGNEE**

| a. NAME (Last, First, Middle Initial), GRADE, TITLE | [redacted] | c. DATE (YYYYMMDD) |
|---|---|---|
| Flanagan, Brian P, CDR, OIC | | 20251215 |

**10. FINAL DECISION**

Remain max.

DD FORM 2711-1, NOV 2022 CUI (when filled in) Page 1 of 1

PREVIOUS EDITION IS OBSOLETE.

Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil

Prescribed by: DoDI 1325.07

CUI (when filled in)

# PRISONER EVALUATION

REPORT DATE (YYYYMMDD): 20251201

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to record an evaluator's assessment of a prisoner's attitude/traits and work performance. For additonal information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

| 1. NAME (Last, First, Middle) | 2. REGISTRATION NUMBER | 3. BRANCH |
|---|---|---|
| COPELAND, JEREMIAH T | 00165476CJ | USN |

| 4. HOUSING UNIT | 5. DETAIL | 6. CUSTODY LEVEL | 7. PERIOD COVERED: (YYYYMMDD) FROM: | TO: |
|---|---|---|---|---|
| KILO EAST | AWAITING ASSIGN | MAX | 20251101 | 20251130 |

8. COMPLETED BY: [X] DORM/QUARTERS SUPV [X] WORK SUPV [X] OTHER Counselor

9. AREAS OF EVALUATION: *(X the appropriate spaces)*

The dormitory/quarters supervisor completes Section 1 only. The work supervisor completes Sections 1 and 2.

| SECTION 1 - ATTITUDE AND TRAITS (X one box per row) | | | | | | | POINTS |
|---|---|---|---|---|---|---|---|
| a. CONDUCT | Unsatisfactory (1) | (2) | Conforms (3) | (4) | Exemplary (5) | | 5 |
| b. DISCIPLINE | Disciplinary Action (1) | (2) | Minor Infractions (3) | (4) | No Infractions (5) | | 4 |
| c. SUPERVISION REQUIRED | Constant (1) | (2) | Moderate (3) | (4) | Minimal (5) | | 4 |
| d. ATTITUDE TOWARD SUPERVISOR | Poor (1) | (2) | Borderline (3) | (4) | Respectful (5) | | 4 |
| e. COOPERATION | Uncooperative (1) | (2) | Moderate (3) | (4) | Cooperative (5) | | 4 |
| f. PERSONALITY | Unfavorable (1) | (2) | Fair (3) | (4) | Exceptional (5) | | 4 |
| g. GROUP CONFORMITY | Easily Led (1) | (2) | Complies (3) | (4) | Self-Reliant (5) | | 3 |
| h. INFLUENCE ON OTHERS | Disruptive (1) | (2) | Neutral (3) | (4) | Positive (5) | | 3 |
| i. INITIATIVE | Minimal (1) | (2) | Average (3) | (4) | Energetic (5) | | 4 |
| j. TEMPERAMENT | Volatile (1) | (2) | Indifferent (3) | (4) | Stable (5) | | 5 |
| k. TOTALS | | | | | | | = 40 |

| l. OVERALL EVALUATION SUBTOTAL | Unsatisfactory 10-16 | Below Average 17-27 | Average 28-38 | Above Average 39-49 | Outstanding 50 |
|---|---|---|---|---|---|

| SECTION 2 - WORK PERFORMANCE | | | | | | | POINTS |
|---|---|---|---|---|---|---|---|
| a. QUALITY OF WORK | Poor (1) | (2) | Acceptable (3) | (4) | Outstanding (5) | | 3 |
| b. PRODUCTIVITY | Minimal (1) | (2) | Average (3) | (4) | Excellent Output (5) | | 3 |
| c. SAFETY | Careless (1) | (2) | Follows Rules (3) | (4) | Safety Conscious (5) | | 3 |
| d. TOTALS | | | | | | | = 9 |

| e. OVERALL EVALUATION GRAND TOTAL | Unsatisfactory 13-25 | Below Average 26-36 | Average 37-50 | Above Average 51-64 | Outstanding 65 |
|---|---|---|---|---|---|

**SECTION 3 - REMARKS** *(Required if scores are substandard)*

SNP received ( ) (+) hard card entries, ( ) (-) hard card entries, ( ) (+) observations reports, ( ) (-) observations reports and ( ) disciplinary reports.

| 10.a. PRISONER SIGNATURE [redacted] | b. DATE (YYYYMMDD) 20251204 |
|---|---|
| 11.a. EVALUATOR'S NAME ICI GREEN, OFCNTR | b. SIGNATURE [redacted] c. DATE (YYYYMMDD) 20251204 |

DD FORM 2712, NOV 2022

PREVIOUS EDITION IS OBSOLETE.

CUI (when filled in)

Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil

# PRISONER HARDCARD INFORMATION SHEET

| Last, First, Middle | Status | Service | RCN |
|---|---|---|---|
| COPELAND, JEREMIAH | MAC | USN | 00165476CJ |

| Date | | Staff Mbr Print | SNP Init | Staff Init |
|---|---|---|---|---|
| | 1. All my items have been stenciled, inspected and stowed. | | | |
| | 2. I have completed the initial cell inspection form. | | | |
| | 3. I have completed Emergency Egress for my assigned dorm | | | |
| | 4. I have completed my initial DD Form 504 Requesting Health and Comfort Items. | | | |
| | 5. I have completed my initial Mail and Visitation form NAVPERS 1640/15 | | | |
| 04NOV25 | (+) SNP FOLDED RACK LAUNDRY ON PERSONAL TIME | IC1 SANCHEZ | JC | |
| 4NOV25 | (+) Cleaned SD Dayroom @ personal time | OS2 HUNTER | JC | |
| 18NOV25 | Completed Step down cleaning in TW. | BM1 ANDERSON | JC | |
| 21 NOV25 | REFUSED DINNER (OR WRITTEN) | ABE2 BROWN | JC | |
| 21 NOV25 | REFUSED MEDICATION | ABE2 BROWN | JC | |
| 22NOV25 | REFUSED RECREATION CALL | ABE2 BROWN | JC | |
| 23NOV25 | Cleaned | OS2 HUNTER | JC | |
| 26NOV25 | REFUSED BREAKFEST | BM3 CUEVAS | [illegible] | |
| 26NOV25 | REFUSED REC | BM3 CUEVAS | [illegible] | |
| 27NOV | SNP REFUSED BREAKFAST | OS2 EBICAME | JC | |
| | SNP REFUSED REC | OS2 EBICAME | JC | |
| 29NOV25 | SNP REFUSED 2 MEALS | IC2 MCINTIRE | [illegible] | |
| 01DEC25 | REFUSED REC | OS2 EBICAME | JC | |
| 02DEC25 | SNP CLEANED DAY ROOM FROM 1105 TO 1118 | OS2 CARLOW | JC | |
| 01DEC25 | SNP ASKED TO CLEAN, SET COUNT SUPPORT LB* | OS2 CARLOW | JC | |
| 01DEC25 | SNP FOLDED CLOTHES IN SD DAYROOM | ABE2 WARNER | JC | |
| 03DEC25 | SLEEPING DURING DAY | BM2 BAUER | JC | |
| 04DEC | SNP REFUSED REC | PS1 CHERRY | JC | |
| 05DEC | (CLEANED) DORM J-WEST | PS1 CHERRY | JC | |
| 06DEC25 | SNP REFUSED REC | OS2 BOSIER | JC | |
| 06 DEC | SNP REFUSED SHOWER | PS1 CHERRY | JC | |
| 07DEC25 | SNP REFUSED REC | 3M3 CUEVAS | JC | |
| 07DEC25 | VERBAL WARNING FOR IMPROPER UNIFORM FOR COUNT. | OS1 NAPOLITAN | JC | |
| | | OS1 NAPOLITAN | JC | |

[redacted]

Enclosure (1)

escribed by: DoDI 1325.07 CUI (when filled in)

# CUSTODY RECLASSIFICATION

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| 1. INTERVIEWER NAME | 2. (X one) |
|---|---|
| IC1 GREEN | [X] PRETRIAL [ ] POST-TRIAL |

**3. IDENTIFICATION**

| a. PRISONER NAME (Last, First, Middle) | b. REGISTRATION NUMBER | c. RELEASE DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T | 00165476CJ | |

| d. PRESENT CUSTODY | e. HOUSING UNIT |
|---|---|
| MAX | KILO EAST |

| 4. ADMINISTRATIVE FACTORS (X as applicable) | NO | YES |
|---|---|---|
| a. SUICIDE RISK | [ ] | [X] |
| b. PHYSICAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| c. MENTAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| d. SEGREGATION | [X] | [ ] |
| e. VICTIM/WITNESS NOTIFICATION PROGRAM | [X] | [ ] |
| f. SEX OFFENDER REGISTRATION REQUIREMENTS | [X] | [ ] |
| g. WAS THERE AN OVERRIDE ON LAST CLASSIFICATION? | [ ] | [X] |

| 5. CLASSIFICATION CRITERIA (Enter point values) | POINTS |
|---|---|
| a. OFFENSE SEVERITY = 1 - 8 | 8 |
| b. NUMBER OF DISCIPLINARY BOARDS (Last 90 days)<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 | 0 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 | 0 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS (Last 90 days)<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 | 0 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS (Last 90 days)<br>NONE = 0 ONE OR MORE = -1 | 0 |
| f. CURRENT PROGRAMMING<br>COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 (only if no program completed)<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 | -2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 | 0 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 | 0 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE (See DoDI 1325.07, Severity Code Tables) | 0 |
| j. TOTAL POINTS | 6 |

**6. CLASSIFICATION DECISION**

a. (X one) [X] REDUCE (0 - 6 Points) [ ] SAME (7-10 Points) [ ] INCREASE (11+Points)

b. RATIONALE

SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals

**7. OVERRIDE**

a. (X one) [ ] NO [X] YES (Enter code) [ ] NOT APPLICABLE (Policy)

b. RATIONALE

RECCOMMENDATION TO REMAIN MAX

**8. RECOMMENDED DECISION**

Remain MAX

**9. FACILITY COMMANDER/DESIGNEE**

| a. NAME (Last, First, Middle Initial), GRADE, TITLE | [redacted] | c. DATE (YYYYMMDD) |
|---|---|---|
| Flanagan, Brian P, CDR, OIC | | 20251215 |

**10. FINAL DECISION**

Remain max.

DD FORM 2711-1, NOV 2022
PREVIOUS EDITION IS OBSOLETE.

CUI (when filled in)

Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil

Prescribed by: DoDI 1325.07

CUI (when filled in)

# PRISONER EVALUATION

REPORT DATE (YYYYMMDD): 20251201

**PRIVACY ADVISORY**

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| 1. NAME (Last, First, Middle) | 2. REGISTRATION NUMBER | 3. BRANCH |
|---|---|---|
| COPELAND, JEREMIAH T | 00165476CJ | USN |

| 4. HOUSING UNIT | 5. DETAIL | 6. CUSTODY LEVEL | 7. PERIOD COVERED: (YYYYMMDD) FROM: | TO: |
|---|---|---|---|---|
| KILO EAST | AWAITING ASSIGN | MAX | 20251101 | 20251130 |

8. COMPLETED BY: [X] DORM/QUARTERS SUPV [X] WORK SUPV [X] OTHER Counselor

9. AREAS OF EVALUATION: *(X the appropriate spaces)*

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|---|---|---|---|---|---|---|---|
| a. CONDUCT | Unsatisfactory (1) | (2) | Conforms (3) | (4) | Exemplary (5) | | 5 |
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| c. SUPERVISION REQUIRED | Constant (1) | (2) | Moderate (3) | (4) | Minimal (5) | | 4 |
| d. ATTITUDE TOWARD SUPERVISOR | Poor (1) | (2) | Borderline (3) | (4) | Respectful (5) | | 4 |
| e. COOPERATION | Uncooperative (1) | (2) | Moderate (3) | (4) | Cooperative (5) | | 4 |
| f. PERSONALITY | Unfavorable (1) | (2) | Fair (3) | (4) | Exceptional (5) | | 4 |
| g. GROUP CONFORMITY | Easily Led (1) | (2) | Complies (3) | (4) | Self-Reliant (5) | | 3 |
| h. INFLUENCE ON OTHERS | Disruptive (1) | (2) | Neutral (3) | (4) | Positive (5) | | 3 |
| i. INITIATIVE | Minimal (1) | (2) | Average (3) | (4) | Energetic (5) | | 4 |
| j. TEMPERAMENT | Volatile (1) | (2) | Indifferent (3) | (4) | Stable (5) | | 5 |
| k. TOTALS | | | | | | | = 40 |

| l. OVERALL EVALUATION SUBTOTAL | Unsatisfactory 10-16 | Below Average 17-27 | Average 28-38 | Above Average 39-49 | Outstanding 50 |
|---|---|---|---|---|---|

| SECTION 2 - WORK PERFORMANCE | | | | | | | POINTS |
|---|---|---|---|---|---|---|---|
| a. QUALITY OF WORK | Poor (1) | (2) | Acceptable (3) | (4) | Outstanding (5) | | 3 |
| b. PRODUCTIVITY | Minimal (1) | (2) | Average (3) | (4) | Excellent Output (5) | | 3 |
| c. SAFETY | Careless (1) | (2) | Follows Rules (3) | (4) | Safety Conscious (5) | | 3 |
| d. TOTALS | | | | | | | = 9 |

| e. OVERALL EVALUATION GRAND TOTAL | Unsatisfactory 13-25 | Below Average 26-36 | Average 37-50 | Above Average 51-64 | Outstanding 65 |
|---|---|---|---|---|---|

**SECTION 3 - REMARKS** *(Required if scores are substandard)*

SNP received ( ) (+) hard card entries, ( ) (-) hard card entries, ( ) (+) observations reports, ( ) (-) observations reports and ( ) disciplinary reports.

| 10.a. PRISONER SIGNATURE [redacted] | b. DATE (YYYYMMDD) 20251204 |
|---|---|
| 11.a. EVALUATOR'S NAME ICI GREEN, OFC IN [redacted] | c. DATE (YYYYMMDD) 20251204 |

DD FORM 2712, NOV 2022

PREVIOUS EDITION IS OBSOLETE.

CUI (when filled in)

Controlled by: OUSD(P&R)
CUI Category: CRIM HISTORY
LDC: FEDCON
POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil

PRISONER HARDCARD INFORMATION SHEET

| Last, First, Middle | Status | Service | RCN |
|---|---|---|---|
| COPELAND, JEREMIAH | MAC | USN | 00165476CJ |

| Date | | Staff Mbr Print | SNP Init | Staff Init |
|---|---|---|---|---|
| | 1. All my items have been stenciled, inspected and stowed. | | | |
| | 2. I have completed the initial cell inspection form. | | | |
| | 3. I have completed Emergency Egress for my assigned dorm. | | | |
| | 4. I have completed my initial DD Form 504 Requesting Health and Comfort Items. | | | |
| | 5. I have completed my initial Mail and Visitation form NAVPERS 1640/15. | | | |
| 04NOV25 | (+) SNP FOLDED RACK LAUNDRY ON PERSONAL TIME | IC1 SANCHEZ | JC | |
| 4NOV25 | (+) Cleaned SD Dayroom @ personal time | OS2 HUNTER | JC | |
| 18NOV25 | Completed Step down cleaning in TW. | BM1 ANDERSON | JC | |
| 21 NOV25 | REFUSED DINNER (OR WAIVER) | ABE2 BROWN | JC | |
| 21 NOV25 | REFUSED MEDICATION | ABE2 BROWN | JC | |
| 22NOV25 | REFUSED RECREATION CALL | ABE2 BROWN | JC | |
| 23NOV25 | Cleaned | OS2 HUNTER | JC | |
| 26NOV25 | REFUSED BREAKFEST | BM3 CUEVAS | [illegible] | |
| 26NOV25 | REFUSED REC | BM3 CUEVAS | [illegible] | |
| 27 NOV | SNP REFUSED BREAKFAST | OS2 EBICAME | JC | |
| | SNP REFUSED REC | OS2 EBICAME | JC | |
| 29NOV25 | SNP REFUSED 2 MEALS | IC2 MCINTIRE | [illegible] | |
| 01DEC25 | REFUSED REC | OS2 EBICAME | JC | |
| 02DEC25 | SNP CLEANED DAY ROOM FROM 1105 TO 1118 | OS2 CARLOW | JC | |
| 01DEC25 | SNP ASKED TO CLEAN, SET CONDUCT SUPPORT LB* | OS2 CARLOW | JC | |
| 01DEC25 | SNP FOLDED CLOTHES IN SD DAYROOM | ABE2 WARKENTIN | JC | |
| 03DEC25 | SLEEPING DURING DAY | BM2 BAUER | JC | |
| 01DEC | SNP REFUSED REC | PS1 CHERRY | JC | |
| 05DEC | (CLEANED) DORM J-WEST | PS1 CHERRY | JC | |
| 06DEC25 | SNP REFUSED REC | OS2 BOSIER | JC | |
| 06 DEC | SNP REFUSED SHOWER | PS1 CHERRY | JC | |
| 07DEC25 | SNP REFUSED REC | BM3 CUEVAS | JC | |
| 07DEC25 | VERBAL WARNING FOR IMPROPER UNIFORM FOR COUNT. | OS3 NAPOLITAN | JC | |
| | | OS3 NAPOLITAN | JC | |

[redacted]

Enclosure (1)

| **STATUS REVIEW – PVD+186D- RECLASSIFICATION** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20251215 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+182D** | **PVD+186D** | **MAX** | **MAX** | **K-78E** | **K-78E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20251215 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP discussed concerns of possibly being placed in MDI custody. Informed SNP is unlikely due to policy. SNP asked if it was possible to have a regular ink pen. Informed SNP sue to handling letter he would have to make a request to OIC and his addendum would have to be updated upon approval. SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals. SNP he was going through a lot and was just frustrated. SNP is continuing classes with clinical and Mrs. Cox.

Counselor recommendation is remain max and continued observation until reclassification board.

Package will be forwarded to the C&A (Classification and Assignment) Board on 15 DEC 2025.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on 15DEC25.

Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

Prisoner Signature

[redacted] Counselor Signature

CORMIS Entry Made ☐ Initial _____

| STATUS REVIEW – PVD+186D- RECLASSIFICATION | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20251215 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+182D** | **PVD+186D** | **MAX** | **MAX** | **K-78E** | **K-78E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20251215 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP discussed concerns of possibly being placed in MDI custody. Informed SNP is unlikely due to policy. SNP asked if it was possible to have a regular ink pen. Informed SNP sue to handling letter he would have to make a request to OIC and his addendum would have to be updated upon approval. SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals. SNP he was going through a lot and was just frustrated. SNP is continuing classes with clinical and Mrs. Cox.

Counselor recommendation is remain max and continued observation until reclassification board.

Package will be forwarded to the C&A (Classification and Assignment) Board on 15 DEC 2025.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on 15DEC25.

Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

[redacted]

Prisoner Signature

[redacted] Counselor Signature

CORMIS Entry Made ☐ Initial _____

escribed by: DoDI 1325.07

CUI (when filled in)

# CUSTODY RECLASSIFICATION

**PRIVACY ADVISORY**

Disclosure of this information is voluntary and will be used to record information and decisions regarding changes in a prisoner's custody classification. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When competed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

| 1. INTERVIEWER NAME | 2. (X one) |
|---|---|
| IC1 GREEN | [X] PRETRIAL [ ] POST-TRIAL |

**3. IDENTIFICATION**

| a. PRISONER NAME (Last, First, Middle) | b. REGISTRATION NUMBER | c. RELEASE DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH T | 00165476CJ | |

| d. PRESENT CUSTODY | e. HOUSING UNIT |
|---|---|
| MAX | KILO EAST |

| 4. ADMINISTRATIVE FACTORS (X as applicable) | NO | YES |
|---|---|---|
| a. SUICIDE RISK | [ ] | [X] |
| b. PHYSICAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| c. MENTAL HEALTH CHALLENGES/CONCERNS | [X] | [ ] |
| d. SEGREGATION | [X] | [ ] |
| e. VICTIM/WITNESS NOTIFICATION PROGRAM | [X] | [ ] |
| f. SEX OFFENDER REGISTRATION REQUIREMENTS | [X] | [ ] |
| g. WAS THERE AN OVERRIDE ON LAST CLASSIFICATION? | [ ] | [X] |

| 5. CLASSIFICATION CRITERIA (Enter point values) | POINTS |
|---|---|
| a. OFFENSE SEVERITY = 1 - 8 | 8 |
| b. NUMBER OF DISCIPLINARY BOARDS (Last 90 days)<br>NONE = 0 ONE = 1 TWO = 2 THREE+ = 4 | 0 |
| c. SEVEREST DISCIPLINARY REPORT<br>NONE = 0 CATEGORY 1 = 1 CATEGORY 2 = 2 CATEGORY 3 = 3 CATEGORY 4 = 4 CATEGORY 5 = 5 | 0 |
| d. NUMBER OF NEGATIVE OBSERVATION/DISCIPLINARY REPORTS (Last 90 days)<br>NONE - THREE = 0 FOUR - SIX = 2 SEVEN - TEN = 4 ELEVEN+ = 6 | 0 |
| e. NUMBER OF POSITIVE OBSERVATION REPORTS (Last 90 days)<br>NONE = 0 ONE OR MORE = -1 | 0 |
| f. CURRENT PROGRAMMING COMPLETED A TREATMENT PROGRAM = -2<br>INVOLVED IN TREATMENT PROGRAMS = -1 (only if no program completed)<br>NO PROGRAM INVOLVEMENT = 0 FAILED OR DROPPED FROM PROGRAM = 2 | -2 |
| g. WORK PERFORMANCE<br>OUTSTANDING = -2 ABOVE AVERAGE = -1 AVERAGE = 0 BELOW AVERAGE = 2 | 0 |
| h. LENGTH OF SENTENCE TIME REMAINING PRETRIAL OR 0 - 90 DAYS = 0 91 DAYS - 1 YEAR = 1<br>1+ TO 3 YEARS = 2 3+ TO 5 YEARS = 3 5 + TO 10 YEARS = 5 10+ YEARS = 7 LIFE/DEATH = 8 | 0 |
| i. PENDING CHARGES/WARRANTS/DETAINERS<br>NO = 0 YES = ENTER POINTS FOR OFFENSE SEVERITY CODE (See DoDI 1325.07, Severity Code Tables) | 0 |
| j. TOTAL POINTS | 6 |

**6. CLASSIFICATION DECISION**

a. (X one) [X] REDUCE (0 - 6 Points) [ ] SAME (7-10 Points) [ ] INCREASE (11+Points)

b. RATIONALE

SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals

**7. OVERRIDE**

a. (X one) [ ] NO [X] YES (Enter code) [ ] NOT APPLICABLE (Policy)

b. RATIONALE

RECCOMMENDATION TO REMAIN MAX

**8. RECOMMENDED DECISION**

Remain MAX

**9. FACILITY COMMANDER/DESIGNEE**

| a. NAME (Last, First, Middle Initial), GRADE, TITLE | [redacted] | c. DATE (YYYYMMDD) |
|---|---|---|
| Flanagan, Brian P, CDR, OIC | | 20251215 |

**10. FINAL DECISION**

Remain max.

| STATUS REVIEW – PVD+186D- RECLASSIFICATION | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20251215 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+182D** | **PVD+186D** | **MAX** | **MAX** | **K-78E** | **K-78E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20251215 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP discussed concerns of possibly being placed in MDI custody. Informed SNP is unlikely due to policy. SNP asked if it was possible to have a regular ink pen. Informed SNP sue to handling letter he would have to make a request to OIC and his addendum would have to be updated upon approval. SNP has eight positive hard card entries for cleaning and folding laundry. Received a negative improper uniform during count and observation reports for refusing medication and meals. SNP he was going through a lot and was just frustrated. SNP is continuing classes with clinical and Mrs. Cox.

Counselor recommendation is remain max and continued observation until reclassification board.

Package will be forwarded to the C&A (Classification and Assignment) Board on 15 DEC 2025.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on 15DEC25.

Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

[redacted]

Prisoner Signature

[redacted] Counselor Signature

CORMIS Entry Made ☐ Initial ____

| STATUS REVIEW – PVD+166D- WEEKLY REVIEW | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20251124 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+159D** | **PVD+166D** | **MAX** | **MAX** | **K-78E** | **K-78E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20251214 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP spoke on concerns dealing with inconsistencies and food options. Stated he was frustrated so that led him to shut down and not want to eat. Informed SNP I will communicate the concern and for him to also communicate any concerns or issues on 510s to the corresponding department. SNP has still been cleaning and/or requesting to clean. SNP seems to be in control of his emotions and show no signs of frustration or anger today.

Counselor recommendation is continued observation until reclassification board.

**Package will be forwarded to the C&A (Classification and Assignment) Board on 24 NOV 2025.**

Reclassification Only:
**You will be scheduled for a C & A Board no sooner than 48 hours on _____.**
**Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)**

N/A
Prisoner Signature

[redacted]
Counselor Signature

**CORMIS Entry Made** ☐ Initial _____

| STATUS REVIEW – PVD+173D- WEEKLY REVIEW | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20251201 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+166D** | **PVD+173D** | **MAX** | **MAX** | **K-78E** | **K-78E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20251214 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP stated there have been issues with the tv being on during holiday routine. Informed SNP I will bring up the concerns. SNP expressed he hasn't had an appetite and he is going through a lot but informed Chief he will eat today. Also made SNP aware that while being on the step down program one major infraction could stop his progress. SNP had no further questions or concerns.

Counselor recommendation is continued observation until reclassification board.

Package will be forwarded to the C&A (Classification and Assignment) Board on 01 DEC 2025.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on _____.
Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

_____ [redacted]
Prisoner Signature Counselor Signature

CORMIS Entry Made ☐ Initial _____

| STATUS REVIEW – PVD/POI+220D/48 HOUR NOTICE | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20260127 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | PVD/POI+220D | PVD+232D | MAX | MAX | K-78E | K-78E |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20260129 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |
| **CHARGES:**<br>**ARTICLE 118 – MURDER**<br>**ARTICLE 120 – SEXUAL ASSAULT**<br>**ARTICLE 128 – AGGRAVATED ASSAULT**<br>**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**<br>**ARTICLE 131B – OBSTRUCTING JUSTICE**<br>**ARTICLE 107B – FALSE OFFICIAL STATEMENT** | | | | | | | |
| **COUNSELOR NOTES AND RECOMMENDATIONS:**<br>48 HOUR NOTICE OF CLASSIFICATION Prisoner was advised that the purpose of this notice is to advise him that his custody classification status will be reviewed on 20260129. | | | | | | | |

Package will be forwarded to the C&A (Classification and Assignment) Board on 27 JAN 2026.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on 29JAN26.

Prisoner (DOES) / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

[redacted] _____
Prisoner Signature

[redacted]
Counselor Signature

CORMIS Entry Made ☐ Initial _____

| **STATUS REVIEW – PVD+234D/RECLASSIFICATION** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20250129 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+232D** | **PVD+234D** | **MAX** | **MAX** | **K-~~06W~~** | **K-~~06W~~** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20260129 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. SNP received multiple informational reports since last reclassification board and three negatives in his hard card. SNP was placed in POI and recently removed. Stated he was going through a rough time over the holidays and plans to improve.

Counselor recommendation remain MAX and continued observation.

Package will be forwarded to the C&A (Classification and Assignment) Board on 29 JAN 2026.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on 29JAN2026.

Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

[redacted]

Prisoner Signature

[redacted] Counselor Signature

CORMIS Entry Made ☐ Initial ____

| **STATUS REVIEW – PVD+242D/WEEKLY REVIEW** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20250206 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | **PVD+234D** | **PVD+242D** | **MAX** | **MAX** | **K-06W** | **K-06W** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20260301 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
***ARTICLE 128 – AGGRAVATED ASSAULT***
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. Informed SNP of the recent reclassification board results. Discussed recent behavior and the plan moving forward. SNP had no further questions or concerns.

Counselor recommendation remain MAX and continued observation.

Package will be forwarded to the C&A (Classification and Assignment) Board on 06FEB2026.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on N/A.
Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

Prisoner Signature

[redacted]
Counselor Signature

CORMIS Entry Made ☐ Initial ____

| STATUS REVIEW – PVD+248D/WEEKLY REVIEW | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20250212 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| | | From | To | From | To | From | To |
| COPELAND, JERMIAH T | 00165476CJ | PVD+242D | PVD+248D | MAX | MAX | K-78E | K-57E |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20260301 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. Discussed recent behavior, issues, multiple complaints, and the plan moving forward to mitigate the risk of disciplinary actions. Informed me he has no issues following the rules but he feels like the rules keep changing. Results of D&A board were loss of privileges for 10 days ending on 21FEB26. Placed in POI status 20260212.

Counselor recommendation remain MAX/POI and continued observation.

**Package will be forwarded to the C&A (Classification and Assignment) Board on 12FEB2026.**

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on N/A.
Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

[redacted]

Prisoner Signature

Counselor Signature

CORMIS Entry Made ☐ Initial

| **STATUS REVIEW – PVD+253D/WEEKLY REVIEW** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Counselor:** IC1 GREEN | | | | | | | |
| **Date:** 20250217 | | | | | | | |
| **Prisoner Name** | **RCN** | **Status/Job** | | **Custody** | | **Unit/Cell** | |
| COPELAND, JERMIAH T | 00165476CJ | From<br>**PVD/POI+248D** | To<br>**PVD+253D** | From<br>**MAX** | To<br>**MAX** | From<br>**K-57E** | To<br>**K-57E** |
| | | | | | | | |
| **Adjudged:** PRETRIAL | **Received:** 20250610 | | | **MRD:** PRETRIAL | | | |
| **Initial Custody:** 20250610 | **Last Reclassification:** 20251013 | | | **Next Reclassification:** 20260301 | | | |
| PREA Status: ☒ YES ☐ NO ☐ UNKNOWN | | | | | | | |

**CHARGES:**
**ARTICLE 118 – MURDER**
**ARTICLE 120 – SEXUAL ASSAULT**
**ARTICLE 128 – AGGRAVATED ASSAULT**
**ARTICLE 117A – WRONGFUL BROADCAST OF INTIMATE**
**ARTICLE 131B – OBSTRUCTING JUSTICE**
**ARTICLE 107B – FALSE OFFICIAL STATEMENT**

**COUNSELOR NOTES AND RECOMMENDATIONS:**
SNP met with counselor to answer all immediate questions/concerns. Discussed weekend behavior and issues. Informed me of his frustration over the past couple of days and feeling like he is being targeted. Informed him he can only control his actions, and his behavior is his responsibility. SNP has been having more issues lately but informed me he doesn't have suicidal ideations. Clinical recommendation to remove POI status.

Counselor recommendation remove POI status and remain MAX.

Package will be forwarded to the C&A (Classification and Assignment) Board on 17FEB2026.

Reclassification Only:
You will be scheduled for a C & A Board no sooner than 48 hours on N/A.
Prisoner DOES / DOES NOT wish to be present at C&A board (CircleOne) (ACA Std: 4-4302)

Prisoner Signature [redacted] Counselor Signature

CORMIS Entry Made ☐ Initial _____

**Gomez, Jocelyn M PO2 USN (USA)**

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA)
**Sent:** Friday, March 20, 2026 11:56 AM
**To:** Dempsey, Christopher B LCDR USN (USA)
**Cc:** Mayo, Lauren A CDR USN CNO (USA); Howard, Kevin P CDR USN NAVCONBRIG CHS SC (USA); Welch, Sharell A CIV USN (USA)
**Subject:** RE: Meeting Requests ICO CSSN Copeland
**Signed By:** brian.p.flanagan.mil@us.navy.mil

LCDR Dempsey,

Spoke with my boss and he's appreciative about the ruling, though he raised one issue that I wanted to bring to your attention. From page 2:

> a. On 9 June 2025, the Accused was ordered into pretrial confinement at the Naval Consolidat Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a maximum status prisoner, which means that he is in his cell alone for at least 22 hours per day.

I think this is just a simple verbiage mistake; however, wanted to clarify MAX prisoners are allowed out of their cell at least 2 hours per day. He is alone in his cell, at most, for 22 hours a day. Subtle difference but important to note.

V/R,

OIC

---

**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, March 20, 2026 10:51 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Meeting Requests ICO CSSN Copeland

Thank you.

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**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Sent:** Friday, March 20, 2026 9:42 AM
**To:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Cc:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Meeting Requests ICO CSSN Copeland

LCDR Dempsey,

Thank you, will pass along to Mrs. Welch.

V/R,

OIC

---

**From:** Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Sent:** Friday, March 20, 2026 9:28 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Subject:** RE: Meeting Requests ICO CSSN Copeland

Good Morning CDR Flanagan,

The military judge recently ruled on the issue of visitation with Copeland. I have attached it here. BLUF: he ruled that the expert visits must be in a contact setting, but that otherwise the non-contact booth is appropriate under the circumstances.

V/r,

LCDR Dempsey

---

**From:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Sent:** Friday, March 20, 2026 8:42 AM
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Port, Juana J PO1 USN (USA) <juana.j.port.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; Wilcox, Keonna P CPO USN NAVCRUITDIST RAL NC (USA) <keonna.p.wilcox.mil@us.navy.mil>; Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Welch, Sharell A CIV USN (USA) <sharell.a.welch.civ@us.navy.mil>
**Subject:** RE: Meeting Requests ICO CSSN Copeland

LCDR Morgan,

I approved contact visitation for Dr. Sahni and Ms. LaVala. LN1's visit will be in the no-contact booth. There is a table for writing and ability to pass documents between each side, so there is no reason to need contact visitation. We will screen all materials going inside the facility. Why does LN1 need 6 pencils?

Please include Trial Counsel on all correspondence.

V/R,

OIC

---

**From:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Sent:** Friday, March 20, 2026 8:32 AM
**To:** Flanagan, Brian P CDR USN NAVCONBRIG CHES VA (USA) <brian.p.flanagan.mil@us.navy.mil>
**Cc:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>; Mihill, Todd M

LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Port, Juana J PO1 USN (USA) <juana.j.port.mil@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>; Wilcox, Keonna P CPO USN NAVCRUITDIST RAL NC (USA) <keonna.p.wilcox.mil@us.navy.mil>
**Subject:** Meeting Requests ICO CSSN Copeland

CDR Flanagan,

Good morning, sir. I am one of CSSN Copeland's defense counsel. I wanted to inform and coordinate with you the following visits with CSSN Copeland next week:

Monday, 23 March: Our expert consultant, Ms. Daniela LaVala, will need to meet with CSSN Copeland in a contact room. Ms. LaVala will bring a pen for writing and possibly a laptop. Requesting this meeting start at 0900.

Thursday, 26 March: Our paralegal, LN1 Port, will need to meet with CSSN Copeland to administer him a test, which is needed for a future visit from our other expert consultant, Dr. Nameeta Sahni. During this visit LN1 Port will need to bring six (6) No. 2 pencils, erasers, and a stopwatch. Requesting this visit start at 0900.

Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
clifton.e.morgan4.mil@us.navy.mil
☎: 757-341-4486



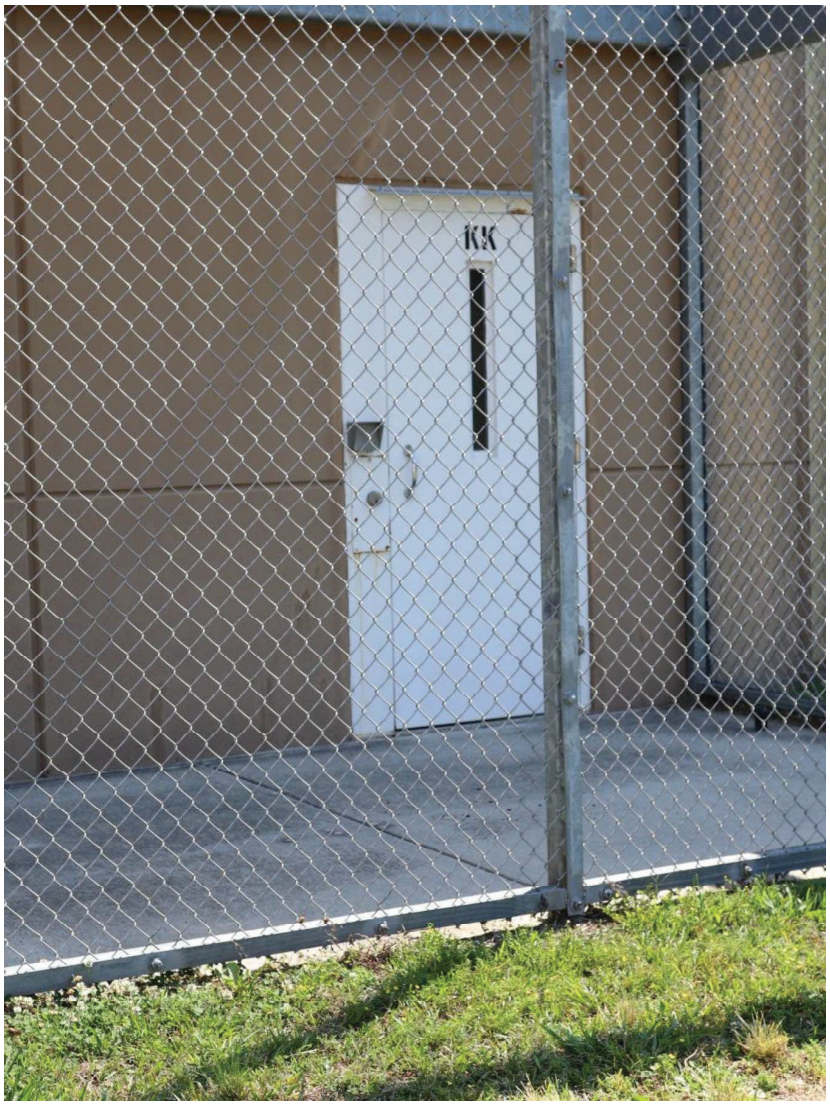
**View of No Contact Booth from the Visitors Side**



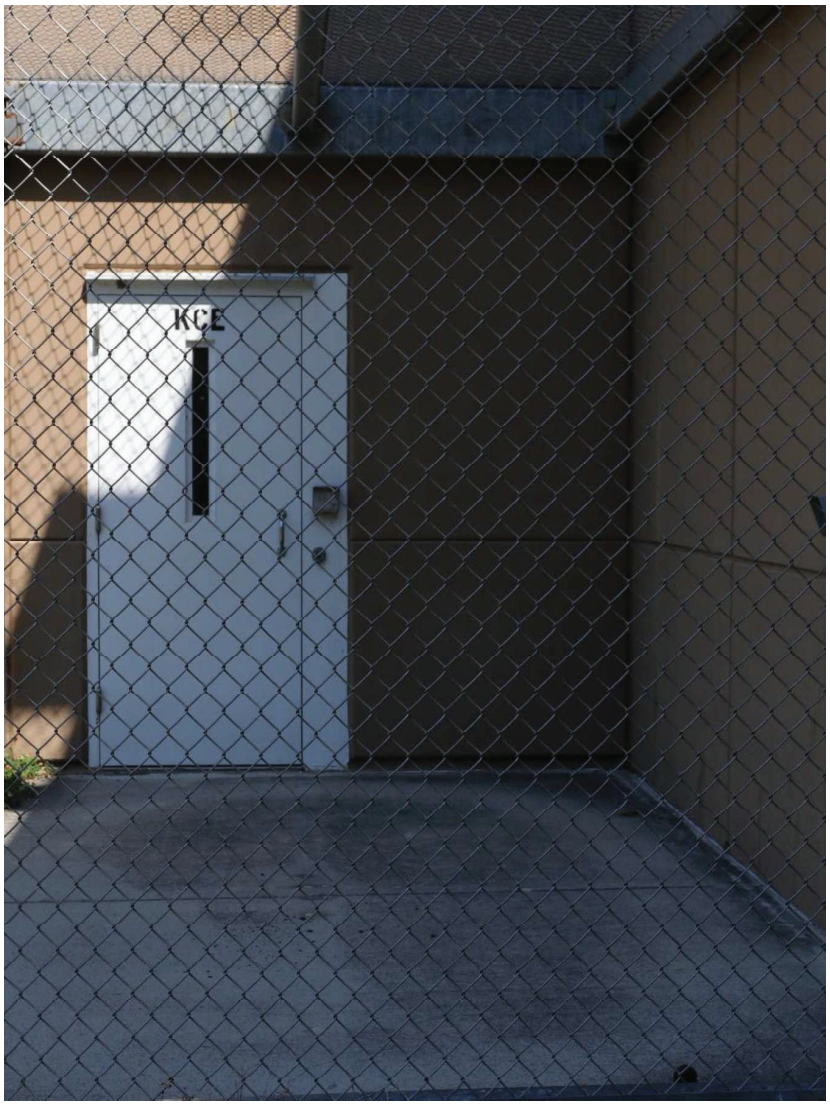
**Paper slot (papers can be put through for prisoners to sign and or receive).**



**Closer view from the Visitors side of the No Contact Booth**



**Outside recreation area**




**Front view of the outside recreation area for Maximum prisoners**



**View of Cell from doorway**



**View from inside of cell**



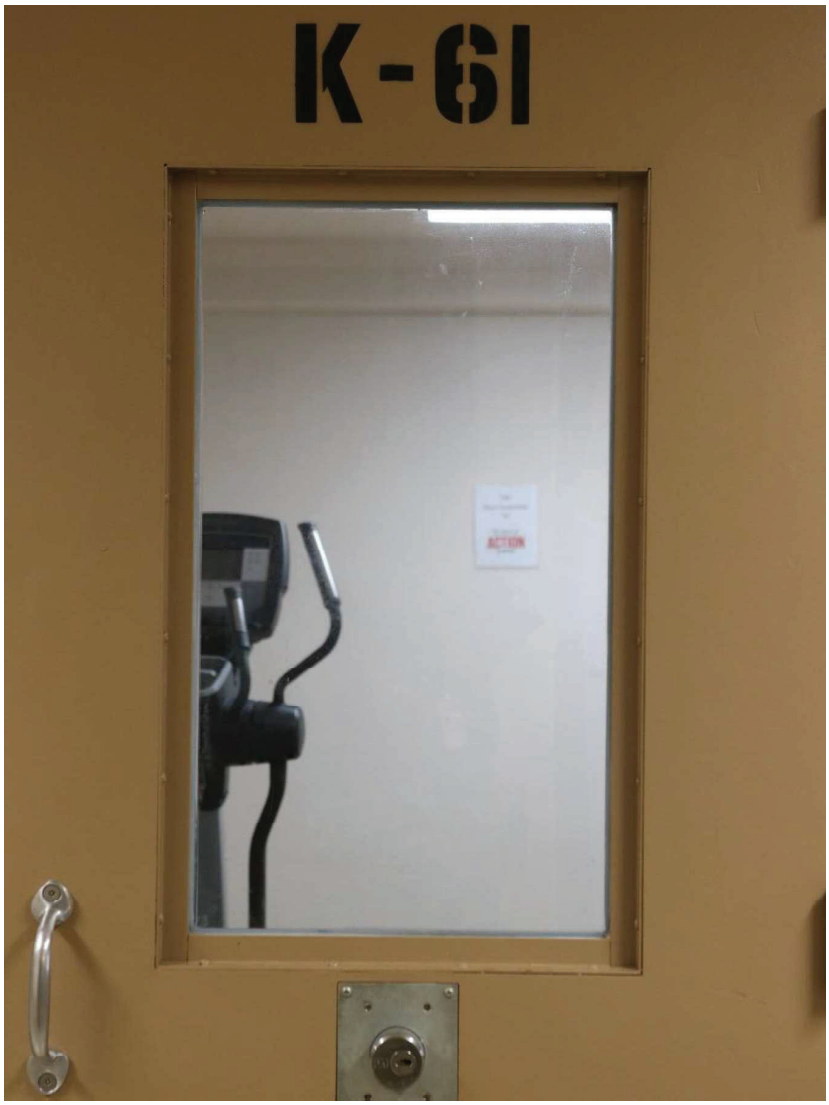

**Elliptical inside workout cell**



**Toilet and sink inside workout cell**



**Shower inside workout cell**




**View of workout cell from door**



**Outside recreation area from left, picture #1**



**Outside recreation area, picture #2**



**Outside recreation area, picture #3**



**Outside recreation area, picture #4**



**Outside recreation area, picture #5**

13 Mar 26

MEMORANDUM FOR THE RECORD

SUBJECT: CTM1 Angelo McDuffie BRIG Visit

1. On 13 March 2026, I visited the Naval Consolidated Brig Chesapeake with Mr. Robert Canoy, and Mrs. Namibia Nguyen. We are all members of the defense team, representing CTM1 McDuffie's attorney and paralegals, along with his military counsel and military LN who could not join us that day.

2. During the visit, Mr. Canoy requested to meet with CTM1 McDuffie in a contact room, but this was denied. We were directed by an MA2 to a specific non-contact room for our meeting. The acoustics and sound transfer through the metal and plate glass divider are very poor. As such, counsel and CTM1 McDuffie are required to speak at a fairly high volume in order to hear each other. This allows anyone standing outside the non-contact room to overhear the conversation.

3. While in the non-contact room having a privileged conversation with CTM1 McDuffie, myself and Mrs. Nguyen noticed two of the escorts standing directly outside of the non-contact room where we were conducting an attorney-client privileged visit with CTM1 McDuffie. It appeared to us that they could listen to our conversation. CTM1 McDuffie felt and noticed their proximity as well, and stated that he felt they were listening in.

4. After these statements and observations regarding the escorts appearing to be listening, I left the visiting panel, went around the outside and asked to speak to a MA2, who was the command duty officer. I explained that CTM1 McDuffie has a right to confidential communications with his attorney and that they should not be standing so close and listening in. I requested that she have the escorts move away from the door so that they could not hear the conversation and so that the conversation can be confidential. She stated that it was her job, to stand that closely, within that proximity, and that she would not move further away.

5. The MA2 stated that the MAs were instructed that they must always have visual contact with CTM1 McDuffie at all times. I responded that visual contact did not require her to overhear the conversation. The MA2 responded that overhearing the conversation was her job, to which I responded that it was not her job to overhear attorney-client conversations because they are confidential. I understood this MA2 to be communicating that she had been specifically instructed, as it pertained to CTM1 McDuffie especially, to watch him in the room with his attorney and listen into their conversation.

6. Seeing that this conversation was going nowhere, I left the conversation. The MA2 did not move away from the door, and we terminated the client meeting shortly thereafter, given the situation.

7. At various points throughout our meeting with CTM1 McDuffie we could hear the MAs conversation outside the door, whether she was talking on the radio or to another MA, or someone in the hallway. Based on the MA2's positioning and how easily we could hear her speak, I am confident that they could hear Mr. Canoy and CTM1 McDuffie's communications.
8. Upon exiting the Brig, the MA2 stated that the OIC wanted to come and speak to Mr. Canoy. The Brig OIC (CDR Flanagan) entered the Quarterdeck accompanied by two other brig personnel and the OIC was immediately extremely aggressive. The interaction between Mr. Canoy and the Brig OIC took place in the open with multiple bystanders, including myself and Mrs. Nguyen. The Brig OIC began the conversation by saying words to the effect: "you lawyers are all the same. You need to stop telling my staff that McDuffie is approved for contact visits." Mr. Canoy reminded CDR Flanagan that he had, in fact, approved CTM1 McDuffie for a contact visit which was to take place on the very next business day. Mr. Canoy also reminded CDR Flanagan that since Mr. Canoy's last brig visit, CDR Flanagan had approved 4 contact visits for CTM1 McDuffie, for people other than CTM1 McDuffie's attorney.

9. CDR Flanagan continued to scoff and respond louder and more aggressively. CDR Flanagan told Mr. Canoy that he [CDR Flanagan] was the only person who could decide what contact visits CTM1 McDuffie would be allowed. CDR Flanagan continued with more comments about his frustrations regarding Mr. Canoy and other attorneys inquiring about contact visits with their clients.

10. Within this conversation, without prompting, CDR Flanagan compared CTM1 McDuffie to another inmate in the BRIG, SN Copeland, and stated that he had rescinded "Copeland's" ability to have contact visits because Copeland had received a disciplinary infraction. Mr. Canoy asked CDR Flanagan what that had to do with CTM1 McDuffie, and if CTM1 McDuffie had ever had a disciplinary infraction. CDR Flanagan responded that CTM1 McDuffie had never had a disciplinary infraction, but told Mr. Canoy that "McDuffie murdered and dismembered someone, so he's not getting contact visits" or words to that effect.

11. Mr. Canoy then told CDR Flanagan that if that was the standard he was using to make his determination then he would have no choice but to file a motion with the Court. CDR Flanagan responded with, "go ahead, I've testified before, I don't care" or words to that effect.

12. The interaction concluded unresolved and unpleasant.

[redacted]

S/L. SMITH
LN1, Navy Veteran
Paralegal to Mr. Robert Canoy, Esquire

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**U.S. Navy** | **AFFIDAVIT**<br>**in re**<br><br>**CONFIDENTIAL COMUNICATIONS WITH MY ATTORNEYS** |

I, CSSN Copeland, USN, provide the following statement to the Court so that my position regarding the ability to have confidential communications with my attorneys while in NAVCONBRIG Chesapeake is correctly and adequately presented:

1. I have been held in "maximum custody" status for the entire time I have been in pre-trial confinement.

2. While in "maximum custody" status I do not have any regular communication with individuals who are not brig guards or staff.

3. After requesting it for months, I was given permission by the brig OIC to have contact visits with my attorneys. I was only able to meet with them in a contact room a few times throughout my incarceration. I recently lost the "privilege" to have these meetings because I was written up (a disciplinary report) for being disrespectful. I have never been violent or had any outbursts against brig staff or other prisoners.

4. When I meet with my attorneys it is in the "no contact" booth. This booth makes it difficult for me to review evidence, especially digital evidence, or to work on my case.

5. I do not believe my communications are confidential when I have to meet with my attorneys in the "no contact" room.

6. I know that the brig staff attempt to overhear what is being said when I meet privately with my attorneys because on one occasion in particular the guard made comments about the topics I had just discussed with my attorneys in the "pre-trial confinement room," building A-50 (Naval Station Norfolk).

7. My attorneys recognized the problems with having confidential communications in the "no contact" room and are addressing the issue. However, the only time I feel like I can be completely open and forthcoming with them is when I am transported out of the brig into the actual courtroom for proceedings in my case.

8. I also believe that if I needed to conduct a demonstration or physically show my attorneys something- that communication would in no way be confidential because the brig guards are always standing there watching what I do and listening to what is being said.

9. I am aware of cameras and microphones located throughout the brig and understand that my communications are constantly under scrutiny and surveillance. I do not believe, in the absence of being physically face to face with my attorneys, that I can have truly confidential and privileged communications.

10. I am also aware that my cell is not a safe place to hold my legal materials. On one occasion, early in my case, the guards confiscated legal materials my attorneys had provided me to begin preparing my defense.

Signed today, 30 April 2026.

[redacted]

JERMIAH COPELAND
CSSN/E-3
U.S. NAVY

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN/E-3**<br>**U.S. Navy** | **DEFENSE MOTION IN LIMINE TO EXCLUDE EVIDENCE PURSUANT TO MIL. R. EVID. 404(b)**<br><br>**26 Nov 25** |

## MOTION

Pursuant to Rule for Court-Martial ("R.C.M.") 906 and Military Rule of Evidence ("Mil. R. Evid.") 404(b), the Defense moves this Court to exclude evidence of prior crimes, wrongs, or other acts of the accused that the government has indicated it intends to introduce at trial.

## BURDEN

As the proponent of the evidence, the Government bears the burden of proof to establish any factual matters regarding the admissibility of any evidence offered pursuant to Mil. R. Evid. 404(b) by a preponderance of the evidence. R.C.M. 905(c)(1), (2).

## FACTS

1. CSSN Copeland is charged with violating Articles 118 (Premeditated Murder), 120 (Sexual Assault and Aggravated Sexual Contact), 128 (Aggravated Assault), 120c (Indecent Recording and Broadcasting), 131b (Obstruction of Justice), 128b (Domestic Violence), and 107 (False Official Statement).[1]

2. Trial is scheduled for June 2026.[2]

3. On 5 November 2025, the Government provided notice of its intent to offer evidence pursuant to M.R.E. 404(b) and M.R.E. 413.[3]

4. The charged offenses occurred entirely between July 2024 and June 2025.[4]

5. On 15 Oct 25 the Defense requested a Bill of Particulars with regards to Charge VII, Premeditated Murder. Specifically, the Defense sought clarification as to what the Government

[1] Charge Sheet.
[2] Trial Management Order.
[3] Encl A of Def MTE M.R.E. (413): Notice under M.R.E. 404(b) and 413 of 5 Nov 25.
[4] Charge Sheet.

intended to prove was the "act" by which CSSN Copeland was alleged to have killed CS3 A.R. [5]

6. The Government responded to the Defense request on 5 November 2025. In their response the Government asserts that they need not prove a specific act, only than "an act" of the accused caused the death. The response goes on to say that they will be presenting evidence that CS3 A.R.'s death was "consistent with strangulation by the Accused." [6]

7. Dr. Lameira conducted an initial autopsy in this case and rule the manner of death as "undetermined." Dr. Rodic who performed a second, private autopsy and he concluded that the manner of death was "deferred," meaning he would need more information to make a determination as to cause of death. Importantly, in a voice note provided in discovery Dr. Rodic states that he believes strangulation is conclusively ruled out as a possible cause of death.[7]

8. There is no direct evidence of strangulation presented in either set of autopsy findings.[8]

9. The provided notice delineates evidence of a pre-service allegation made against CSSN Copeland by a civilian, high school classmate, L.L. The allegation arose when both CSSN Copeland and L.L. were not yet 18 years old.[9]

## LAW

1. Relevant Evidence and Res Gestae

Evidence is relevant if it has any tendency to make a fact of consequence in determining the action more or less probable than it would be without the evidence. Relevant evidence is generally admissible absent some other rule to the contrary.[10] Relevant evidence may be excluded where its probative value is substantially outweighed by the danger of, among other things, causing unfair prejudice, confusing the issues, or misleading the members.[11]

*Res gestae* evidence is evidence of "the events at issue, or other events contemporaneous with them."[12]11 Such evidence is intrinsic to the alleged offense or offenses because it is "inexorably intertwined with the alleged offense itself . . . [and] becomes part of the *res gestae* of the offense."[13]*Res gestae* evidence allows the parties to present the full picture to the finder of fact to avoid confusion and gaps in the narrative.[14]

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[5] Encl A to Def MTD (Failure to State an Offense): Request for Bill of Particulars ltr of 15 Oct 25.
[6] Encl B to Def MTD (Failure to State an Offense): Govt Bill of Particulars
[7] Encl J of Def MTC (Expert Consultant in Memory and Human Reaction): Autopsy Summary of 10Jun25; Encl C of Def MTD (Failure to State an Offense): Dr. Rodic Autopsy Summary
[8] *Id.*
[9] Encl A of Def MTE M.R.E. (413): Notice under M.R.E. 404(b) and 413 of 5 Nov 25.
[10] Mil. R. Evid. 402.
[11] Mil. R. Evid. 403.
[12] *United States v. St. Jean*, 83 M.J. 109, 110 n.2 (C.A.A.F. 2023) (citing Black's Law Dictionary 1565 (11th ed. 2019).
[13] *United States v. Gaddy*, No., 2017 CCA LEXIS 179, at *5 (A.C.C.A. March 20th, 2017) (citing and quoting *United States v. Peel*, 29 M.J. 235, 239 (C.A.A.F. 1989)).
[14] *United States v. Metz*, 34 M.J. 349, 351 (C.M.A. 1992).

2. The Rules of Evidence and military case law protect against convictions based on evidence of an accused's poor character.

Evidence of a "crime, wrong, or other act" cannot be used to prove "a person's character in order to show that on a particular occasion the person acted in accordance with the character."[15] Exceptions to the prohibition are limited to purposes, such as "proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of knowledge or accident."[16] To fall within one of these exceptions, the Government must satisfy a three-part inquiry: 1) Does the evidence reasonably support a finding by the court members that appellant committed prior crimes, wrongs or acts? 2) What "fact… of consequence" is made "more" or "less probable" by the existence of this evidence? 3) Is the "probative value… substantially outweighed by the danger of unfair prejudice?"[17] If the evidence fails to meet any of the three prongs, it is inadmissible. [18]

3. The notice requirement in Mil. R. Evid. 404(b) and the first two *Reynolds* prongs guide a trial court's factual inquiry into logical relevance, preventing any needless trial-within-the-trial.

The first and second prongs of this test address the "logical relevance" of the evidence.[19] They require the Government to prove that the accused committed prior crimes, wrongs, or acts by a preponderance of the evidence.[20] Second, the evidence needs to be probative of a material issue *other* than the character of the accused.[21] It is insufficient for the Government to rely on "broad talismanic incantations of words such as intent, plan, or modus operandi."[22]

To introduce evidence of a "motive," for instance, the Government must show that the act evidenced "an emotional need in that person which could have *incited* or *stimulated* that person to do that act in satisfaction of that emotion."[23] The prior acts of conduct must be the type which reasonably could be viewed as "the expression and effect of the existing internal emotion."[24] Moreover, this same motive must be shown to have existed in appellant at the time of the subsequently charged acts. *Id*.

To use a prior act to show "intent," the Government must demonstrate that the accused's state of mind while committing both the charged and uncharged acts were the same.[25] If the uncharged act does not demonstrate a sufficiently similar state of mind, then it is not admissible.[26] The use of uncharged acts to prove "intent" under Mil. R. Evid. 404(b) is especially fraught.[27] If the "intent" exception under 404(b) allowed the admission of similar acts

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[15] Mil. R. Evid. 404(b)(1).
[16] Mil. R. Evid. 404(b)(2); *United States v. Ferguson*, 28 M.J. 104 (C.M.A. 1989).
[17] *United States v. Reynolds*, 29 M.J. 105, 109 (C.M.A. 1989) (citations omitted).
[18] *Id*.
[19] *United States v. Barnett*, 63 M.J. 388, 394 (C.A.A.F. 2006).
[20] *United States v. Morrison*, 52 M.J. 117, 121 (C.A.A.F. 1999).
[21] *United States v. McDonald*, 59 M.J. 426, 429 (C.A.A.F. 2004).
[22] *United States v. Gamble*, 27 M.J. 298, 304 (C.M.A. 1988).
[23] *United States v. Whitner*, 51 M.J. 457, 461 (C.A.A.F. 1999) (citations omitted)(emphasis added).
[24] *United States v. Watkins*, 21 M.J. 224, 227 (C.M.A. 1986).
[25] *United States v. McDonald*, 59 M.J. 426, 430 (C.A.A.F. 2004).
[26] *Id*.
[27] *See United States v. Franklin*, 35 M.J. 311, 316-317 (C.A.A.F. 1992).

simply to prove the intent element of the charged offense, the exception would swallow the rule.[28]

To demonstrate a "common plan or scheme" the charged and uncharged acts must be similar but are not required to be identical.[29] In order for the acts to be "substantially similar" they must include "common factors."[30]

In *United States v. Diaz*, the accused faced charges of aggravated assault of one of his infant daughters and the murder of his other daughter.[31] The trial judge admitted evidence that both girls had previously suffered injuries such as bruises and broken bones to show a "pattern of abuse" by the accused.[32] The Court of Appeals for the Armed Forces reversed the trial judge's decision and overturned the accused's conviction in part because the Government failed to prove both that the accused had committed the uncharged acts and also that the uncharged acts related to a permissible "other purpose." [33]The court found it was error to admit uncharged acts, even under a "doctrine of chances" theory, stating "the prosecution cannot merely lump together a series of incidents and assert that together they establish Appellant committed each act of abuse."[34]

When the evidence raises the defense of mistake, the government must disprove the defense beyond a reasonable doubt.[35] However, if no defense of mistake is raised, then the Government cannot put on evidence to rebut it.[36]

3. <u>The third *Reynolds* prong ensures that uncharged acts do not overwhelm the issues properly before the fact-finder</u>.

Even if the Government can demonstrate logical relevance, it must still show legal relevance under the third prong of *Reynolds*.[37] Evidence cannot be admissible when it poses an unfair risk that the fact finder could convict the accused on an improper basis.[38] This Mil. R. Evid. 403 balancing test requires the Court to weigh: "the strength of proof of the prior act(s); the probative weight; the potential for using less prejudicial evidence; the distracting effect of the prior evidence; the time required to prove the act(s); temporal proximity of the charged offense to the

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[28] *Id*.
[29] *United States v. Greene Watson*, 85 M.J. 340, 347 (C.A.A.F. 2025)(citing *United States v. Hyppolite,* 79 M.J. 161 (C.A.A.F. 2019)
[30] *Id.*
[31] *United States v. Diaz,* 59 M.J. 79, 85 (C.A.A.F. 2003).
[32] *Id*. at 94.
[33] *Id.* at 96.
[34] *Id*.
[35] *United States v. Thompson*, 39 C.M.R. 537 (A.B.R. 1968) (reversing conviction for desertion because the military judge failed to instruct on burden of proof for mistake of fact).
[36] *United States v. Thompson*, 63 M.J. 228 (2006); *United States v. Diaz*, 59 M.J. 79 (2003); *cf United States v. Harrow*, 65 M.J. 190 (C.A.A.F. 2007) (finding that even if defense does not outright argue mistake or accident, if the evidence reveals that injuries could have been the results of an accident, then the evidence may be admitted.).
[37]*Reynolds,* 29 M.J. 105.
[38] *Old Chief v. United States*, 519 U.S. 172, 180 (1997).

prior act(s); the frequency of the prior act(s); intervening circumstances between the prior act(s) and the charged offenses; and the relationship between the parties."[39]

## ARGUMENT

The Government's notice in this case is convoluted and challenging to analyze. To clarify the notice, it can be divided into two parts. The first section is the Government's desire to utilize facts and circumstances, as well as the allegations themselves, of charged offenses for the purported purposes of proving intent, motive, knowledge, consciousness of guilt, lack of mistake and identity of other charged offenses. This noticed evidence is not uncharged misconduct as is more typical of M.R.E. 404(b) evidence, it is the charged misconduct and the circumstances surrounding the investigations into those allegations.

The second section, the only one dealing with uncharged "other acts" evidence relates predominantly to M.R.E. 413 evidence being offered against CSSN Copeland. This evidence arises from a pre-service (high school) interaction between CSSN Copeland and a classmate, L.L. This evidence will be briefly analyzed below as there is a small portion of this "other act" evidence that falls under M.R.E. 404(b) for analysis. However, please refer to the Defense Motion to Exclude Evidence Pursuant to M.R.E. 413 for a more comprehensive analysis of why this information should be excluded from this trial.

**Evidence of charged acts can be used to support other charged offenses; however, this Court must guard against propensity evidence being masqueraded as something else. Here, the Government has not identified, clearly, how the evidence will be used in each instance nor how they intend for this Court to be able to adequately instruct members so as to allow a full and fair trial.**

While the Government has produced pages of convoluted connections between the evidence related to charged acts, there is no proper purpose articulated to support their contentions. Evidence of an alleged sexual assault to support a "motive" for murder? "Half-truths" told by the accused to investigators related to totally different offenses in order to support a common scheme or plan for murder? The accused's ideations of self-harm when faced with an allegation of sexual assault, to support his alleged intent to murder someone to avoid another allegation? These connections are tenuous at best, and the Government provides no indication of how these connections are anything BUT propensity evidence.

Most glaringly, the Government purports that they need not prove a specific act to prove murder. Yet at then they ask the Court to allow them to use allegations that CSSN Copeland may have put his hand on someone else's neck, to support their theory that CS3 A.R. was strangled to death. In conducting a review of M.R.E. 413, a close counterpart to M.R.E. 404(b), C.A.A.F. has noted it would be "antithetical to the presumption of innocence to suggest that conduct for which an accused is presumed innocent may be used to show a propensity to have committed other conduct of which he is presumed innocent."[40] When conducting an M.R.E. 404(b) analysis, a

[39] *Barnett*, 63 M.J. at 396 (quoting *United States v. Berry*, 61 M.J. 91, 95 (C.A.A.F. 2005)).
[40] *United States v. Hills*, 75 M.J. 350, 356 (C.A.A.F. 2016).

military judge must always be on guard against the wolf of propensity that comes dressed in the sheep's clothing of motive.[41]

The wolf of propensity is not skulking into this case; the Government wants the Court to unleash it. The Government wants to argue, with a lack of supporting evidence and direct evidence to the contrary, that CSSN Copeland strangled CS3 A.R. to death because he is alleged - on the same charge sheet - to have put his hands on the neck of other individuals. The Government's theory of the case relies solely on propensity to even attempt to put CSSN Copeland's hands on CS3 A.R.'s neck. These noticed acts are not M.R.E. 404(b) evidence, they do not meet an exception, and they could only be used for propensity purposes.

This Court should preclude the Government from utilizing the noticed acts in the manner requested and should also preclude the Government from presenting this theory regarding the manner of CS3 A.R.'s death when it is unsupported by evidence and is refuted by direct evidence to the contrary. The Government has not, because they cannot, articulated how the Court could possibly instruct members on this usage without causing substantial prejudice to the accused by infringement upon the presumption of innocence the accused is afforded.

This problem persists throughout the Government's M.R.E.404(b) notice. Evidence introduced for a proper purpose under M.R.E. 404(b) will then beget a specific instruction by the court which highlights the evidence once again following completion of trial on the merits. The Government's entire notice rests solely on using charged misconduct, and the circumstances surrounding the investigation into each charged act, to support the proposition that they are all somehow connected for a proper purpose under M.R.E. 404(b). This is simply not the case and requires tremendous inferential leaps to connect the dots the Government seeks to connect. Once evidence is introduced the counsel will be free to argue appropriate inferences from that information. What they cannot do is request a judicial foot-stomp, by way of M.R.E. 404(b) instruction, on the evidence when there is simply not a proper purpose outside of propensity which would allow the evidence to be tied together in a logical and relevant way.

Relevant evidence that the Government seeks to introduce will always be subject to an M.R.E. 403 balancing test and the Defense will be free to make appropriate objections. This Government notice lists what may be relevant evidence, but it does not express a clearly articulated theory of what other purpose under M.R.E. 404(b) that would be. Similarly, the Government also makes no effort to describe a manner in which members could be instructed that would not result in the use of the evidence as propensity of the accused towards criminal conduct. I once again point to the Government's main contention and the central theory of their case- CSSN Copeland is alleged to have put his hands on other people's necks therefore he strangled CS3 A.R. to death, even though the only available evidence is contrary to this contention. That is but a single instance of the "wolf of propensity" articulated within the Government's notice.

The Defense requests that the Court find the entirety of the noticed evidence to be charged misconduct with no legitimate M.R.E. 404(b) purpose which will therefore not beget an

[41] *United States v. Wilson*, 84 M.J. 383, 392 (C.A.A.F. 2024) (citing *United States v. McCallum*, 584 F.3d 471, 477 (2d Cir. 2009)

instruction from the Court. The Government's purported connections are merely propensity evidence cloaked in a different wool.

**The Government seeks to admit three prior uncharged acts stemming from the allegations made against CSSN Copeland when he was in high school. These acts serve no purpose other than propensity and this Court should find the acts inadmissible.**

1) *CSSN Copeland made "misleading statements" during the investigation into the L.L. allegation and a second allegation that he had recorded a sexual interaction between himself and another student in high school.*

The Government argues that these pre-service investigations and allegedly misleading statements made by CSSN Copeland during them, is admissible to prove consciousness of guilt, common scheme, and intent relative to the charged offenses of sexual assault and premeditated murder. This noticed evidence fails *Reynolds* and should be deemed inadmissible.

The noticed acts of "misleading statements" from allegations, which are now several years old, fails all three prongs of *Reynolds*. First, the Court cannot find by a preponderance of the evidence that the accused committed the acts. The allegation from L.L. received no further attention after the report for a lack of corroborating witnesses and a lack of any physical evidence.[42] The Government avers that during the investigation into L.L.'s allegation, CSSN Copeland provided a "half-truth" by acknowledging where he was and who he was with but not confirming that he did anything wrong. To be clear, CSSN Copeland told his side of the story to investigators at the time, now the Government in this case wants to call it a "half-truth" and say that it should be admissible in THIS trial as evidence of a common scheme, consciousness of guilt, and importantly as ***intent to commit premeditated murder.*** At the time of the allegation no action was taken because what happened couldn't be ascertained, surely this Court is not positioned to make a different finding on the same set of facts that haven't changed in the intervening three years.

Similarly, the Government seeks to introduce a "half-truth" act by which CSSN Copeland is alleged to have told investigators his mother took his phone away from him so he could not provide it for the investigation, he subsequently told investigators he misplaced the phone. This noticed act has slightly more corroboration than the first, however, these statements could very well have been the whole truth. There is simply no evidence to suggest that either was an outright lie. The Court cannot find by a preponderance of the evidence that this act occurred.

Both of the alleged "half-truth" acts from these years-old investigations fail the first prong of *Reynolds*.

Both noticed acts also fail the second prong of *Reynolds*, they do not have any logical connection or relevance to this case. There is simply no fact of consequence made more or less probable by the introduction of this evidence. The Government seeks to articulate permissible reasons or logical connections, but it is unclear why or how these acts represent consciousness of guilt for an alleged offense that has not yet happened, or how they demonstrate a common

[42] Encl B of Def MTE M.R.E. (413): Oak Harbor Police Report

scheme of lying to investigators despite wildly different sets of circumstances, or even more incredibly, as a demonstration of his alleged intent to kill CS3 A.R. more than three years later. This evidence could only be used for propensity. The Government thinks CSSN Copeland lies to investigators, so they want to argue that because he lied then, he lies now. That is not logical relevance, motive, intent, consciousness of guilt, or anything else- it is propensity evidence suggesting CSSN Copeland is a liar so he must have acted in accordance with that character trait. The Court cannot allow this.

Turning to the third prong of *Reynolds*, the uncharged acts again fail. There is simply no proof that these alleged acts occurred, especially in the way the Government wishes to characterize them. The probative weight of the evidence is zero- no fact of consequence is made more or less probable by the noticed acts. The noticed acts did not occur in close temporal proximity to the alleged offenses, they are several years older with untold numbers of intervening circumstances occurring in the interim. The frequency of the prior acts is negligible, they were acts that allegedly occurred when CSSN Copeland was a minor and still in high school. It will take unnecessary time and resources to produce witness and "prove up" the uncharged against- creating a trial within the trial on matters of no relevance. These noticed acts fail the third prong and should be deemed inadmissible.

*2) L.L. alleges CSSN Copeland kissed her without her consent*

During their high school years L.L. alleged, among other things, that CSSN Copeland kissed her without her consent.[43] They had previously been involved in a romantic relationship. The allegation was investigated and did not turn up any corroborating witnesses, despite others being present in the home, or physical evidence. In fact, L.L. noted that she intentionally kissed CSSN Copeland "to get him to leave."[44] The Government offers this act within its M.R.E. 413 notice, however, kissing does not meet the definition of sexual conduct necessary under M.R.E. 413, thus we treat it as M.R.E. 404(b) evidence and analyze that act here. Presumably the Government would be offering this specific act to support the idea that he "doesn't take no" for an answer which somehow would inform a permissible use under M.R.E. 404(b). It does not.

This noticed act fails all three prongs or *Reynolds*. The court cannot find by a preponderance of the evidence that any kissing was nonconsensual. The incident was investigated and no further action was taken to charge or adjudicate CSSN Copeland of an offense. No one saw the alleged act. There is simply no way to find by a preponderance of the evidence that this act occurred.

The noticed act fails the second prong because it does not have any logical relevance to this case, taking place years later. The Government has not articulated permissible purpose pursuant to M.R.E. 404(b), because they cannot. This alleged act could only be used by the Government to claim that CSSN Copeland "doesn't take no for an answer."[45] That constitutes impermissible propensity evidence.

[43]Refer to Defense MTE 413 for a full analysis of the alleged M.R.E. 413 evidence noticed by the Government.
[44] Encl B of Def MTE M.R.E. (413): Oak Harbor Police Report at 3.
[45] Encl A of Def MTE M.R.E. (413): Notice under M.R.E. 404(b) and 413 of 5 Nov 25 at 14.

The third prong also fails for this noticed act. There is no strength of proof suggesting the act even occurred. There is no probative weight to this fact, but would result in substantially prejudicial impact on the accused in his current trial. The alleged act did not occur in close temporal proximity to the alleged offenses. The noticed act is alleged to have occurred a single time, several years ago, this weighs in favor of inadmissibility. Introduction of this fact would cause an unnecessary trial within a trial, wasting time and confusing or misleading the members. All of these factors weigh in favor of the exclusion of this noticed act.

*3) L.L. alleges CSSN Copeland made an "evil grin" when he allegedly touched her inappropriately over her clothes.*

L.L. states that when CSSN Copeland allegedly groped her in high school, he had an "evil grin" on his face. The Government seeks to admit this "evil grin" under a theory that this uncharged act establishes "motive, intent and identity" for him to have committed Charge V (Domestic Violence) against CSSN S.R. in April of 2025. This constitutes impermissible character evidence under M.R.E. 404(b).

To begin, the Court simply has no evidence to support, by a preponderance of the evidence, that this act ever occurred. For reasons discussed above, this alleged incident is unsupported by facts, witnesses, or evidence. The appearance of CSSN Copeland on a single day 3 years or more before the alleged offense cannot be found to have occurred.

Secondly, there is no logical relevance of the noticed act to any of the alleged offenses in this case. CSSN S.R. alleges that CSSN Copeland "smiled" and "it was like he was someone else" when he allegedly strangled her.[46] She does not mention an "evil grin" nor is there any evidence suggesting identity is a relevant in any way to the charged offense. CSSN Copeland's demeanor on a single day several years before the alleged offenses simply does not make a fact of consequence any more or less likely. The remaining purposes articulated by the Government, motive and intent for the current offense, cannot be advanced in any meaningful way by the demeanor of the accused during an alleged incident occurring years prior when he was a high school student. This evidence could only be used to argue propensity- he looked evil to a classmate then and he "looked like someone else" to the complaining witness now, therefore he must have been acting in accordance with his character for the more recent allegation. This inferential leap is what the Government has based their case upon, and it is impermissible evidence.

Finally, the third prong of *Reynolds* also presents an insurmountable hurdle for the Government regarding this noticed act. There is no strength of proof that this "evil grin" ever occurred, and even if it had, there would zero probative weight making a fact more or less probable in this case. The alleged "evil grin" would have happened years ago, with multitudes of intervening circumstances between the two events. The "evil grin" only appears to have occurred one time previously, and proving it up at trial would require calling witnesses to describe the accused's demeanor during an alleged event that has no bearing on the instant case, which would only serve to waste time and confuse the issues. Finally, the probative weight of this evidence, weighed against the danger of unfair prejudice, makes it abundantly clear that the accused would

[46] Encl A: Results of Interview of CSSN S.R. of 7Jul25 at 1.

be prejudiced by the inclusion of the evidence in a way that simply could not be rectified by any instruction from the Court. The evidence fails the third prong of *Reynolds*.

## RELIEF REQUESTED

The Defense requests this Court prohibit the Government from offering both the charged and uncharged acts under Mil. R. Evid 404(b) as they have failed to articulate any permissible purpose and have not provided any instruction that could remedy the inescapable use of the evidence merely for propensity purposes.

## EVIDENCE & ORAL ARGUMENT

The Defense offers the following enclosure as evidence in support of this motion:

a. Enclosure A: Results of Interview of CSSN S.R. of 7Jul25

Unless conceded by the government or granted by the Military Judge based on pleadings alone, the Defense requests oral argument on this matter.

MIHILL.TODD.MI[redacted]
CHAEL.[redacted]
[redacted]
Digitally signed by MIHILL.TODD.MICHAEL.[redacted]
Date: 2025.11.25 15:49:43 -05'00'

T. M. MIHILL
LCDR, USCG
Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO EXCLUDE EVIDENCE**<br><br>**(M.R.E. 404b)**<br><br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure A: Results of Interview of CSSN S.R. of 7Jul25

The Defense cites the following enclosures from other defense motions:

a. Enclosure A to Def MTD (Failure to State an Offense): Request for Bill of Particulars ltr of 15 Oct 25
b. Enclosure B to Def MTD (Failure to State an Offense): Govt Response Bill of Particulars
c. Enclosure C of Def MTD (Failure to State an Offense): Dr. Rodic Autopsy Summary
d. Enclosure A of Def MTE M.R.E. (413): Notice under M.R.E. 404(b) and 413 of 5 Nov 25
e. Enclosure B of Def MTE M.R.E. (413): Oak Harbor Police Report
f. Enclosure J of Def MTC (Expert Consultant in Memory and Human Reaction): Autopsy Summary of 10Jun25

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 07JUL25

CONTROL: 07JUL25-NFNF-00304-7VNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S[redacted]

RESULTS OF INTERVIEW OF CSSN S[redacted] R[redacted], USN

1. On 07JUL25, Reporting Agent (RA) and Participating Agent (PA) Jessica GOKEY conducted an interview of CSSN S[redacted] R[redacted] (V/R[redacted]), USN, Naval Station Norfolk (NAVSTA NORFOLK), VA, at NCISRA Norfolk, VA, regarding her prior relationship with CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95).

2. As background, V/RICHARDSON was identified as a prior girlfriend of S/COPELAND who may possess information relevant to the investigation.

3. The interview of V/[redacted] was recorded using an audio/video recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

4. V/[redacted] stated she and S/COPELAND began dating circa MAR25, and the relationship lasted for approximately one (1) month. V/[redacted] stated she met S/COPELAND while assigned to DDG-95, and worked together. According to V/[redacted], the relationship began as a friendship and developed into a romantic relationship. V/[redacted] described S/COPELAND initially as "a cool person." V/[redacted] stated most of their interactions occurred while under the influence of alcohol, as S/COPELAND regularly encouraged drinking. V/[redacted] reported the relationship ended due to S/COPELAND becoming violent and dishonest about his involvement with his ex-girlfriend, identified as "Dess" (NFI).

5. V/[redacted] stated on 11APR25, while in S/COPELAND's barracks room, located at Willis Manor building X-2, Room 335, Naval Station Norfolk, VA, she accessed S/COPELAND's phone and discovered messages which indicated S/COPELAND was still in a relationship with his ex-girlfriend. Upon confronting S/COPELAND, V/[redacted] stated he became "visibly upset". According to V/[redacted], S/COPELAND pushed her onto the couch and placed both hands around her neck for approximately four to five (4-5) seconds. V/[redacted] stated while she was being strangled, S/COPELAND smiled and appeared "extremely angry", stated, "it was like he was someone else." V/[redacted] reported after S/COPELAND released her, she broke his PlayStation 5 out of anger and exited the room. V/[redacted] stated she attempted to retrieve her belongings but was denied reentry by S/COPELAND. According to V/[redacted], her personal items were never recovered.

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EXHIBIT ( V )

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:07JUL25-NFNF-00304-7VNA** **07JUL25**

6. V/[redacted] stated S/COPELAND's roommate (NFI) falsely reported to the responding law enforcement personnel she attempted to stab S/COPELAND and was the aggressor, despite being the victim. V/[redacted] stated when she explained the incident to law enforcement, she was discouraged from reporting the strangulation, as they stated it would "just make the situation worse" (NFI). Following the interview, V/[redacted] requested an investigation be initiated for the details she provided to NCIS.

7. At the conclusion of the interview, V/[redacted] was provided a Victim Witness Assistance Pamphlet (VWAP).

ENCLOSURE(S)
(A) DVD-R: CONTAINING INTERVIEW OF S[redacted] R[redacted], USN/07JUL25

REPORTED BY: FRITZNER PHILEMON, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK

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**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN, E-3**<br>**USN** | **DEFENSE MOTION TO COMPEL**<br><br>**(Expert Consultant in Pathology)**<br><br>**26 November 25** |

## MOTION

Pursuant to R.C.M. 906(b)(7) and R.C.M. 703(d), the Defense moves the Court to compel the production of forensic pathologist, Dr. Priya Banerjee, as an expert consultant for the Defense for both pre-trial preparations and trial participation.

## SUMMARY

CSSN Jermiah Copeland is charged with the alleged premeditated murder of CS3 A.R., among other alleged violations of the UCMJ. The Defense submitted the appropriate requests for expert funding in accordance with the Trial Management Order. In response to the Defense request, the Government acknowledged that employment of a Defense expert in this field was necessary to ensure a fair trial. The Government denied the request, however, citing the fee schedule for the expert- indicating the expert was too expensive. An adequate substitute was not identified or offered, and a subsequently provided list of alternate pathology experts does not meet the requirements of R.C.M. 703.

## FACTS

1. On 9 June 2025, the remains of CS3 A.R. were found in a secluded area of Norfolk. An autopsy was performed on 10 June 2025 by Dr. Fernanda Lameira of the Office of the Chief Medical Examiner.[1]

2. Also on 9 June 2025, CSSN Jermiah Copeland entered pretrial confinement upon being suspected of numerous violations of the UCMJ, including sexual assault and the premeditated murder of CSSN A.R.[2]

[1] Encl J of Def MTC Expert Consultant in Memory and Human Reaction: Dr. Lameira Autopsy Report of 10Jun25; Encl A: Dr. Lameira R.C.M. 701 Disclosure.
[2] Encl A of Def MFAR (Change of Venue) Motion: Confinement Order of 9Jun25.

3. The autopsy performed by Dr. Lameira resulted in an "undetermined" cause of death.[3] Despite subsequent investigation, the manner of death remains "undetermined" as of this filing.

4. Dr. Lameira has been identified as a Government witness for trial. She will likely testify - relying on her training, experience, and specialized education - to her medical findings and the conduct of the autopsy.[4]

5. A second private autopsy was performed by Dr. Nemanja Rodic on 28 June 2025. This autopsy concludes the manner of death is "deferred."[5] Importantly, Dr. Rodic did not see any evidence of foul play, nor did he note any signs commonly associated with strangulation, he "considered it formally ruled [ ] out."[6]

6. In a subsequent Government interview with Dr. Rodic, they explore several options for possible or probable causes of death.[7]

7. Dr. Rodic was requested as a defense witness for trial, and his production has been denied.[8]

8. On 24 October 2025, in accordance with the TMO, the Defense requested the assistance of Dr. Priya Banerjee as an expert consultant prior to, and for trial.[9] Within this request the Defense articulates all relevant and required information necessary to secure funding for this expert.

9. Prior to making the request, Dr. Banerjee was generally briefed on the case to determine if she could be of assistance in the matter and whether her schedule would allow her participation. She noted that she is already in the federal payment system and has worked with the military before.[10]

10. On 5 November 2025, the Government responded to the Defense request, acknowledging that the assistance of a forensic pathologist was necessary for the Defense.[11]

11. However, the Government's response states that the named expert's fees "far exceed" a reasonable hourly rate, and the "government will assist Defense in finding and adequate substitute for this expert."[12]

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[3] Encl J of Def MTC Expert Consultant in Memory and Human Reaction: Dr. Lameira Autopsy Report of 10Jun25.
[4] Encl B: Anticipated Govt Witness List.
[5] Encl C of Def MTD (Failure to State an Offense) Motion: Dr. Rodic Final Autopsy Report.
[6] Encl D of Def MTD (Failure to State an Offense) Motion: Voice Note Transcript provided with Autopsy Report of Dr. Rodic.
[7] Encl C: Dr. Nemanja Rodic's R.C.M. 701 Disclosure.
[8] Encl D: Defense Request and Govt Denial of Dr. Rodic.
[9] Encl E: Defense Request and Govt Denial of Dr. Banerjee.
[10] Encl F: Email with Dr. Banerjee.
[11] Encl E.
[12] *Id.*

12. On 14 November 2025, counsel for CSSN Copeland reached out to the Government to determine, among other things, if the Government had identified an adequate substitute for Dr. Banerjee.[13]

13. In response to the request the Government sent a list a forensic pathologists and some limited contact information.[14] Stating "[h]ere is a list of pathologists that *may* be within the government rate for you to contact."[15] First, the Defense is unaware of a "government rate" for a pathologist. Second, it is unclear if the Government spoke with any of these individuals, if they have evaluated the credentials of any of these individuals, if the fees associated with the provided list are fundamentally different from Dr. Banerjee's fees, if any of these individuals are available for trial, or if any of the individuals are currently within the federal payment system (which dramatically speeds up the timeline for meaningful participation with the Defense team).

**BURDEN**

14. As the moving party, the defense bears the burden of proof by a preponderance of the evidence.[16]

**LAW**

15. The right to be represented by counsel who is reasonably effective in investigating, preparing and presenting a defense is a fundamental pillar of American jurisprudence. The Supreme Court has recognized that the Sixth Amendment right to counsel mandates the provision of adequate resources, to include experts, in order to present an effective defense. As a matter of military due process, service members are entitled to expert assistance when necessary for an adequate defense, without regard to indigency.[17] The right to supplement the defense team with expert assistance and witnesses is based on Article 46, UCMJ, Military Rule of Evidence 706, and R.C.M. 703(d). Because the military accused does not have available to him the relatively unlimited assets of the military justice machine, courts have placed the resources of the Federal Government at his or her disposal in order to pay for expert assistance and guarantee an effective defense team.

16. The right to expert assistance attaches when the defense demonstrates that such assistance is necessary.[18] "An accused is entitled to expert assistance provided by the Government if he can demonstrate necessity."[19] The "mere possibility of assistance from a requested expert" is not sufficient to prevail on the request for expert assistance.[20] Instead, "[t]he accused has the burden

[13] Encl G: Emails with STC.
[14] *Id.*.
[15] *Id.* (emphasis added.)
[16] R.C.M. 905(c).
[17] *See, e.g.*, *United States v. Kelly*, 39 M.J. 235, 237 (CMA 1994); *United States v. Burnette,* 29 M.J. 473 (CMA 1990); *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986), *cert. denied*, 479 U.S. 985 (1986); *see also* Art. 46, UCMJ, 10 U.S.C. § 846 (establishing "equal opportunity to obtain witnesses and other evidence" for the defense); Rules for Courts-Martial 703(d).
[18] *United States v. Ndanyi,* 45 M.J. 315, 319 (CAAF 1996); *United States v. Gonzalez*, 39 M.J. 459, 461 (CAAF 1994).
[19] *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (quoting *United States v. Gunkle*, 55 M.J. 26, 31 (C.A.A.F. 2001)).
[20] *Id.*

of establishing that a reasonable probability exists that (1) an expert would be of assistance to the defense and (2) that denial of expert assistance would result in a fundamentally unfair trial."[21] To satisfy the first prong of this test, the Defense must show, "(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop."[22]

17. In *United States v. Warner*, the Court of Criminal Appeals for the Armed Forces (CAAF) commented that "Article 46 is a clear statement of congressional intent against government exploitation of its opportunity to obtain an expert vastly superior to the defense's."[23] The playing field at trial is rendered even more uneven when the government benefits from scientific evidence and expert testimony while the defense is wholly denied a necessary expert to prepare for and respond to the government's expert.[24]

18. An accused may request any particular expert, including a government expert. If [the accused] is entitled to an expert, the government must provide the named expert or a suitable substitute.[25]

## ARGUMENT

**Dr. Banerjee's participation is necessary for an adequate defense.**

The Defense has articulated why Dr. Banerjee is necessary within Enclosure E. All the necessary requirements are met and the Government concedes in Enclosure E that participation of a forensic pathologist for the Defense is necessary for a fair trial. The Court need not make any determination as to the necessity of a pathologist, Dr. Banerjee's participation to test the Government's evidence, which in this case will consist of technical medical and scientific evidence, is absolutely and abundantly clear.

**The Accused is not entitled to an expert of his choosing, but if the Government wants the Defense to use an "adequate substitute," the Government *must* provide that substitute.**

The Defense requested the assistance of Dr. Banerjee, an expert witness who has previously worked on numerous military cases and is currently enrolled in the federal payment system. The Government now scoffs at the fees Dr. Banerjee charges for her service, but at the same time recognizes that the participation of a forensic pathologist is necessary in this case. Importantly, the requested funding for this expert appears larger than the Government is accustomed to seeing because this trial is currently scheduled for three weeks, far above what is normally docketed for military justice cases. The Defense expert request has effectively been denied and the Government has not provided a suitable substitute as they are required to do when a by-name request has been denied.

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[21] *Id.* (quoting *United States v. Freeman*, 65 M.J. 451, 458 (C.A.A.F. 2008)).
[22] *Id.* (quoting *United States v. Gonzalez*, 39 M.J. 459, 461 (C.M.A. 1994)).
[23] 62 M.J. 114, 120 (C.A.A.F. 2005).
[24] *United States v. Lee*, 64 M.J. 213, 218 (C.A.A.F. 2006).
[25] *United States v. Reyes,* 80 M.J. 218, 227(C.A.A.F. 2020)(citing *United States v Short*, 50 M.J. 370, 372 (C.A.A.F. 1999).

The Government will be presenting technical and scientific evidence to demonstrate to the members that CSSN Copeland probably or possibly caused the death of CSSN A.R. To do this they will necessarily need to pose hypotheticals to their expert and ask if "this or that" is probable or possible. That is what CSSN Copeland is being asked to defend against. Speculation as to what he might have, he could have, or he mistakenly did to cause CSSN A.R.'s death. While that lack of notice is covered in other filings, it is directly relevant here because Dr. Banerjee has been briefed on the case and she is prepared to assist in the defense of CSSN Copeland. She is available, generally acquainted with the case and the evidence, qualified, and prepared to participate immediately.

The Government wishes to avail itself of the "adequate substitute" provision of the rules, which they are entitled to do. However, they cannot use this provision to simply leverage the Defense into working with a different expert identified on a government provided list. The law is clear, the Government must provide the adequate substitute. It is incumbent upon defense counsel to ensure the provided substitute is truly "adequate," but it is upon the Government to identify the replacement who is comparatively qualified, available, and prepared to assist the Defense.

In this instance, the Government has done none of the necessary legwork to provide a substitute to the Defense. The provided list contains some names, some website URLs, some email addresses, and nothing else. Are these experts available for the trial and motions dates? Are they comparatively qualified? Are they within the federal payment system and ready to participate? Are their fee schedules truly different from Dr. Banerjee's? These are all questions to be answered by the Government if they want to provide the defense an "adequate substitute" for Dr. Banerjee. They have failed to provide any substitute, let alone an adequate one. The Defense is attempting to prepare for trial and needs the assistance of Dr. Banerjee, a forensic pathologist, to begin mounting a meaningful defense to the alleged misconduct.

## RELIEF REQUESTED

19. The Defense moves this Court to order the Government to produce Dr. Priyah Banerjee as an expert consultant for the Defense for both pretrial matters and consultation and at trial.

20. If this motion is opposed by the government, and pursuant to R.C.M. 905(h), the defense requests an Article 39(a), UCMJ, hearing to present additional evidence and argument on this motion.

## EVIDENCE AND HEARING

21. The defense offers the following enclosures as evidence in support of this motion:

a. Enclosure A: Dr. Lameira R.C.M. 701 Disclosure
b. Enclosure B: Anticipated Govt Witness List
c. Enclosure C: Dr. Nemanja Rodic R.C.M. 701 Disclosure

d. Enclosure D: Defense Request and Govt Denial of Dr. Rodic
e. Enclosure E: Defense Request and Govt Denial of Dr. Banerjee
f. Enclosure F: Email with Dr. Banerjee
g. Enclosure G: Emails with STC

Respectfully submitted,

MIHILL.TODD.MICHAEL.[redacted] Digitally signed by MIHILL.TODD.MICHAEL[redacted] Date: 2025.11.25 12:35:58 -05'00'

T. M. MIHILL
LCDR, USCG
Defense Counsel

22. I certify that I have served a true copy (via e-mail) of the above on this Court and the trial counsel on 26 November 2025.

MIHILL.TODD.MICHAEL.[redacted] Digitally signed by MIHILL.TODD.MICHAEL[redacted]

T. M. MIHILL
LCDR, USCG
Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO COMPEL**<br><br>**(Expert Consultant in Pathology)**<br><br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure A: Dr. Lameira R.C.M. 701 Disclosure
b. Enclosure B: Anticipated Govt Witness List
c. Enclosure C: Dr. Nemanja Rodic R.C.M. 701 Disclosure
d. Enclosure D: Defense Request and Govt Denial of Dr. Rodic
e. Enclosure E: Defense Request and Govt Denial of Dr. Banerjee
f. Enclosure F: Email with Dr. Banerjee
g. Enclosure G: Emails with STC

The Defense cites the following enclosures from other defense motions:

a. Enclosure J of Def MTC (Expert consultant in Memory and Human Reaction): Dr. Lameira Autopsy Report of 10Jun25
b. Enclosure A of Def MFAR (Change of Venue): Confinement Order of 8Jun25

# UNITED STATES V. COPELAND

| | | | |
|---|---|---|---|
| **Name: Dr. Fernanda Lameira, Medical Examiner, City of Norfolk**<br>**Command (mil)/City, State (civ): Norfolk, Virginia** | | | |
| **Date/time:** | 29 July 2025; 1300 | | |
| **Contact Info** | | | |
| E-mail | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Phone (c) | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Phone (alt) | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Other | | Ok to disclose to DC? Yes ☐ No ☐ | |
| Available? | Next 3 months? Yes ☒ No ☐ Next 6 months? Yes ☒ No ☐ Next year? Yes ☒ No ☐ | | |
| *Giglio* Questions | Have you ever been arrested, charged or convicted of a crime involving a false official statement, perjury, larceny or other crime of dishonesty? | Yes ☐ No ☐ Unsure ☐ | |
| | For military – have you ever received non-judicial punishment for an act or omission which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ | |
| | For military – have you ever received administrative counseling or other non-punitive measure for an act which bears on your truthfulness or credibility? | Yes ☐ No ☐ Unsure ☐ | |
| | Are you aware of any matter which might call into question your character for truthfulness? | Yes ☐ No ☐ Unsure ☐ | |
| | Are you aware of any matter which might raise a question of bias or favoritism toward any party to the case? | Yes ☐ No ☐ Unsure ☐ | |

On 29 July 2025, CAPT Derek Butler, JAGC, USN, CDR Lauren Mayo, JAGC, USN, and LT Christopher Dempsey, JAGC, USN, interviewed Dr. Lameira, in the presence of LN1 Kathleen Vanetti, USN, Mr. Rob Robinson, Norfolk ME, and Dr. Wendy Gunther, Assistant Chief Medical Examiner. The following is a summary of the interaction and is not intended to be verbatim:

Dr. Lameira reported that due to the level of decomposition of, and post-mortem insect activity on, the body of V/A.R., no definitive cause of death could be discerned. Dr. Lameira was able to rule out stomping, stabbing, shooting, and a drug overdose as possible causes of death. She specified that the toxicology test only tested for specific drugs, but the lab was likely able to have additional testing done for specific prescriptions being taken by V/A.R upon request. Additionally, the toxicology report showed a BAC of .083 at the time of death.

Dr. Lameira noted that there was not enough remaining soft tissue on the body to indicate or rule out asphyxia as a cause of death. The only noted broken bones were ribs #2-5, which would not be consistent with attempts at CPR. There was not enough tissue left in the neck area to indicate whether there was any blood pooling in that area. The fallopian tubes and uterus were unremarkable with no indications of a pregnancy. There were no indications of any chronic conditions that would lead to a natural death and Dr. Lameira opined it would be unlikely for someone V/A.R.'s age to suffer a natural death.

It was explained that the alcohol ethenyl level, generally considered the BAC, could have been elevated by insect activity that creates yeast. No results had come back on the buccal and anal swabs that were conducted during the autopsy, and vaginal swabs were not conducted due to the lack of soft tissue resulting from decomposition and insect activity. Dr. Lameira explained that insect activity and decomposition generally begin in body openings (eyes, ears, mouth, nose, etc.) and areas where skin is pressed together (buttocks, below breasts, arms crossed, etc.). She opined that the folded position of the body in the duffel bag created the skin-to-skin pressure points on the chest that became areas of accelerated decomposition, in comparison to the other areas of the torso.

When asked, Dr. Lameira stated that there was not enough soft tissue on the body to determine whether there were any injuries to the body that would have been bleeding before death. Dr. Lameira explained that up to a liter of "purge" can be expelled post-mortem through the nose and mouth and appears red in color. "Purge" was explained as the fluid in the lungs and surrounding tissue that leaks out of the nose and mouth post-mortem, and can become further dislodged from the body if the body is moved.

When asked, Dr. Lameira stated that rigor mortis sets in within about 12 hours after death and opined that the body was likely placed into the duffel bag prior to the onset of rigor mortis. Dr. Lameira concured with Dr. Gunter that it was not unusual for people to mistake dead bodies for living people.

/s/

K. E. VANETTI

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**GENERAL COURT-MARTIAL**
**CENTRAL JUDICIAL CIRCUIT**

**U N I T E D S T A T E S**

**v.**

**JERMIAH T. COPELAND**
**CSSN USN**

**28 OCTOBER 2025**

**ANTICIPATED**

**GOVERNMENT WITNESS LIST**

Pursuant to R.C.M. 701(a)(3) and in accordance with Trial Management Order, the government provides the names of those individuals that may be called as witnesses during the prosecution case-in-chief, and during sentencing, in the above referenced case. The government reserves the right to call witnesses not listed below, but will do so with sufficient notice to defense. All common witnesses desired by the defense must be requested in compliance with R.C.M 703(c):

| | | |
|---|---|---|
| ABHAN | C.R. | |
| CSSN | Fernando | Cuestabravo |
| CSSN | S.S. | |
| CSSN | Jaqueline | Bita |
| CSSN | Jada | Knight |
| Mr. | Jackobie | Gant |
| CS2 | Kirsten | Click |
| CSSA | McKenzie | Saunders |
| CS3 | Kaulise | Cousins |
| CSSN | Kaylee | Parks |
| CS3 | Shamel | Eaddy |
| CSSN | Alexis | Rodgers |
| Ms. | Kerry | Maynard |
| Ms. | Ashley | Epstein |
| LT | Rasheda | Dia |
| CDR | Brett | Ballard |
| CSSA | Nicholas | Spivey |
| CSSN | S.R. | |
| CS2 | Reza | Taylor |
| Ms. | Y.J. | |
| LSSA | Omeri | Smoot |
| AEAN | Jdyn | Bradfrod |

| | | | |
|---|---|---|---|
| YN3 | Sean | Monaghan | [redacted] |
| PSSN | Irbin | Gordillocruz | |
| AR | John | Calisse | |
| LTJG | David | Demazure | |
| CSSA | Deontae | Williams | |
| FCC | Brad | Parker | |
| Dr. | Fernanda | Lameira | |
| Mr. | JD | Davidson | |
| ET3 | Daniel | Rich | |
| HT3 | Michael | Gillespie | |
| Ms. | Mary | Benson | |
| Ms. | Esmeralda | Castle | |
| CSSN | Gladis | Garcia-Barrera | |
| MASN | Jessica | Gouge | |
| CSSN | Jean Jacques | Eddyson | |
| ABHAA | Deondre | Williams | |
| Special Agent | Tiffany | Martinez | |
| Special Agent | Danielle | Ortiz | |
| Special Agent | Morgan | Currie | |
| Special Agent | Ashley | Ullom | |
| Special Agent | Jason | Keller | |
| Special Agent | Matthew | Miller | |
| Special Agent | Caroline | Robinson | |
| Special Agent | Allison | Fox | |
| Special Agent | Brandon | Moore | |
| Special Agent | Jessica | Gokey | |
| Special Agent | Dara | Elk | |
| NCC | Lorenzo | Carter | |
| PSC | Clarissa | Impelidodayoan | |
| LSC | Robert | Janson | |
| Mr. | Karl | Morrisette | |

[redacted]

L. A. MAYO
CDR, JAGC, USN
Special Trial Counsel

| | | |
|---|---|---|
| **Name: Dr. Nemanja Rodic**<br>**Command (mil)/City, State (civ): Washington, DC** Epiarx Diagostics (28JUN2025 Autopsy) | | |
| **Date/time:** 10-22-25 / 1500 PM | | |
| **Contact Info** | | |
| E-mail | nrodic@epiarx.com | Ok to disclose to DC? Yes ☐ No ☐ |
| Phone (c) | | Ok to disclose to DC? Yes ☐ No ☐ |
| Phone (alt) | 202-795-7109 | Ok to disclose to DC? Yes ☐ No ☐ |
| Other | | Ok to disclose to DC? Yes ☐ No ☐ |
| Available? | Next 3 months? Yes ☒ No ☐ Next 6 months? Yes ☒ No ☐ Next year? Yes ☒ No ☐ | |
| *Giglio* Questions | Have you ever been arrested, charged or convicted of a crime involving a false official statement, perjury, larceny or other crime of dishonesty? | Yes ☐ No ☒ Unsure ☐ |
| | For military – have you ever received non-judicial punishment for an act or omission which bears on your truthfulness or credibility? | Yes ☐ No ☒ Unsure ☐ |
| | For military – have you ever received administrative counseling or other non-punitive measure for an act which bears on your truthfulness or credibility? | Yes ☐ No ☒ Unsure ☐ |
| | Are you aware of any matter which might call into question your character for truthfulness? | Yes ☐ No ☒ Unsure ☐ |
| | Are you aware of any matter which might raise a question of bias or favoritism toward any party to the case? | Yes ☐ No ☒ Unsure ☐ |

On 22 October 2025, LT Christopher Dempsey, JAGC, USN interviewed Dr. Nemanja Rodic in the presence of LN2 Jocelyn M Gomez, USN. The following is a summary of the interaction and is not intended to be verbatim:

Dr. Rodic stated that when his office received the body to conduct an autopsy, the remains were contained in a clear bag. Inside of that bag was a pool of colored fluid with a strong odor. It was Dr. Rodic's opinion that this fluid was an alcohol-based preservative or other embalming fluid that contained a dilute of alcohol deformaline. Dr. Rodic was not sure exactly how the military or mortuary service would have packaged or preserved the remains prior to his examination or what chemicals specifically were used.

Dr. Rodic explained that this fluid was undoubtedly what caused the high level of alcohol found in the remains of the deceased. The results were too high to be clinically relevant, indicating that the fluid is what caused the high result.

Dr. Rodic did not see an indication of blunt force trauma or sharp force trauma on the remains, although the autopsy was not extremely thorough. Dr. Rodic also explained that the remains were also decomposed.

When asked if the findings were consistent with asphyxiation, Dr. Rodic explained it was possible or probable. He explained that natural causes were a dubious suggestion given the age and purported fitness of the deceased. He believed it was likely one of three mechanisms of death: (1) asphyxiation; (2) blunt force trauma for which any evidence had decomposed; or (3) termination of life due to ingestion of alcohol. Dr. Rodic clarified that he had no significant evidence to suggest intoxication from alcohol was the cause of death because the numbers he had recorded were incorrectly inflated by the fluid in the bag. As such, without additional evidence he could not say if that was a probable cause of death.

/s/

J.M. GOMEZ

LN2, USN Trial Paralegal

19 Nov 25

From: LCDR Clifton Morgan III, JAGC, USN, Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: SUPPLEMENTAL REQUEST FOR THE PRODUCTION OF WITNESSES ICO UNITED STATES V. CSSN JERMIAH T. COPELAND

Ref: (a) R.C.M. 703
(b) 10 USC § 846
(c) R.C.M 1001

1. Per references (a) through (c), the Defense requests that the government produce the following witnesses:

a. **Dr. Nemanja Rodic, M.D., Ph.D, CIV**, Washington, D.C. (202) 795-7109. Dr. Rodic is a board certified pathologist that performed a second autopsy on CS3 A.R.'s body at her mother, Ms. Esmerelda Castle's, request. Dr. Rodic performed the autopsy on 28 June 2025. In his notes, which were enclosed to his autopsy report, Dr. Rodic ruled out foul play and strangulation as probable causes of CS3 A.R.'s death (BS 1663-64). The Government alleges in its M.R.E. 404(b) notice sent on 5 November 2025 that the "evidence supports that the Accused strangled CS3 A.R." Dr. Rodic's testimony will contradict that theory. As such, his testimony is relevant and necessary during the merits phase of the trial regarding the allegations involving CS3 A.R.

b. **LSSN Omeri Smoot, USN**, Norfolk, VA, USS DWIGHT D. EISENHOWER (CVN-69). LSSN Smoot was present during the alleged sexual assault of Y.J. Prior to CSSN Copeland allegedly having sex with Y.J. without her consent, LSSN Smoot had just had a threesome with Y.J. and CSSN John Bradford inside CSSN Copeland's room. Based on Y.J.'s statement, LSSN Smoot witnessed the sexual assault happened. As such, his testimony is relevant and necessary during the merits phase of the trial regarding the allegations involving Y.J.

c. **Mr. Brendon Doria, CIV**, Oak Harbor, WA (360) 720-1701. Mr. Doria invited CSSN Copeland to his house while L.L. was present the day she was allegedly assaulted by CSSN Copeland. Based on the statements L.L. made, Mr. Doria was present to witness many interactions between her and CSSN Copeland. His testimony will provide context to the relationship between L.L. and CSSN Copeland. Additionally, Mr. Doria was able to witness L.L. immediately after the alleged sexual misconduct. The Government provided notice under M.R.E. 413 that it intended to use L.L.'s allegations as propensity evidence to prove Charge I, Specifications 1, 2, and 4. As such, Mr. Doria's testimony testimony is relevant and necessary during the merits phase of the trial regarding the allegations involving ABHAN C.R. and Y.J.

[redacted]
C. E. MORGAN III

24 Nov 25

From: LCDR Christopher Dempsey, JAGC, USN, Office of Special Trial Counsel
To: LCDR Clifton Morgan, JAGC, USN, Detailed Defense Counsel

Subj: RESPONSE TO DEFENSE SUPPLEMENTAL REQUEST FOR PRODUCTION OF WITNESSES ICO UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

Ref: (a) Article 46
(b) R.C.M. 703 (MCM 2024 ed).
(c) R.C.M. 1001(c) (MCM 2024 ed)
(d) Your letter dtd 19 Nov 25

1. In response to reference (d): The following witness requests are granted:

   a. LSSN Omeri Smoot, USN.

   b. Mr. Brendon Johnson (formerly Doria), Civilian.

2. The following witness request is denied:

   a. Dr. Nemanja Rodic. Denied. You have not made the requisite showing under R.C.M. 703. Dr. Rodic did not designate a manner of death because his exam was limited by a variety of factors. Per BS #1790, Dr. Rodic advised that strangulation (asphyxiation) was a possible or probable method of death in this case. This finding is consistent with Dr. Lameira's conclusions (BS #1448). As such, any testimony from Dr. Rodic on that point would be cumulative and unnecessary. Moreover, Dr. Rodic's testimony is even less relevant than Dr. Lameira's as the body was further decomposed at the time of his autopsy. Of note, per BS #1646, BS #1663-64 is a voice to text transcription of a call that appears to contain numerous errors. This transcription was provided by Ms. Castle to the trial counsel via her VLC.

[redacted]
C. B. DEMPSEY

24 Oct 25

From: LCDR Todd Mihill, USCG, Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren A. Mayo, JAGC, USN, Special Trial Counsel

Subj: REQUEST FOR APPOINTMENT OF A FORENSIC PATHOLOGIST CONSULTANT IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) UCMJ, Article 46
(b) R.C.M. 703(d)
(c) *United Sates v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986)
(d) *United States v. Allen*, 31 M.J. 572, 623-24 (N.M.C.M.R. 1990)
(e) *United States v. Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006)
(f) *United States v. Ford*, 51 M.J. 445 (C.A.A.F. 1999)
(g) *United States v. Toledo*, 25 M.J. 270 (C.M.A. 1987)
(h) *United States v. McAllister,* 55 M.J. 270, 275 (2001)
(i) *United States v. Warner,* 62 M.J. 114, 118 (C.A.A.F. 2005)
(j) *Ake v. Oklahoma,* 470 U.S. 68, 76-83 (1985)

Encl: (1) Dr. Banerjee CV
(2) Dr. Banerjee Fee Schedule

1. Pursuant to references (a) through (h), CSSN Jermiah Copeland, through counsel, requests the government to appoint Dr. Priya Banerjee as a forensic pathology expert consultant to the defense team to assist in the preparation of its case, in accordance with Uniform Code of Military Justice (U.C.M.J.), Article 46; Rule for Courts-Martial (R.C.M.) 703; *United States v. Ford*, 51 M.J. 445 (C.A.A.F. 1999) and *United States v. Toledo*, 25 M.J. 270 (C.M.A. 1987). CSSN Copeland further requests that the forensic pathologist be designated as a member of the defense team bound by the attorney-client privilege, in accordance with Military Rule of Evidence (M.R.E.) 502(a) and other applicable federal laws and regulations.

2. **Law.** Under the Sixth Amendment, CSSN Copeland has the right to the effective assistance of counsel and the right to present a defense. In order to adequately represent CSSN Copeland, he requires more than the advocacy skills of his attorney. This includes "the right to present a defense by means of confrontation, cross-examination and going forward with a presentation of its own evidence." *United States v. Allen*, 31 M.J. 572. The right to present evidence "necessarily includes the right to prepare." *Id*. As stated above, military due process consequently "entitles a service member to the assistance of an expert when necessary to the preparation of an adequate defense." *Id*. (quoting *United States v. Garries*, 22 M.J. 288 (C.M.A. 1986)). Congress guaranteed, through the UCMJ, that the parties to a court-martial "shall have equal opportunity to obtain witnesses and other evidence." Article 46, U.C.M.J. Under this scheme, service members are entitled to expert assistance when such assistance is necessary in mounting an adequate defense. *Ake v. Oklahoma,* 470 U.S. 68, 76-83 (1985) (holding, when necessary, due process requires appointment of a government expert). Importantly, the entitlement for an accused to expert assistance "is not limited to actual expert testimony at trial." *United States v.*

*Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006).

To avail himself or herself of this right, an accused—through defense counsel—must submit a request for an expert to the convening authority, supported by "a statement of reasons why the employment of the expert is necessary." R.C.M. 703(d). Both references (b) and (c) provide the structure for evaluating requests for expert consultants and witnesses.

The Court of Appeals for the Armed Forces has held that RCM 703(d) authorizes employment of experts to assist the defense at government expense when they are relevant and necessary. The Court established a three-prong test to determine the necessity of a requested expert:

1. Why is the expert needed;
2. What would the expert accomplish for the defense; and
3. Why is the defense unable to gather and present the evidence that the expert assistant would be able to develop?

3. **Factual Background**. CSSN Copeland is charged with the premeditated murder of CSSN A.R., among a myriad of other charges. During the ensuing investigation into the death of CSSN A.R., the Government performed medical tests and examinations on the deceased, resulting in scientific and medical reports regarding the evidence. The Government has secured the assistance of an expert, Dr. Fernanda Lemeira and will surely be using Dr. Lemeira's skill, knowledge, experience and expertise in the Government's case against CSSN Copeland. CSSN Copeland requires the assistance of Dr. Banerjee to meet and test the evidence that will be presented against him in order to ensure a full and fair trial on the merits.

4. **Why an Expert is needed and What the Expert would accomplish for the defense?**

At trial the Government will necessarily present medical evidence and scientific testimony as evidence against CSSN Copeland. The Defense must be afforded the opportunity prepare for, meet, and counter the Government's evidence. Dr. Banerjee will assist the Defense in analyzing evidence and reports, the techniques and procedures used, and the testimony of the Government's witnesses.

Dr. Banerjee will provide the Defense with expert opinions and assessments of the evidence that are constitutionally required to confront the Government's evidence in defense of CSSN Copeland. She has skills, education, training, and experience that the attorneys for CSSN Copeland cannot hope to attain- even through diligent effort- prior to trial. Her assistance is essential and required for a full and fair trial.

The evidence provided in discovery indicates that the cause of death for CSSN A.R. remains "undetermined." The nature of this assessment indicates that the Government will be pursuing a theory that, though cause of death is undetermined, CSSN Copeland was responsible for her death. Dr. Banerjee's training, education and experience will help the defense team probe alternate theories of death, different possible causes of death, and counter the evidence presented

by the Government's experts. These are not hypothetical results of this expert's work on the case- they are actual tangible assistance directly related to the Defense's theory of the case.

Dr. Banerjee's assistance will be required and utilized throughout litigation of pretrial legal and evidentiary issues as well as during trial on the merits. Her assistance, and its necessity to the Defense team cannot be understated.

5. **Why counsel cannot perform such duties.** The rapid growth in forensic science techniques at trial may make cases more complex than general practitioners can handle on their own. *United States v. McAllister*, 55 M.J. 270, 275 (2001); *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F. 2005). No member of the defense is an expert in the field of forensic pathology. Although counsel have and will continue to diligently research these areas, they cannot realistically be expected to attain the level of competency required to challenge and evaluate a Government's experts or challenge and evaluate the Government's evidence. Without the ability to consult with its own expert, the Defense would not be able to adequately represent CSSN Copeland within the meaning of the Sixth Amendment or the UCMJ.

6. **Adequate government substitute.** The Defense is not aware of an acceptable governmental substitute that has comparable qualifications, education or experience to that of Dr. Banerjee.

7. **Cost.** Enclosure (2) is Dr. Banerjee's fee schedule. Her rate for professional consulting is $850 per hour and trial participation rate of $10,000 per day. We have estimated that she will need 30 hours for pre-trial consultancy at a cost of $25,500.00, and trial participation for 22 days at a cost of $220,000.00. **The defense requests a total authorization of $245,500.00,** not including travel expenses to be reimbursed in accordance with the Joint Travel Regulations. Dr. Banerjee is currently available for the scheduled trial dates and is already enrolled within the federal payment system.

8. The Defense requests that the expert consultant be viewed as a member of the Defense team such that all communications between the expert consultant and the accused and his counsel will be viewed as confidential. The Defense further requests that the Government not have any conversations or other interaction with the requested expert consultant in relation to this case except for any administrative communications in securing their assistance for the Defense. The Defense understands this limitation may be removed if the defense eventually desires to have the expert testify in the case.

9. Dr. Banerjee's assistance is relevant and necessary to providing CSSN Copeland with an adequate defense to the charges. Should you have any questions or require any additional information, please contact me at todd.m.mihill.mil@us.navy.mil or 571-369-8409.

MIHILL.TODD.MICHAEL [redacted]
Digitally signed by MIHILL.TODD.MICHAEL [redacted]
Date: 2025.10.24 10:12:31 -04'00'

T. M. MIHILL

5 Nov 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Todd Mihill, USCG

Subj: FUNDING FOR DEFENSE EXPERT CONSULTANT ICO UNITED STATES V. CSSN COPELAND (PATHOLOGY)

Ref: (a) M.R.E. 702 (MCM 2024)
(b) R.C.M. 703 (MCM 2024)
(c) JAGINST 5800.7G (CH-2) of 1 Dec 23

Encl: (1) Defense Expert Request dtd 24 Oct 25 – Dr. Priya Banerjee

1. Pursuant to Section 0145(a)(7)(b) under reference (c), Special Trial Counsel has determined that employment of a defense expert in pathology is necessary.

2. However, this expert's hourly fees far exceed the reasonable hourly rate for an expert in this field. The government will provide funding for an expert in this field who falls within the parameters of the fees generally provided to experts appointed under 10 U.S.C. § 3006A. For an expert in this field, the reasonable fee rate is $275-400/hour.

3. The government will assist Defense in finding an adequate substitute for this expert and is standing by receive any defense proposed substitutes in this field.

4. I can be reached at lauren.a.mayo2.mil@us.navy.mil or at (757)-341-4598.

[redacted]
L.A. MAYO

| | |
|---|---|
| **From:** | Priya Banerjee |
| **To:** | Mihill, Todd M LCDR USCG (USA) |
| **Cc:** | Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | [Non-DoD Source] Re: US v. Copeland - Follow Up |
| **Date:** | Thursday, November 20, 2025 11:56:25 AM |

Good Morning,
I am replying all on purpose.

YES to all the points made. Also my fee schedule hasn't changed and it is the one I submitted for all trials in the last year. There were no issues.

Please keep me posted if you need anything else. I have held all the dates listed for June.

Priya Banerjee, MD
Board Certified Forensic Pathologist
Anchor Forensic Pathology Consulting
autopsymd@gmail.com
Cell: 401-252-1319
www.anchorforensicpathology.com

On Wed, Nov 19, 2025 at 5:51 PM Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil> wrote:

> Good Evening Dr. Banerjee,
>
> We recently received notice that the Government was not granting our funding for your participation. They cite your fees as the reason for the denial, though they recognize the relevance and necessity of your participation. We will be filing a motion to compel your assistance with the Court.
>
> In doing so can you please confirm the following:
>
> 1. You have been briefed upon specifics of the case and can provide assistance to the Defense team representing CSSN Copeland
> 2. You are available and willing to participate in both pretrial preparation and at trial (3-26 June 2026)
> 3. You are currently enrolled in the federal payments system for expert witnesses
> 4. You have been employed as a consultant in other courts martial cases, regardless of the branch of service

Thanks for your time. Additional updates to follow.

Very Respectfully,

Todd M. Mihill

LCDR, USCG

Assistant Director, Defense Counsel Assistance Program

1254 Charles Morris Street SE

Washington Navy Yard, DC 20374

(BROFF Norfolk, VA)

TEL (571) 369 8409

todd.m.mihill.mil@us.navy.mil

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Distribution/Dissemination Control: FEDCON

**From:** Mayo, Lauren A CDR USN CNO (USA)
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA)
**Cc:** Crossley, Shelley L CIV (USA); Dempsey, Christopher B LCDR USN (USA); Mihill, Todd M LCDR USCG (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: Discovery and Experts ICO CSSN Copeland
**Date:** Friday, November 14, 2025 11:27:31 AM

---

LCDR Serfess –

Here is a list of pathologists that may be within the government rate for you to contact.

Dr. Andrew Baker
Minneapolis MN
andrewbakermd@comcast.net

Dr. Jared Brooks
forensicphysiciansmd@gmail.com
Kalamazoo MI

Dr. Jonathan Arden
https://www.ardenforensics.com
Ft. Lauderdale FL

Dr. Maneesha Pandey
theforensicpathologists@gmail.com
Toledo OH

Dr. Laura Knight
lauraknight.md@gmail.com
Reno NV

Dr. Adele Maurer Lewis
swampersconsulting@gmail.com
Nashville TN

V/r,

CDR Mayo

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk
lauren.a.mayo2.mil@us.navy.mil
desk: 757-341-4598
mobile: [redacted]

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Friday, November 14, 2025 11:17 AM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Crossley, Shelley L CIV (USA) <shelley.l.crossley.civ@us.navy.mil>; Dempsey, Christopher B LCDR USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>
**Subject:** Discovery and Experts ICO CSSN Copeland

CDR Mayo,

Please find a supplemental discovery request attached.

Also, I wanted to follow up and see if the government has identified a pathologist for the defense. When can we expect to have contracts for our experts. We would like to use them with a motions deadline approaching.

Please let me know if you need anything from us.

V/r

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
850-452-5572
amanda.m.serfess.mil@us.navy.mil

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO COMPEL**<br><br>**(DISCOVERY)**<br><br>**26 November 2025** |

## MOTION

Pursuant to Article 46, UCMJ, and R.C.M. 906(b)(7) and 701, the defense moves this Court to compel the government to provide the defense with the following discovery: Disclosure of any new and/or inconsistent information provided to any assigned trial counsel (trial counsel paralegal, legalman, or support staff) from any potential witnesses in this case.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 22 August 2025, the government preferred charges in this case. The government alleges violations of Article 120, 128, 120c, 131b, 128b, 107, and 118, Uniform Code of Military Justice (UCMJ). (Charge Sheet).

2. On 14 November 2025, after learning that the trial counsel interviewed certain witnesses in this case, the defense filed a supplemental discovery request. The defense requested disclosures of any statements any witness made to the trial counsel in this case along with any notes taken by any paralegal who was present during any interview with any potential witness in this case. (Enclosure (A): Second Supplemental Discovery Request ltr of 14 Nov 25).

3. On 20 November 2025, the government responded to the defense's request denying our request for disclosures stating "[a] synopsis of expected testimony is not required pursuant to R.C.M. 701(a)(3). The Government will comply with its obligations under *United States v. Brady*, 373 U.S. 83 (1963) and *United States v. Giglio*, 405 U.S. 150 (1972). Any sworn or signed statements will be produced. Notes are not subject to discovery under R.C.M. 701(f). At this time, the Government is not aware of any discoverable material related to CSC Simmons or OSSN Owenskemper and the Government does not intend to call either as a witness at this time. (Enclosure (B): Gov't Resp to Def Second Supp Req ltr of 20 Nov 25).

## LAW

4. A military accused derives his rights to discovery from the Constitution, the Uniform Code of Military Justice (UCMJ), and the Rules for Courts-Martial (R.C.M.). The Constitution imposes a duty on the government to refrain from suppressing evidence favorable to the defense, and to come forward with exculpatory matters.[1] Article 46, UCMJ, guarantees the defense equal opportunity to obtain evidence. Finally, R.C.M. 701 imposes specific obligations on both the Government and the Defense in matters of discovery.

5. Under R.C.M. 701(a)(2)(A), upon request, the defense is entitled to inspect books, papers, documents, etc., that are relevant to the preparation of the defense, are intended for use by the government as evidence in the case-in-chief at trial or rebuttal, or were obtained from or belonged to the accused. The Discussion Section of R.C.M. 701 states that "Discovery in the military justice system is intended to eliminate pretrial gamesmanship, minimize pretrial litigation, and reduce the potential for surprise and delay at trial." This rule applies as much to material affecting the credibility of witnesses as it does to exculpatory evidence.[2] In *United States v. Williams*, the Court of Appeals for the Armed Forces stated, "As a general matter, evidence that could be used to impeach a government witness is subject to discovery."[3]

6. The trial counsel *shall, as soon as practicable*, disclose to the defense the existence of evidence known to the trial counsel which reasonably tends to—(A) Negate the guilt of the accused of an offense charged; (B) Reduce the degree of guilt of the accused of an offense charged; (C) Reduce the punishment; or (D) Adversely affect the credibility of any prosecution witness or evidence.[4]

7. Government prosecutors must disclose favorable evidence upon request by the defense "where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution."[5] When the evidence is "obviously of substantial value to the defense," *the prosecution must turn over the information* regardless of whether there is a defense request.[6] The *Brady* obligation extends not only to exculpatory evidence, but impeachment evidence, as well.[7] *Brady*, as interpreted by *Giglio*, is violated when evidence favorable to an accused, that is either exculpatory or impeaching, is suppressed and the accused is prejudiced.[8]

---

[1] *Brady v. Maryland*, 373 U.S. 83, 87 (1963).
[2] *United States v. Bagley*, 473 U.S. 667, 678 (1985); *United States v. Green*, 37 M.J. 88, 89 (C.M.A. 1993).
[3] 50 M.J. 436, 440 (CAAF 1999).
[4] R.C.M. 701(a)(6) (emphasis added).
[5] *Brady,* 373 U.S. at 87.
[6] *United States v. Agurs*, 427 U.S. 97, 110 (1976) (footnote omitted) (emphasis added).
[7] *Giglio v. United States*, 405 U.S. 150 (1972) (citation omitted).
[8] *Strickler v. Greene*, 527 U.S. 263, 281-82 (1999).

## ARGUMENT

8. **The government should be compelled to disclose any new and/or inconsistent information provided to any assigned trial counsel (trial counsel paralegal, legalman, or support staff) from any potential witnesses in this case along with any notes taken by any paralegals.**

This information is in the possession of the government and relevant to the defense's preparation. For one, a witness's credibility is imperative and always at issue. Therefore, whether the statement was consistent or not, it is relevant for the defense. Further, this information goes directly to a witness's bias (i.e., are particular witnesses talking to the trial counsel but refusing to speak to the defense?). In accordance with R.C.M. 701(a)(6), the trial counsel shall, *as soon as practicable*, disclose to the defense the existence of evidence known to the trial counsel that tends to negate guilt, reduce guilt, reduce sentence, or *adversely affect the credibility of any prosecution witness* or evidence.[9] If the trial counsel is aware that any witness made inconsistent statements or provided new information, that information must be disclosed to the Defense as soon as practicable. The Defense requests disclosures of any new or inconsistent statement made by *any* witness or confirmation that the defense has been provided this information. Additionally, the defense requests this Court order discovery of dates and times of contact with all government witnesses and any notes taken by any paralegal.

## RELIEF REQUESTED

9. Pursuant to R.C.M. 906(b)(7) and 701, the defense moves this Court to compel the government to provide the defense with above discovery.

10. The defense requests oral argument.

## EVIDENCE

11. The defense offers the following enclosures as evidence in support of this Motion:

A. Enclosure (A): Second Supplemental Discovery Request ltr of 14 Nov 25
B. Enclosure (B): Gov't Resp to Def Second Supp Req ltr of 20 Nov 25

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

[9] R.C.M. 701 (a)(6) (emphasis added).

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO COMPEL**<br><br>**(DISCOVERY)**<br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure (A): Second Supplemental Discovery Request ltr of 14 Nov 25
b. Enclosure (B): Gov't Resp to Def Second Supp Req ltr of 20 Nov 25

14 Nov 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: CDR Lauren Mayo, JAGC, USN, Trial Counsel

Subj: SECOND SUPPLEMENTAL DISCOVERY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Rules for Courts-Martial
(b) Military Rules of Evidence
(c) 10 U.S.C. § 846
(d) 18 U.S.C. § 3500
(e) *Brady v. Maryland*, 373 U.S. 83 (1963)
(f) *Giglio v. United States*, 405 U.S. 150 (1972)
(g) *Kyles v. Whitley*, 514 U.S. 149 (1995)
(h) *United States v. Webster*, 1 M.J. 216 (C.M.A. 1975)
(i) *United States v. Chamblin*, No. 201500388, 2017 CCA LEXIS 694 (N-M. Ct. Crim. App. Nov. 8. 2017)
(j) 10 U.S.C. § 837 (2018)

1. In addition to the previously requested information and in accordance with references (a) through (d), the defense requests the government produce for use, inspection, and/or copying the following in the subject case:

a. The full Oak Harbor Police Report into the allegations made by L.L. including, but not limited to, the referenced body camera footage, text messages, records of witness interviews, any investigator notes, etc.

b. L.L.'s written statement made to law enforcement. *See* bates 1798

c. All body camera footage taken by the Oak Harbor Police when investigating L.L.'s allegations to include the body camera footage mentioned in the police report of 2 May 2022, 26 June 2022, and 11 July 22. *See id*.

d. A copy of the video of the child forensic interview of L.L. with Ms. Long on 11 July 22, as well as contact information for Ms. Long.

e. Any and all court documents related to L.L.'s allegations against CSSN Copeland. This includes any testimony from any witnesses and the results of the investigation.

f. Contact information for L.L. The government provided notice pursuant to M.R.E. 404b and 413 that it intends to elicit testimony for which L.L. is the only witness, making discovery of these materials relevant to the defense's preparation for cross-examining this witness.

g. Disclosures of any statements and witness made to the trial counsel in this case along with any notes taken by any paralegal who was present during any interview with any potential

witness in this case. This includes, for example, CSC Simmons and OSSN Owenskemper. This information is in the possession of the government and relevant to the defense's preparation. For one, a witness's credibility is imperative, therefore, whether the statement was consistent or not, it is relevant for the defense. Further, this information goes directly to a witness's bias (i.e., are particular witnesses talking to the trial counsel but refusing to speak to the defense?).

2. The defense expects that the government will make a diligent effort to comply with this discovery request. As to any particular requested information, the defense will regard any nonresponse or response without comment as an affirmative assertion by the government that the requested information does not exist. This is a continuing request, and as such, this request includes a request for any information that the government later discovers before, during, or after trial of this case.

4. The defense requests a response in writing within ten (10) days of service of this request. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil

[redacted]

20 Nov 25

From: LCDR Christopher Dempsey, JAGC, USN, Special Trial Counsel
CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
LCDR Clifton Morgan, JAGC, USN, Defense Counsel

Subj: GOVERNMENT RESPONSE TO DEFENSE SECOND SUPPLEMENTAL DISCOVERY REQUEST ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Defense Second Supplemental Discovery Request ICO United States v. CSSN Jermiah T. Copeland, USN, dated 14 November 2025
(b) Rules for Court-Martial 304, 305, 701, 703, 705, 912, 914 (2024)
(c) Military Rules of Evidence 301, 304, 311, 321, 404, 413, 414, 601, 602, 608, 609, 612, 613, 807 (2024)
(d) 10 U.S.C. § 846
(e) 18 U.S.C. § 3500
(f) *Brady v. Maryland*, 373 U.S. 83 (1963)
(g) *United States v. Webster,* 1 M.J. 216 (C.M.A. 1975)
(h) *United States v. Garries,* 22 M.J. 288 (C.M.A. 1986)
(i) *United States v. Williams*, 50 M.J. 436 (C.A.A.F. 1999)
(j) *United States v. Henthorn,* 931 F.2d 29 (9th Cir. 1991)
(k) *Giglio v. United States*, 405 U.S. 150 (1972)
(l) First Supplemental Discovery Request ICO United States v. CSSN Jermiah Copeland, USN, dated 24 October 2025.

1. In accordance with references (b) through (k), the following responses are provided to reference (a). The Government has and will continue to provide discovery on a good faith basis, alerting Defense promptly when it believes that documents do not exist or reasonable grounds exist to object to discovery. For each of the responses below, if the Defense believes that military authorities are in possession of materials that fit the description but have not been discovered on Defense, please alert Government counsel as soon as possible so that the matter may be resolved.

2. The Government provides the following responses to the Defense requests to produce for use, inspection, and/or copying the following:

a. The full Oak Harbor Police Report into the allegations made by L.L. including, but not limited to, the referenced body camera footage, text messages, records of witness interviews, any investigator notes, etc.

**RESPONSE: The material is not in the possession of military authorities. However, the Government will seek to produce material pursuant to R.C.M. 703 meeting this request that is both relevant and necessary, should it exist**

b. L.L.'s written statement made to law enforcement. *See* bates 1798

**RESPONSE: The material is not in the possession of military authorities. However, the Government will seek to produce material pursuant to R.C.M. 703 meeting this request that is both relevant and necessary, should it exist**

c. All body camera footage taken by the Oak Harbor Police when investigating L.L.'s allegations to include the body camera footage mentioned in the police report of 2 May 2022, 26 June 2022, and 11 July 22. *See id*.

**RESPONSE: The material is not in the possession of military authorities. However, the Government will seek to produce material pursuant to R.C.M. 703 meeting this request that is both relevant and necessary, should it exist**

d. A copy of the video of the child forensic interview of L.L. with Ms. Long on 11 July 22, as well as contact information for Ms. Long.

**RESPONSE: The material is not in the possession of military authorities. However, the Government will seek to produce material pursuant to R.C.M. 703 meeting this request that is both relevant and necessary, should it exist. The Government will not produce contact information for Ms. Long, as she is not a Government witness.**

e. Any and all court documents related to L.L.'s allegations against CSSN Copeland. This includes any testimony from any witnesses and the results of the investigation.

**RESPONSE: This request is denied as overbroad.**

f. Contact information for L.L. The government provided notice pursuant to M.R.E. 404b and 413 that it intends to elicit testimony for which L.L. is the only witness, making discovery of these materials relevant to the defense's preparation for cross-examining this witness.

**RESPONSE: Granted. Her contact information is:**

**Phone: 360-720-9497**
**Email: laurlopez08@gmail.com**

g. Disclosures of any statements any witness made to the trial counsel in this case along with any notes taken by any paralegal who was present during any interview with any potential witness in this case. This includes, for example, CSC Simmons and OSSN Owenskemper. This information is in the possession of the government and relevant to the defense's preparation. For one, a witness's credibility is imperative, therefore, whether the statement was consistent or not, it is relevant for the defense. Further, this information goes directly to a witness's bias (i.e., are particular witnesses talking to the trial counsel but refusing to speak to the defense?).

**RESPONSE: Denied. A synopsis of expected testimony is not required pursuant to**

**R.C.M. 701(a)(3). The Government will comply with its obligations under *United States v. Brady*, 373 U.S. 83 (1963) and *United States v. Giglio*, 405 U.S. 150 (1972). Any sworn or signed statements will be produced. Notes are not subject to discovery under R.C.M. 701(f). At this time, the Government is not aware of any discoverable material related to CSC Simmons or OSSN Owenskemper and the Government does not intend to call either as a witness at this time.**

3. The Government acknowledges that discovery is an ongoing and continuous obligation. The Government maintains an open file and will allow for Defense inspection at any reasonable time. If the Defense believes that this response is deficient, the Government requests to be notified within five (5) days after the Defense receives this response. Otherwise, the Government will proceed as if this response is sufficient.

4. Please contact LCDR Christopher Dempsey at 757-341-4545 or christopher.b.dempsey2.mil@us.navy.mil for any inquiries.

[redacted]

LCDR, JAGC, USN
Trial Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO COMPEL PRODUCTION OF AN EXPERT CONSULTANT**<br><br>**(MITIGATION SPECIALIST)**<br><br>**26 November 2025** |

## MOTION

Pursuant to R.C.M. 703(d), the defense moves this Court to compel the government to appoint and fund a defense consultant in the field of mitigation.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 22 August 2025, the government preferred charges in this case. The government alleges violations of Article 120, 128, 120c, 131b, 128b, 107, and 118, Uniform Code of Military Justice (UCMJ). (Charge Sheet).

2. The maximum punishment for the violation of Article 118 on its own is life without the possibility of parole. The mandatory minimum for a violation of the charged violation of Article 118 is life with the possibility of parole. Article 118(d)(1).

3. In both State and Federal public defender offices, the employment of mitigation specialists is common practice.[1]

4. On 22 October 2025, in accordance with the Trial Management Order, the defense submitted a request to the Office of Special Trial Counsel for an expert mitigation specialist. (Enclosure (A): Defense Expert Request ltr w/encls of 22 Oct 25).

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[1] *E.g.*, The Michigan State Appellate Defender, National Association of Public Defenders, Mitigation Specialist, Expires 11 August 2025, https://publicdefenders.us/job/michigan-state-appellate-defender-sado-detroit-mi-mitigation-specialist/; Office of the Federal Public Defender, Western District of Texas, https://txw.fd.org/sites/txw/files/jobs/24-09%20Mitigation%20Specialist.pdf; Law Office of the Cook County Public Defender, https://www.cookcountypublicdefender.org/Careers/jobs.

5. On 5 November 2025, the trial counsel responded to the request denying the request. (Enclosure (B): Govt Response to Defense Expert Request ltr of 5 Nov 25). Stating only that the government did not understand why the experts experience in other very serious cases was relevant and that the defense "failed" to "proffer" why the defense did not independent funding to secure "needs such as this." (*Id.*)

**LAW**

6. The right to be represented by counsel who is reasonably effective in investigating, preparing and presenting a defense is a fundamental pillar of American jurisprudence. The Supreme Court has recognized that the Sixth Amendment right to counsel mandates the provision of adequate resources, to include experts, in order to present an effective defense. As a matter of military due process, service members are entitled to expert assistance when necessary for an adequate defense, without regard to indigency.[2] The right to supplement the defense team with expert assistance and witnesses is based on Article 46, UCMJ, Military Rule of Evidence 706, and R.C.M. 703(d). Because the military accused does not have available to him the relatively unlimited assets of the military justice machine, courts have placed the resources of the Federal Government at his or her disposal in order to pay for expert assistance and guarantee an effective defense team.

7. Importantly, the entitlement for an accused to expert assistance "is not limited to actual expert testimony at trial." *United States v. Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006). A mitigation specialist is recognized expert.[3]

> The right to expert assistance attaches when the defense demonstrates that such assistance is necessary.[4] "An accused is entitled to expert assistance provided by the Government if he can demonstrate necessity."[5] The "mere possibility of assistance from a requested expert" is not sufficient to prevail on the request for expert assistance.[6] Instead, "[t]he accused has the burden of establishing that a reasonable probability exists that (1) an expert would be of assistance to the

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[2] *See e.g.*, *United States v. Kelly*, 39 M.J. 235, 237 (CMA 1994); *United States v. Burnette,* 29 M.J. 473 (CMA 1990); *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986), *cert. denied*, 479 U.S. 985 (1986); *see also* Art. 46, UCMJ, 10 U.S.C. § 846 (establishing "equal opportunity to obtain witnesses and other evidence" for the defense); Rules for Courts-Martial 703(d).
[3] *United States v. Kreutzer*, 59 M.J. 773 (A. Ct. Crim. App. 2004) (aff'd *United States v. Kreutzer*, 70 M.J. 444 (C.A.A.F. 2012)). In *Kreutzer*, the CCA set aside the conviction (and CAAF upheld that decision) because the military judge erroneously denied the accused's request for an expert in mitigation and for infective assistance of counsel because the defense counsel failed to conduct a sufficient investigation into the background of the accused for sentencing.
[4] *United States v. Ndanyi,* 45 M.J. 315, 319 (CAAF 1996); *United States v. Gonzalez*, 39 M.J. 459, 461 (CAAF 1994).
[5] *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (quoting *United States v. Gunkle*, 55 M.J. 26, 31 (C.A.A.F. 2001)).
[6] *Id.*

> defense and (2) that denial of expert assistance would result in a fundamentally unfair trial."[7] To satisfy the first prong of this test, the Defense must show, "(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop."

8. Section 0145 paragraph (7) of the Manual of the Judge Advocate General states action on requests for funding in support of courts-martial should be taken "pursuant to the applicable standard for necessity*, regardless of potential independent Defense Services funding*."[8]

**ARGUMENT**

9. **An expert consultant in the field of mitigation is necessary because CSSN Copeland is facing life in prison and the defense requires assistance in the fields of mitigation, extenuation, and rehabilitation.**

Ms. LaValva brings years of experience working on the toughest of cases, to include death penalty cases, and an understanding of what factors are mitigating and where best to unearth those mitigating factors. While the defense can conduct a cursory examination of the accused and speak to his family, the defense is not positioned to conduct the required in-depth background analysis of the accused to present the most effective sentencing case possible. The allegations in the case are the most severe under the UCMJ and CSSN Copeland has a right to present an affective case in mitigation. Mitigation investigation is an inter-disciplinary, scientific analysis of the psycho-social history of an individual accused in a case. Ms. LaValva will conduct more extensive interviews of CSSN Copeland, his family, and anyone else who may have relevant background information on him. Such an examination and analysis would discover the significant contributing events or factors in CSSN Copeland's life that may have affected his mental health at the time of the offenses charged. The assistance of this expert is not hypothetical, Ms. LaValva knows where to find this information, knows how to present the information, and knows how to best assist the defense team in creating an effective and persuasive case in mitigation. As the government states in its response to the defense's request, this is a need that the defense has; Ms. LaValva can meet that need.

10. **An expert consultant in the field of mitigation would create a thorough mitigation, extenuation, and rehabilitation plan for sentencing.**

Ms. LaValva has years of experience in mitigation and sentencing. While one of the things she will do for the defense is interview witnesses – she is not merely an investigator. She knows exactly what to interview witnesses about and where to look for mitigating evidence to present to the fact finder or sentencing authority in this case. There is a reason that both federal and state public defenders are equipped with mitigation specialists in addition to investigators. A police

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[7] *Id.* (quoting *United States v. Freeman*, 65 M.J. 451, 458 (C.A.A.F. 2008)).
[8] JAGINST 5800.7G, CH 2 (JAGMAN) at §0145(7).

officer would not have the knowledge or experience to search for mitigating evidence – neither would an investigator. Ms. LaValva's role would go beyond that and would assist the defense in looking for mitigating evidence in this case.

11. **Defense counsel is unable to gather and present the evidence that Ms. LaValva would be able to develop in the short amount of time until trial.**

The defense counsel detailed to CSSN Copeland are experienced litigators but are not experts in mitigation. As the Court of Appeals for the Armed Forces (CAAF) has recognized, cases involving the possibility of substantial confinement or the death penalty require a greater emphasis on the employment and research of mitigation tools.[9] Defense counsel lack the experience and scientific expertise to uncover all potentially mitigating events or factors in CSSN Copeland's case.

Ms. LaValva will help focus the defense team to areas which may provide the best mitigation evidence, her knowledge and ability to provide this input comes directly from experience and training that defense counsel cannot acquire prior to trial. While the detailed counsel will diligently prepare and continue to educate themselves, CSSN Copeland requires the assistance of specially trained assistance while he faces the prospect of being confined for the remainder of his natural life. Ms. LaValva will assist the defense in ensuring more than simply "sufficient" effort has been applied to CSSN Copeland's particular case.

12. **Denial of Ms. LaValva would result in a fundamentally unfair trial.**

CSSN Copeland cannot get a fair sentencing proceeding without the assistance of a mitigation specialist who can gather the evidence necessary to present to ensure this Court has a full understanding of CSSN Copeland's rehabilitative potential and all of the mitigating circumstances surrounding the alleged offenses. CSSN Copeland deserves at least the same defense as someone charged in State or Federal court. The defense attorneys do not have specialized training or experience in mitigation. Requiring defense counsel to get the training they would need to be able to present the type of case in mitigation required in this case will certainly lead to continuances which will prejudice CSSN Copeland as he remains in pretrial confinement.

**RELIEF REQUESTED**

13. Pursuant to R.C.M. 703(d), the defense moves this Court to compel the government to appoint and fund a defense consultant in the field of mitigation.

14. The defense does not request oral argument and asks the military judge to rule on the filings alone.

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[9] *See Kreutzer*.

## EVIDENCE

15. The defense offers the following enclosures as evidence in support of this Motion:

A. Enclosure (A): Defense Expert Request ltr w/encls of 22 Oct 25
B. Enclosure (B): Govt Response to Defense Expert Request ltr of 5 Nov 25

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

## CERTIFICATE OF SERVICE

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

A. M. SERFESS
LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO COMPEL PRODUCTION OF AN EXPERT CONSULTANT**<br><br>**(Mitigation Specialist)**<br><br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure (A): Defense Expert Request ltr w/encls of 22 Oct 25
b. Enclosure (B): Govt Response to Defense Expert Request ltr of 5 Nov 25

22 Oct 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Office of Special Trial Counsel, East
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: REQUEST FOR APPOINTMENT OF A MITIGATION SPECIALIST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) UCMJ, Article 46
(b) R.C.M. 703(d)
(c) *United Sates v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986)
(d) *United States v. Allen*, 31 M.J. 572, 623-24 (N.M.C.M.R. 1990)
(e) *United States v. Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006)
(f) *United States v. Ford*, 51 M.J. 445 (C.A.A.F. 1999)
(g) *United States v. Toledo*, 25 M.J. 270 (C.M.A. 1987)
(h) *United States v. McAllister,* 55 M.J. 270, 275 (2001)
(i) *United States v. Warner,* 62 M.J. 114, 118 (C.A.A.F. 2005*)*
(j) *Ake v. Oklahoma,* 470 U.S. 68, 76-83 (1985)

Encl: (1) Curriculum Vitae of Ms. Daniela LaValva
(2) Fee Letter

1. Pursuant to references (a) through (h), CSSN Copeland, through counsel, requests the government to appoint Ms. LaValva as a mitigation expert consultant to the defense team to assist in the preparation of its case, in accordance with Uniform Code of Military Justice (U.C.M.J.), Article 46; Rule for Courts-Martial (R.C.M.) 703; *United States v. Ford*, 51 M.J. 445 (C.A.A.F. 1999) and *United States v. Toledo*, 25 M.J. 270 (C.M.A. 1987).[1] CSSN Copeland further requests that Ms. LaValva be designated as a member of the defense team bound by the attorney-client privilege, in accordance with Military Rule of Evidence (M.R.E.) 502(a) and other applicable federal laws and regulations.

2. **Law.** Under the Sixth Amendment, CSSN Copeland has the right to the effective assistance of counsel and the right to present a defense. In order to adequately represent CSSN Copeland, he requires more than the advocacy skills of his attorney. This includes "the right to present a defense by means of confrontation, cross-examination and going forward with a presentation of its own evidence." *United States v. Allen*, 31 M.J. 572. The right to present evidence "necessarily includes the right to prepare." *Id*. As stated above, military due process consequently "entitles a service member to the assistance of an expert when necessary to the preparation of an adequate defense." *Id*. (quoting *United States v. Garries*, 22 M.J. 288 (C.M.A. 1986)). Congress guaranteed, through the UCMJ, that the parties to a court-martial "shall have equal opportunity to obtain witnesses and other evidence." Article 46, U.C.M.J. Under this scheme, service members are entitled to expert assistance when such assistance is necessary in mounting an

[1] In *United States v. Kreutzer*, 70 M.J. 444 (C.A.A.F. 2012), C.A.A.F. upheld an Army Court of Criminal Appeals decision in which a majority of the Court held that the military judge's erroneous denial of the Appellant's request for an expert in mitigation, required relief- in the form of setting aside all contested findings.

adequate defense. *Ake v. Oklahoma,* 470 U.S. 68, 76-83 (1985) (holding, when necessary, due process requires appointment of a government expert). Importantly, the entitlement for an accused to expert assistance "is not limited to actual expert testimony at trial." *United States v. Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006). The *Kreutzer* Court held that defense counsel who failed to conduct a sufficient investigation into the background of the accused for sentencing were ineffective, thus requiring the sentence to be set aside.

To avail himself or herself of this right, an accused—through defense counsel—must submit a request for an expert to the convening authority, supported by "a statement of reasons why the employment of the expert is necessary." R.C.M. 703(d). Both references (b) and (c) provide the structure for evaluating requests for expert consultants and witnesses.

The Court of Appeals for the Armed Forces has held that RCM 703(d) authorizes employment of experts to assist the defense at government expense when they are relevant and necessary. The Court established a three-prong test to determine the necessity of a requested expert:

1. Why is the expert needed;
2. What would the expert accomplish for the defense; and
3. Why is the defense unable to gather and present the evidence that the expert assistant would be able to develop?

3. **Factual Background**. CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

4. **Why an Expert is needed and What the Expert would accomplish for the defense?**

Ms. LaValva brings years of experience working on death penalty cases and an understanding of what factors are mitigating and where best to unearth those mitigating factors. While the defense can conduct a cursory examination of the accused and speak to his family, the defense is not positioned to conduct the required in-depth background analysis of the accused to present the most effective sentencing case possible. The allegations in the case are the most severe under the UCMJ and CSSN Copeland has a right to present an affective case in mitigation. The assistance of this expert is not hypothetical, Ms. LaValva knows where to find this information, knows how to present the information, and knows how to best assist the defense team in creating an effective and persuasive case in mitigation.

5. **Why counsel cannot perform such duties.** The defense counsel detailed to CSSN Copeland are experienced litigators but are not experts in mitigation. As C.A.A.F. has recognized, cases involving the possibility of substantial confinement or the death penalty require a greater

emphasis on the employment and research of mitigation tools. Ms. LaValva will help focus the defense team on areas which may provide the best mitigation evidence, her knowledge and ability to provide this input comes directly from experience and training that defense counsel cannot acquire prior to trial. While the detailed counsel will diligently prepare and continue to educate themselves, CSSN Copeland requires the assistance of specially trained assistance while he faces the prospect of being confined for the remainder of his natural life. Ms. LaValva will assist the defense in ensuring more than simply "sufficient" effort has been applied to CSSN Copeland's particular case. CSSN Copeland cannot get a fair sentencing proceeding without the assistance of a mitigation specialist who can gather the evidence necessary to present to the members to ensure they have a full understanding of CSSN Copeland's rehabilitative potential and all of the mitigating circumstances surrounding the alleged offenses.

6. **Cost.** Enclosure (2) is Ms. LaValva's fee schedule. Her rate for professional consulting is $250.00 an hour for all work including team, client work, field investigations, record collection, and others. **The defense requests thirty (30) hours of pre-trial assistance, at a total cost of $7,500.00**. Further, the defense request travel at the government rate to conduct an investigation and meet with CSSN Copeland in-person.

7. The defense requests that the expert consultant be viewed as a member of the defense team such that all communications between the expert consultant and the accused and his counsel will be viewed as confidential. The defense further requests that the government not have any conversations or other interaction with the requested expert consultant in relation to this case except for any administrative communications in securing their assistance for the defense. The defense understands this limitation may be removed if the defense eventually desires to have the expert testify in the case.

8. Ms. LaValva's assistance is relevant and necessary to providing CSSN Copeland with a case in mitigation that goes beyond merely being "sufficient." Should you have any questions or require any additional information, please contact me at amanda.m.serfess.mil@us.navy.mil or 850-452-5572.

[redacted]
A. M. SERFESS

# Daniela S. LaValva, LCSW, LMSW

76 South Orange Ave, Suite 101  South Orange, NJ  07079
dlavalva@metisgroupllc.net  cell - (973) 518-2288

## Employment Experience:

**Montclair State University** August 2022 – Present
*Adjunct Professor*

- Teach bachelors and masters level courses for the School of Social Work and Child Advocacy.
- Teach practicum seminar courses for MSW students.

**Wellpath/Hudson County Corrections & Rehabilitation Center** February 2020 – August 2023
*Mental Health Director*

- Oversee and supervise mental health program and ensure ongoing effectiveness of programming and maintaining compliance with corrections contracts.
- Recruit and train new staff.
- Manage psychiatrist scheduling and collaborate for continuity of care.
- Maintain strong working relationship with medical department and corrections staff.
- Work with judiciary personnel to provide psychiatric assessments and recommendations.
- Oversee Suicide Watch and specialized units: segregation, protective custody, and mental health.
- Develop programming to best assist inmates regarding mental health concerns and reentry.
- Participate in senior management meetings
- Provide trainings.
- Develop internship program.

**Metis Group, LLC** December 2018 – Present
*Co-Founder*

- Provide ongoing clinical counseling to adolescents, couples, individuals and families.
- Provide supervision to LCSW and LPC candidates.
- Contract with agencies to provide trainings around trauma, secondary trauma, suicide prevention, substance use, and mitigation.
- Provide forensic reports for criminal, family, military, and immigration courts.
- Expert Vendor for Office of the Public Defender / NJ since April 2024
- Expert Vendor for the Criminal Justice Act (CJA) / Federal since August 2023

**The Legal Aid Society / Juvenile Rights Practice** April 2017 – February 2020
*Director of Juvenile Services Unit*

- Oversee and supervise social work supervisors and social work staff in five boroughs.
- Recruit, orient and training of new staff and interns.
- Coordinate social work continuing education program.
- Consult on cases and resources.
- Review and implement social work practice standards, forms, procedures and organizational systems.
- Participate in senior management meetings and committees
- Represent JRP at external meetings, task forces and conferences
- Provide assistance to JRP's legal trainers, Appeals Unit, and Special Litigation and Law Reform Unit.

**Education and Health Centers of America** March 2013 – April 2017
*Deputy Director of Treatment / Logan Hall*

- Ensure ongoing effectiveness of programming and contract compliance for NJ State Parole Sanction Programs, STEPS and RESAP, Intensive Supervision Program (ISP), Juvenile Justice Commission (JJC), and Essex and Union County programs for both male and female residents.
- Supervise Unit Managers, Clinical Supervisor and Unit Supervisors.
- Communicate with New Jersey State Parole Board, and Union and Essex County Prisons. Attend meeting and conduct trainings regarding programming.
- Provide on-site job trainings as well as new hire trainings. Develop and conduct trainings for counselor professional development and best practices.
- Participate in Deputy Director meeting to review contract compliance within facilities.
- Serve on the Treatment Leadership Committee as the EHCA representative to review best clinical practices throughout the country.
- Attend meetings in accordance with Division of Child Protection and Permanency to ensure timely notification of incarceration of parents with open cases. Co-lead Quality Assurance meetings.

**Adelphi University,** Garden City, NY / Manhattan Campus November 2011 – June 2016
*Faculty Liaison / NJ Cohort Coordinator / Field Work Department*

- Assist students and field instructors through sequence of field education to maximize learning experience.
- Ensure field instructor, agency liaison, and student accountability for meeting school expectations and standards.
- Mediate between student and field instructor and agency. Monitor special problems in the field.
- Managed NJ Cohort students with field placement. Act as liaison with students and the university. Provide training on registration, field work, NJ licensure among others.

**Community Education Centers** West Caldwell, NJ January 2008 – April 2017
*Social Work Intern Coordinator*

- Developed and implemented successful social work internship program for forensic treatment program in New Jersey.
- Established relationships with New York and New Jersey social work programs both masters and bachelor level.
- Serve on various committees to ensure programming is being delivered consistently throughout the five New Jersey facilities.
- Provided and developed staff trainings on conflict resolution, ethics, suicide, secondary trauma, and sexual harassment.

**Daniela LaValva, LCSW** South Orange, New Jersey April 2004 – December 2018
*Psychotherapist / Forensic Social Worker*

- Provide ongoing therapeutic services to diverse populations including adolescents, children and adults.
- Focus on issues around the changing family and coping with the effects of loss, divorce or separation. Trained in Parenting Coordination.
- Conducted assessments for students who have been suspended from school for disruptive behaviors and prepared return to school reports.
- Prepared Pre-Pleading, Pre-Sentence assessments and letters for Criminal Courts of New York and New Jersey.

**Clark Psychology Center** Clark, New Jersey January 2002 – April 2004
*Psychotherapist*

- Provided ongoing therapeutic services to diverse populations including but not limited to adolescents and school age children. Provided individual as well as family and marital counseling.

**Myles J. McManus Middle School** Linden, New Jersey October 1999 – June 2000
*School Social Worker*

- Provided ongoing counseling for students in $6^{th}$ – $8^{th}$ grade.
- Responsible for conducting assessments of students' adaptive social functioning and emotional development, family functioning, and cultural factors affecting learning and behavior.
- Assisted Principal and Vice Principal with administrative duties and conflict resolution.
- Participated in multidisciplinary CORE team meetings.

**The Center for Children + Families, Inc.** Jamaica, New York November 1997 - January 1999
*Case Management Supervisor*

- Supervised 4 - 5 Bachelor and Master level Case Planners and students.
- Provided weekly supervision to Case Planners and monitored approximately 80 at risk families.
- Maintained all ACS guidelines and internal monthly statistical reports.
- Conducted groups and trainings for staff inclusive of Windows NT and CONNECTIONS computer network.
- Conducted trainings about child abuse and neglect and in services about Preventive Services.

**The Center for Children + Families, Inc.** October 1995 - November 1997
*Case Planner*

- Provided daily case management for a caseload of up to seventeen at risk families to avert foster care placement.
- Provided in-office individual and family counseling, home visits, case coordination, case conferencing, termination, crisis intervention, referrals, educational support, mediation, and advocacy.
- Attended professional trainings.
- Coordinated male, adolescent group trips to East Jersey State Prison, Scared Straight Program.
- Conducted trainings at area high school on awareness and assessment of child abuse and neglect.

## Volunteer:

**Human Rights Clinic, HealthRight International** May 2018 – November 2023
*Volunteer*

- Provide physical and psychological evaluations for survivors of torture and trauma, and author affidavits in support of their applications for immigration relief.

**Juvenile Conference Committee** Maplewood, New Jersey September 2006 – January 2010

- Provide alternative to Family Court involvement for at risk youths. Knowledge of various programs within Essex County to deter youth from future police interaction.

## Certification and Licenses:

- **Parenting Coordination with High Conflict Families** **Completed:** December 2012
- **Certified LSW Supervisor / NJ** **Completed:** June 2008
- **The Center for Dispute Resolution,** Montclair, New Jersey **Completed:** March 2001
- **Adelphi University,** Garden City, New York **Completed:** January 1998 (SIFI)
- **NJ LCSW:** New Jersey - # SC 49271 **NY LMSW:** New York - # 052750

## Education:

**Columbia University School of Social Work,** NY, New York **Graduated**: May 1995
Master of Science in Social Work / Minor in Law

**Brooklyn College, CUNY,** Brooklyn, New York **Graduated**: February 1992
Bachelor of Science (*cum laude*) in Psychology / Minor in Art

## References available upon request.

METIS GROUP LLC

76 SOUTH ORANGE AVENUE
SUITE 101
SOUTH ORANGE, NJ 07079

October 15, 2025

RE: Mitigation request

To Whom it may Concern,

I am writing to provide a response to the request for Metis Group, LLC, specifically Daniela LaValva, LCSW to provide services for the purposes of mitigation for your client.

Metis Group, LLC fee scale delineated below if for providing a written document. Fees related to providing testimony will be provided as needed.

Reports will require 15-20 hours of work at the rate of $250/hour. Travel time, if needed, is not included and a separate fee schedule arranged.

An invoice of services will be provided to the assigned attorney at the completion of the report.

Should a report be determined to not be needed or completed, a bill for time spent preparing for the report will be submitted to the assigned attorney.

The invoice will include hours worked with an itemized list of tasks completed.

Thank you,

*Daniela LaValva*

Daniela LaValva, LCSW
*Mitigation Specialist*

5 Nov 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Amanda Serfess, Detailed Defense Counsel
LCDR Clifton Morgan, Detailed Defense Counsel

Subj: FUNDING FOR DEFENSE EXPERT CONSULTANT ICO UNITED STATES V. CSSN COPELAND (MITIGATION)

Ref: (a) M.R.E. 702 (MCM 2024)
(b) R.C.M. 703 (MCM 2024)
(c) JAGINST 5800.7G (CH-2) of 1 Dec 23
(d) Your ltr dtd 22 Oct 25

1. Pursuant to Section 0145(a)(7)(b) under reference (c), Special Trial Counsel has determined that employment of a defense expert in mitigation is unnecessary.

2. Defense has not articulated what relevant information and guidance Ms. LaValva would provide that makes her necessary. Much of Defense's request cites Ms. LaValva's experience with death penalty cases which is not relevant to the case at hand. The Defense has also not demonstrated why funding for Ms. LaValva is necessary, as they have not articulated what steps they have already taken to explore the proffered areas that Ms. LaValva would advise on. Further, a showing of necessity has not been made in that defense has failed to proffer why Independent Defense Funding, which has been specifically allocated for defense needs such as this, has not/cannot be used.

3. I can be reached at lauren.a.mayo2.mil@us.navy.mil or at (757)-341-4598.

[redacted]
L.A. MAYO[redacted]

Copy to:
Defense Counsel

Enclosure B

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO DISMISS**<br><br>**(MULTIPLICITY)**<br><br>**26 November 2025** |

## MOTION

Pursuant to Rule for Courts-Martial (RCM) 907(b)(3)(B), the Defense moves this Court to dismiss Specification 2 of Charge I as multiplicious of Specification 1 of Charge I. The Government has charged CSSN Copeland twice for the same act. Specification 2 has no unique element; it is, therefore, it is necessarily a lesser-included offense,[1] requiring dismissal.

## SUMMARY

On 22 August 2025, the government preferred charges against CSSN Copeland. Specification 1 and 2 of Charge I allege misconduct based on the same act. These specifications are multiplicious as Specification 2 is a lesser included offense. Therefore, Specification 2 should be dismissed.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. In specification 1 of Charge I, preferred on 22 August 2025, the government alleges a violation of Article 120, Uniform Code of military justice (UCMJ), (Aggravated Sexual Contact):

> In that Culinary Specialist Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland by using unlawful force. (Charge Sheet).

[1] *United States v. Codymiles*, 83 M.J. 635 (N-M Ct. Crim. App. 2023).

2. In specification 2 of Charge II, preferred on 22 August 2025, the government alleges a violation of Article 120, Uniform Code of military justice (UCMJ), (Abusive Sexual Contact):

> In that Culinary Specialist Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILIAMS (DDG 95), on active duty, did, on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland without the consent of ABHAN C.R. (Charge Sheet).

3. On 19 September 2025, following a hearing pursuant to Article 32, UCMJ, the government provided comments to the preliminary hearing officer. (Enclosure (A): Government Art. 32 Comments ltr of 19 Sep 25). In the comments, the government stated that it was charging Specification 2 of Charge I "as a contingency of proof." (*Id.* at 2).

**LAW**

4. No person shall "be subject for the same offence to be twice put in jeopardy of life or limb."[2] The Fifth Amendment "precludes a court, contrary to the intent of Congress, from imposing multiple convictions and punishments under different statutes for the same act or course of conduct."[3] Accordingly, "[t]he prohibition against multiplicity is necessary to ensure compliance with the constitutional and statutory restrictions against Double Jeopardy."[4]

5. Determining whether charges are multiplicious analyzes: (1) "whether the charges are based on separate acts;" (2) "whether Congress made 'an overt expression of legislative intent' regarding whether the charges should be viewed as multiplicious;" and (3) if "there is no overt expression of congressional intent, we must seek to infer Congress's intent 'based on the elements of the violated statutes [offenses] and their relationship to each other.'"[5] More succinctly "[a] charge is multiplicious if the proof of such charge also proves every element of another charge."[6]

6. Because conviction on a greater offense necessarily includes conviction of all lesser offenses, the Manual directs "[i]n no case should both an offense and a lesser included offense thereof be separately charged."[7] Further, "[m]embers shall not vote on a lesser included offense unless a finding of not guilty of the offense charged has been reached."[8] Failure to dismiss lesser-

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[2] U. S. CONST. amend. V.
[3] *United States v. Coleman*, 79 MJ. 100, 102 (C.A.A.F. 2019)(citing *United States v. Teters*, 37 M.J. 370, 373 (C.M.A. 1993); *see also* Article 44, UCMJ.
[4] *United States v. Campbell*, 71 M.J. 19, 23 (C.A.A.F. 2012)(quoting *United States v. Quiroz*, 55 M.J. 334, 337 (C.A.A.F. 2001).
[5] *Coleman*, at 103 (citing *Teters*, at 376-77).
[6] R.C.M. 907(b)(3)(B).
[7] R.C.M. 307(c)(4), Discussion.
[8] R.C.M. 921(c)(5); *see also*, *United States v. Cardenas*, 80 M.J. 420, 424 (C.A.A.F. 2021)(addressing proper remedy at the appellate level when a lesser included offense failed to be dismissed at the trial level).

included offenses is considered plain error by the Court of Appeals for the Armed Forces (C.A.A.F.).[9]

7. If quantity used and possessed is the same, a possession charge is multiplicious for findings.[10]

## ARGUMENT

1. This Court should order the government to dismiss Specification 2 of Charge I because it is multiplicious—being the lesser-included offense—of Specification 1. This would prevent CSSN Copeland from being convicted twice for the same exact offense. Further, the government charged "the same conduct on the same occasions."[11]

2. This is so clearly unlawful that the Manual safeguards this from happening by directing that "[i]n no case should both an offense and a lesser included offense thereof be separately charged,"[12] and that, "[m]embers shall not vote on a lesser included offense unless a finding of not guilty of the offense charged has been reached."[13] Having both on the charge sheet violates that directive by allowing the members to consider both at the same time. Furthermore, this unfairly prejudices CSSN Copeland to face any perceptions the members may have of him by virtue of simply seeing an additional specification on the charge sheet despite no additional criminal culpability.

3. Finally, this is a matter that can be handled by this Court's instructions. CSSN Copeland will still face the possibility that the members may find him guilty of a lesser included offense without a separate specification on the charge sheet. For all these reasons, this Court should order Specification 2 of Charge I to be dismissed.

## RELIEF REQUESTED

4. Pursuant to R.C.M. 907(b)(3)(B), the Defense moves this Court to dismiss Specification 2 of Charge I as multiplicious of Specification 1.

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[9] *United States v. Lloyd*, 46 M.J. 19, 22 (C.A.A.F. 1997)(citing *United States v. Holt*, 16 M.J. 393, 394 (C.M.A. 1983).
[10] *United States v. Bullington*, 18 M.J. 164 (C.M.A. 1984); *see United States v. Hogan*, 20 M.J. 221 (C.M.A. 1985).
[11] Enclosure (A): Govt Article 32 Comments.
[12] R.C.M. 307(c)(4), Discussion.
[13] R.C.M. 921(c)(5).

## EVIDENCE & HEARING

8. The defense offers the following enclosures as evidence in support of this Motion:

   a. Enclosure (A): Government Art. 32 Comments ltr of 19 Sep 25

9. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter..

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

## CERTIFICATE OF SERVICE

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**V.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO DISMISS**<br><br>**(MULTIPLICITY)**<br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

Enclosure (A): Government Art. 32 Comments ltr of 19 Sep 25

19 Sep 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
LT Christopher Dempsey, JAGC, USN, Trial Counsel
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer

Subj: GOVERNMENT ARTICLE 32 COMMENTS ICO CSSN JERMIAH T. COPELAND

Ref: (a) Article 32, UCMJ
(b) R.C.M 405(l) (2024 ed.)

1. The Government asserts that each specification alleges an offense, that there is probable cause to believe that CSSN Jermiah T. Copeland committed each charge and specification, the convening authority has jurisdiction over CSSN Copeland and the offenses charged and respectfully requests a recommendation that all charges and specifications be referred to a general courts-martial.

2. The Accused is currently on active duty with an enlistment date of 13 July 2023 and an end of enlistment date of 12 July 2027. Each charge and specification occurred while the Accused was on active duty. **[PHE 3]**

3. Below please find each charge and specification with corresponding elements, maximum punishment and corresponding hearing exhibits.

**CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 120**

**Specification 1 (*Aggravated Sexual Contact*):** In that Culinary Specialist Seaman Jermiah T. Copeland, US Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R., U.S. Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland by using unlawful force.

**Elements:**

(1) That the accused committed sexual contact upon ABHAN C.R. by touching through the clothing, the vulva, breast, and buttocks of ABHAN C.R. and

(2) That the accused did so by using unlawful force against ABHAN C.R.

**Maximum Punishment: DD, TF, 20 years confinement, E-1. (Category 3)**

**Evidence**:

ABHAN C.R. described CSSN Copeland grabbing her arms and placing them behind her back and groping here and then placing his hand around her neck and squeezing while he continued to grope her. ABHAN C.R. described the pressure used as sufficient to obstruct her breathing during this period. While he was squeezing her neck, CSSN Copeland started touching her "areas" which ABHAN [redacted] described as her buttocks, breasts, and vulva. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicating something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." CSSN Cuestabravo told law enforcement he observed bruises on one side of ABHAN C.R.'s neck related to her assault. **[PHE 07]**

**Specification 2** ***(Abusive Sexual Contact)***: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, touch through the clothing, the vulva, breast, and buttocks of ABHAN C.R, U.S Navy, with CSSN Copeland's body part, to wit: his hands, with an intent to gratify the sexual desire of CSSN Copeland without the consent of ABHAN C.R.

**Elements:**

(1) That the accused committed sexual contact upon ABHAN C.R. by touching through the clothing, the vulva, breast, and buttocks of ABHAN C.R. and

(2) That the accused did so without the consent of ABHAN C.R..

**Maximum Punishment:** DD, TF, 7 years, E-1. (Category 2)

**Evidence**:

This specification is charged as a contingency of proof.

ABHAN C.R. described CSSN Copeland started touching her "areas" which ABHAN [redacted] described as her buttocks, breasts, and vulva. She described this touching as being done while actively trying to repel CSSN Copeland – evidence of her non-consent. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicated something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." **[PHE 07]**

**Specification 3 (*Sexual Assault – Incapable of Consenting*)**: In that Culinary Specialist Seaman T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, commit a sexual act upon CSSN S.S, U.S. Navy, by penetrating CSSN S.S.'s vulva with his penis, when CSSN S.S. was incapable of consenting to the sexual act because she impaired by an intoxicant, to wit: alcohol, and the accused knew or reasonably should have known of that condition.

**Elements:**

(1) The accused committed a sexual act upon CSSN S.S. by penetrating her vulva with his penis

(2) That the accused did so when CSSN S.S. was incapable of consenting to the sexual act due to impairment by a drug, intoxicant, or other similar substance

(3) That the accused knew or reasonably should have known CSSN S.S. was incapable of consenting to the sexual act due to impairment by drug, intoxicant, or other similar substance.

**Maximum Punishment: DD, TF, 30 years, E-1. A dishonorable discharge or a dismissal is a mandatory minimum sentence for this offense. (Category 3)**

**Evidence**:

CSSN Copeland admitted to penetrating CSSN S.S.'s vulva with his penis. **[PHE 20]**

CSSN S.S. consumed alcohol on the evening of 4 November 2024 and has no memory of sexual intercourse with CSSN Copeland. **[PHE 09 & 11]**.

CSSA Jacqueline Bita accompanied CSSN S.S. in Oslo during the TRUMAN port call on 4 November 2024. She recalled arriving at unknown club and witnessing CSSN S.S. drink alcohol with other sailors. CSSA Bita noted that CSSN Copeland arrived to the club later and was not a member of her original group. CSSA Bita recalls at some point observing CSSN S.S. intoxicated and CSSN Copeland assisting CSSN S.S. to the bathroom. CSSA Bita did not observe any flirtation between CSSN Copeland and CSSN [redacted] at any point in the evening. At some point later that evening, CSSN Copeland approached CSSA Bita and SR Jada Knight. CSSN Copeland showed them a video on his cellular phone of CSSN Copeland penetrating CSSN S.S. with his penis. CSSA Bita identified CSSN [redacted] not by her face, but by her hair and gray sweatshirt. She could see CSSN [redacted] bare buttocks, but could not clearly tell if CSSN S.S. was conscious. **[PHE 13]**

CSSN Shamel Eaddy recalls observing CSSN S.S. at Fleet Landing prior to embarking on the liberty boat at the end of the evening. CSSN Eaddy stated CSSN S.S. was extremely intoxicated and requested help. She required clearance from the medical text before she was transported back to the ship. **[PHE 15]**

CSSN Alexis Rodgers described CSSN S.S. as drunk at the bar. She did not recall seeing CSSN S.S. and CSSN Copeland interact that evening. CSSN Rodgers stated that when it was time to leave the bar to return to Fleet Landing, CSSN [redacted] needed assistance due to her level of intoxication. CSSN Rodgers opined that CSSN [redacted] was disoriented at the end of the evening - in that she did not seem to recall where she was. **[PHE 16]**

CSSA Jakobie Gant described CSSN Copeland showing him a video of CSSN Copeland penetrating CSSN S.S. with his penis. CSSA Gant stated that he was very uncomfortable after watching the video because CSSN S.S. did not appear conscious or in a comfortable position. He stated that her face was down against the toilet. **[PHE 17]**

CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**

CSSN Kaylee Parks stated that CSSN S.S. appeared very intoxicated at the bar. CSSN Parks observed CSSN S.S.'s slurred speech and noted that CSSN S.S. had trouble keeping her balance at the bar. While CSSN Parks did describe kissing and hand holding between CSSN S.S. – she also described CSSN S.S. as very intoxicated and 20 to 30 minutes later and she witnessed CSSN S.S. leaning her head against CSSN Copeland who was trying to keep CSSN S.S. head in an upright position. CSSN Parks stated that she heard CSSN S.S. ask CSSN Copeland for help using the bathroom. CSSN Parks indicated that when it was time to leave the bar, CSSN S.S. required two sailors to help get her back to the ship. **[PHE 19]**

**Specification 4 (*Sexual Assault – Without Consent*):** In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 25 May 2025, commit a sexual act upon Ms. Y.J., by penetrating Ms. Y.J.'s vulva with his penis without the consent of Ms. Y.J.

**Elements:**

(1) That the accused committed a sexual act upon Ms. Y.J. by penetrating her vulva with his penis; and

(2) That the accused did so without the consent of Ms. YJ.

**Maximum Punishment: DD, TF, 30 years, E-1. A dishonorable discharge or a dismissal is a mandatory minimum sentence for this offense. (Category 3)**

**Evidence:**

Ms. Y.J described an incident in CSSN Copeland's barracks room in which he grabbed her by the arm and pulled her into his room. Ms. Y.J. stated that CSSN Copeland wanted her to perform oral sex, but she told him no and that she was tired. CSSN Copeland penetrated her vulva and she told him to stop. Her pleas for him to stop were heard by another sailors in the common area of CSSN Copeland's barracks room who entered the bedroom and was able to free her from the situation. While the summary of interview submitted does not explicitly state what Ms. Y.J. was penetrated with – circumstantial evidence exists that it was with CSSN Copeland's penis – given that he was already attempting to use his penis for oral sex. **[PHE 23]**

Prior to the altercation with CSSN Copeland, Ms. Y.J. was in the CSSN Copeland's barracks room with two other sailors. When CSSN Copeland arrived and pulled Ms. Y.J. into his bedroom, AN Bradford was in the common area. He describes hearing Ms. Y.J. through CSSN Copeland's door. She was telling CSSN Copeland that she was tired. He describes hearing Ms. Y.J. tell CSSN Copeland multiple times that she was tired and hears her say "no, no, no." Her pleas concerned AN Bradford and the other sailor present in the common room to go to CSSN Copeland's door to help. When the door was opened, Ms. Y.J. was on the floor without her shirt. AN Bradford was so disturbed by the incident that he insisted on taking Ms. Y.J. home and that he was not going to leave her with someone that just sexually assaulted her. **[PHE 24b]**

**CHARGE II, VIOLATION OF UCMJ, ART 128**

Sole Specification (Aggravated Assault – Strangulation): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did on board USS HARRY S. TRUMAN (CVN 75), on or about 24 July 2024, commit an assault upon ABHAN C.R., U.S. Navy, by unlawfully strangling her with his hand.

**Elements:**

(1) That he accused assaulted ABHAN C.R.

(2) That the accused did so by strangulation and

(3) That the strangulation was done with unlawful force or violence.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

This specification is charged as a contingency of proof for Charge I, Specification 1.

ABHAN C.R. described CSSN Copeland placing his hand around her neck and squeezing. ABHAN C.R. described the pressure used as sufficient to obstruct her breathing during this period. While he was squeezing her neck, CSSN Copeland started touching her "areas" which ABHAN [redacted] described as her buttocks, breasts, and vulva. **[PHE 05a & 05b]**

CSSN Cuestabravo stated that he received text messages on the morning of 24 Jul 24 from ABHAN C.R. indicated something bad had happened to her. Late that morning, ABHAN C.R. disclosed to him that CSSN Copeland strangled her and "touched her everywhere." CSSN Cuestabravo he observed bruises on one side of ABHAN C.R.'s neck related to her assault. **[PHE 07]**

**CHARGE III: VIOLATION Of UCMJ, ARTICLE 117a**

**Sole Specification (*Wrongful Broadcast*):** In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 4 November 2024, knowingly and wrongfully broadcast an intimate visual image of the buttocks of CSSN S.S., U.S. Navy, a person who was at least 18 years of age when the image was created, is identifiable from the image itself, and did not explicitly consent to the broadcast of the image, when the accused reasonably should have known the image was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding nay broadcast of the image, and where the accused reasonably should have known that the broadcast of the image was likely to cause emotional distress, to wit: embarrassment and that, under the circumstances, such conduct had a reasonably direct and palpable connection to the military environment.

**Elements:**

(1) That the accused knowingly and wrongfully broadcasted a visual image;

(2) That the visual image is an intimate visual image of another person to wit: CSSN S.S.

(3) That the person depicted in the intimate visual image

(a) was at least 18 years of age at the time the intimate visual image was created, and

(b) is identifiable from the intimate visual image itself or from information displayed in connection with the intimate visual image, and

(c) did not explicitly consent to the broadcast of the intimate visual image;

(4) That the accused knew or reasonably should have known that the intimate visual image was made under circumstances in which CSSN S.S. retained a reasonable expectation of privacy regarding any broadcast of the intimate visual image;

(5) That the accused knew or reasonably should have known that the broadcast of the intimate visual image was likely to cause emotional distress for CSSN S.S., and

(6) That the conduct of the accused, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment.

**Maximum Punishment: DD, TF, 2 years, E-1. (Category 2)**

**Relevant Definitions:**

The term "**visual image**" means the following:

(A) Any developed or undeveloped photograph, picture, film, or video;

(B) Any digital or computer image, picture, film, or video made by any means, including those transmitted by any means, including streaming media, even if not stored in a permanent format;

(C) Any digital or electronic data capable of conversion into a visual image.

The term "**private area**" means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

The term **"reasonable expectation of privacy**" means circumstances in which a reasonable person would believe that a private area of the person, or sexually explicit conduct involving the person, would not be visible to the public. Whether a reasonable expectation of privacy exists is determined based on the totality of the circumstances.

The term "**broadcast**" means to electronically transmit a visual image with the intent that it be viewed by a person or persons. See also, *United States v. Lajoie*, 79 M.J. 723, 727 (N.M.C.C.A 2019). (... Article 120c's prohibition on the broadcast of an indecent visual recording is violated when an individual uses an electronic device to display the recording for another to view, even if the electronic device is the same one that was used to record the image.

Transmission of the visual recording from one electronic device to another electronic device with the intent that the image be viewed by another person could also constitute a broadcast, but we do not find that the involvement of more than one electronic device is necessary for a broadcast to occur.")

**Evidence**:

CSSN Copeland admitted to law enforcement that he recorded himself penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

Several witnesses viewed the video and described seeing the bare buttocks of CSSN S.S. in the video.

> CSSA Bita identified CSSN S[redacted] not by her face, but by her hair and gray sweatshirt. She could see CSSN [redacted] bare buttocks, but could not clearly tell if CSSN S.S. was conscious. **[PHE 13]**
>
> CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**
>
> CSSN Copeland showed CSSA Jackobie Gant a video of himself penetrating CSSN S.S. after he told CSSA Gant that he had sexual intercourse with V[redacted] CSSA Gant stated that CSSN S.S.'s buttocks were visible in the video. **[PHE 17]**

CSSN Copeland acknowledged that he did not receive explicit consent to broadcast the image because he stated that he did not know if CSSN S.S. was even aware that he was filming her. **[PHE 20]**

CSSN Copeland knew or reasonably should have known that the intimate visual image was made under circumstances that CSSN S.S. retained a reasonable expectation of privacy and one that would cause CSSN S.S. emotional distress if broadcast to others. The video depicted graphic sexual activity and was filmed in a bathroom stall.

CSSN Copeland showed an image depicting nude portions of her body engaged in a sex act to multiple members of USS HARRY S. TRUMAN (CVN 75) - and more specifically other CSs - that she worked with.

**CHARGE IV: VIOLATION Of UCMJ, ARTICLE 120c**

**Specification 1** *(Indecent Recording)*: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly make a recording of the private area of CSSN S.S., U.S. Navy, without her consent and under circumstances in which she had a reasonable expectation of privacy.

**Elements**:

(1) That the accused, without legal justification or lawful authorization, knowingly made a recording of the private area of CSSN S.S.;

(2) That the accused did so without the consent of CSSN S.S.; and

(3) That said recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence**:

CSSN Copeland admitted to law enforcement that he recorded himself penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

Several witnesses viewed the video and described seeing the bare buttocks of CSSN S.S. in the video.

CSSA Bita identified CSSN [redacted] not by her face, but by her hair and gray sweatshirt. She could see CSSN [redacted] bare buttocks. **[PHE 13]**

CSSN Jada Knight viewed the video of CSSN Copeland penetrating CSSN S.S.'s vulva with his penis. She recognized that the woman in the video was CSSN S.S. by her buttocks. **[PHE 18]**

CSSA Gant stated that CSSN S.S.'s buttocks were visible in the video depicting sexual intercourse. **[PHE 17]**

CSSN Copeland acknowledged that he did not receive explicit consent to recording the image because he stated that he did not know if CSSN S.S. was even aware that he was filming her. **[PHE 20]**

CSSN Copeland knew or reasonably should have known that the intimate visual image was made under circumstances that CSSN S.S. retained a reasonable expectation of privacy and one that would cause CSSN S.S. emotional distress if broadcast to others. The video depicted graphic sexual activity, her bare buttocks and was filmed in a bathroom stall.

**Specification 2** *(Indecent Broadcasting*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 4 November 2024, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S., U.S. Navy, when the same accused knew or reasonably should have known that the said recording was made without the consent of CSSN S.S. and under circumstances in which she had a reasonable expectation of privacy.

**Elements:**

(1) That the accused, without legal justification or lawful authorization, knowingly broadcast a recording of the private area of CSSN S.S.

(2) That the recording was made without the consent of CSSN S.S.;

(3) That the accused knew or reasonably should have known that the recording was made without the consent of CSSN S.S.;

(4) That the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy; and

(5) That the accused knew or reasonably should have known that the recording was made under circumstances in which CSSN S.S. had a reasonable expectation of privacy.

**Maximum Punishment: DD, TF, 7 years, E-1. (Category 2)**

**Evidence**:

This is charged as a contingency of proof for Charge III, Sole Specification.

**CHARGE V: VIOLATION OF UCMJ, ARTICLE 131b**

**Specification 1** (*Obstruction of Justice*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Oslo, Norway, on or about 5 November 2024, wrongfully do a certain act, to wit: hide his cellular phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there were or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is, hide his cellular phone;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

CSSN Copeland admitted to law enforcement that he recorded himself with his cellular phone penetrating CSSN S.S. while in the bathroom stall at a bar in Oslo, Norway. **[PHE 20]**

CSSN Copeland stated that he gave his cellular telephone to CSSN Cousins and did not know what CSSN Cousins did with it **[PHE 20]**

CSSN Kaulise Cousins stated that while on liberty in Oslo with CSSN Copeland the day after CSSN S.S.'s assault, CSSN Copeland received a call while the two of them were at a bar. After CSSN Copeland took the call, he appeared very upset and told CSSN Cousins that CSSN S.S. "put a charge on" him and that his life was ruined. CSSN Copeland told CSSN Cousins that he was going to kill himself and made several attempts to run in front of trains. Furthermore, he refused to return to the ship. Shore patrol intervened and returned CSSN Copeland to the ship. **[PHE 14]**

CSSN Cousins stated that he never took possession of CSSN Copeland's cellular phone. **[PHE 14]**

**Specification 2 (***Obstruction of Justice***)**: In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 2 June 2025, wrongfully do a certain act, to wit: concealed the dead body of CS3 A.R., U.S. Navy, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN, against whom the accused had reason to believe that there was or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is, conceal the dead body of CS3 A.R.;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

**Evidence:**

On the evening of 1 June 2025, CSSN Copeland was interviewed by NCIS regarding his knowledge of the whereabouts of CS3 [redacted] **[PHE 38]**

Health Data from CSSN Copeland's cellular phone shows CSSN Copeland's device traversing stairs at 0355 on 2 June 2025. **[PHE 44b, pg 1]**

CSSN Copeland's barracks room is on the third floor of X-2. Multiple areas of reddish brown staining were observed in the stairwell adjacent to CSSN Copeland's barracks room between levels 1 and 3. **[PHE 48b]**

Forensic analysis confirmed the presence of blood in the stairwell. The DNA profile of the confirmed blood sample matched the DNA profile of CS3 [redacted] **[PHE 48c]**

After travelling several stairs, cell phone data collected from CSSN Copeland's cellular phone shows CSSN Copeland leaving Naval Station Norfolk on 2 June 2025 around 0400. His cell phone is tracked travelling down Hampton Blvd, into downtown Norfolk before reaching a residential area near the Broad Creek Apartments at 0456. **[PHE 44a, pgs 1 – 5, 6]**

Along the route, a white Jeep with License Plate G21274 is captured on camera using the Vigilant data Vase System. **[PHE 44a, pg. 6]**

AR Calisse stated to law enforcement that CSSN Copeland asked to borrow his white Jeep Compass on the evening of 1 June 2025, but did not return it to AR Calisse until around 0630 on 2 June 2025. AR Calisse observed CSSN Copeland drive the Jeep back into the parking lot of X-2 at 0630 on 2 June 2025 . **[PHE 36, pg. 2]**

At approximately 0447, CSSN Copeland's cellular device is unlocked using either facial biometrics or the pin. The user opens Apple Maps and begins browsing map locations. At 0447, the user marks a location on Apple Maps. **[PHE 44e, pg. 4 &7]**

At approximately 0500 on 2 June 2025, CSSN Copeland's device stops behind 2852 Cary Avenue, Norfolk, Virginia. The heath data from this device records steps and distance at approximately 0502. The route taken on foot appears to leave the paved area and travel into a wooded area behind the residential homes. **[PHE 44a pgs. 8-16]**

Around 0516, the device returns to the vehicle and travels first to McDonalds and then back to Naval Station Norfolk arriving around 0558. **[PHE 44a pgs. 17- 19]**

Analysis of CSSN Copeland's cellular phone revealed a screenshot on the device of a saved location near Cary Avenue in Norfolk, VA. NCIS conducted a foot search of the area near the marked location and discovered a black duffel bag containing human remains, later identified through DNA as CS3 [redacted] **[PHE 47a]**

Four photos were discovered (3 on the cellular phone of CSSN Copeland) and one on social media of a black duffel bag matching the description of the black duffel bag found in the wooded area near Cary Ave containing CS3 [redacted] remains. **[PHE 47g]**

During a search of CSSN Copeland's barracks room, blood was identified in his closet. Forensic testing confirmed the presence of blood. The DNA profile of the confirmed blood sample matched the DNA profile of CS3 [redacted] **[PHE 48a pg. 12, and 48c]**

Bluestar, a chemiluminescent reagent, was used to detect the presence of blood. The reagent reacted both in CSSN Copeland's closet and on the carpet leading out of his closet into the common area. The reagent illuminated a trail that looks similar to wheel tracks from a large, wheeled duffel bag. **[PHE 48a, pg 13].**

**Specification 3** (*Obstruction of Justice*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 4 June 2025, wrongfully do a certain act, to wit: hide his cellular

phone, with intent to impede the due administration of justice in the case of United States v. CSSN Jermiah T. Copeland, USN against whom the accused had reason to believe that there were or would be criminal proceedings pending.

**Elements:**

(1) That the accused wrongfully did a certain act, that is hide his cellular phone;

(2) That the accused did so in the case of himself against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending;

(3) That the act was done with the intent to influence, impede or otherwise obstruct the due administration of justice.

**Maximum Punishment: DD, TF, 5 years, E-1. (Category 2)**

It is not an element of the offense that the Government describe the contents of the missing phone. Requiring the government to do so and penalizing the government for a failure to articulate the contents of the phone, rewards the Accused for his successful obstruction of justice. All that is required, is that the accused took a certain act, while he knew he was under investigation and did so to influence, impede or otherwise obstruct the due administration of justice. Here the accused lied about the functionality of his cell phone, was aware that the law enforcement was conducting multiple searches of his barracks room and barge space looking for items of evidentiary value. He successful kept this phone hidden but within his control, as evidenced the 8 June 2025 photo he took of himself while on the barge.

**Evidence:**

CSSN Copeland was interviewed by law enforcement again on 3 June regarding this knowledge of the whereabouts of CS3 [redacted] **[PHE 51]**

During an interview on June 3, 2025, COPELAND advised that an Apple Watch and iPhone that were located during a search of his barracks room at the X-2 barracks onboard Naval Station Norfolk were his. CSSN Copeland explained neither device worked. NCIS did not seize either device and left them in his custody. On June 6, 2025, COPELAND was placed in a restricted status aboard the barge for DDG-95. COPELAND was advised to bring his toiletries and belongings to the ship. COPELAND remained on restriction until a later arrest and pre-trial confinement beginning on June 9, 2025. On June 10, 2025, NCIS executed a command authorized search and seizure for CSSN Copeland' berthing onboard the barge associated with DDG-95 that he lived in while on restriction. NCIS was able to locate and seize the Apple Watch. However, the second iPhone found on the June 3, 2025 search of CSSN Copeland's barracks was not present. This second iPhone was not located after additional searches of CSSN Copeland's barracks room. It remains missing. **[PHE 54]**

A photo of the missing iPhone is contained in **PHE 55, pg 1.**

A search warrant was obtained and executed on CSSN Copeland's Apple iCloud account. The search discovered a photo taken on 8 June 2025. The photo is a selfie of CSSN Copeland in his

uniform with a white iPhone. CSSN Copeland appears to be on the barge when the photo was taken. [**PHE 55**]

**CHARGE VI: VIOLATION OF UCMJ, ARTICLE 128b**

**Specification 1** (*Domestic Violence – Strangulation*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 11 April 2025, commit an assault upon CSSN S.R., U.S. Navy, the intimate partner of the accused, by unlawfully strangling her with his hands.

**Elements:**

(1) That, the accused assaulted CSSN S.R. the intimate partner of the accused;

(2) That the accused did so by strangling CSSN S.R.; and

(3) That the strangulation was done with unlawful force or violence.

**Maximum Punishment: E-1, TF, 8 years, DD**

**Relevant Definitions:**

The term "**intimate partner**" means either (a) one's former spouse, a person with whom one shares a child in common, or a person with whom one cohabits or with whom one has cohabited as a spouse; or (b) a person with whom one has been in a social relationship of a romantic or intimate nature, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The term "**dating partner**," in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of- (A) the length of the relationship; (B) the type of the relationship; (C) the frequency of interaction between the persons involved in the relationship; and (D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.") The relative weight given to each of the named criteria in making the "dating partner" determination may vary depending on the facts and circumstances presented.

**Evidence**:

CSSN S.R. described to law enforcement that on 11 April 2025, she and CSSN Copeland had been dating since March of 2025. **[PHE 22a and 22b, pg. 2].** While the length of the relationship between CSSN S.R. and CSSN Copeland spanned only several weeks – it was romantic in nature and one that CSSN S.R. believed to be exclusive as that was the basis for their fight which preceded the strangulation. [**PHE 22a]** The government believes that the relationship could be characterized as either a dating partner or intimate partner and welcome the preliminary hearing officer's comments on the form of these two specifications.

The relationship was sexual in nature. **[PHE 22a]**

CSSN S.R. became upset when she believed that some other women might be SN Copeland's girlfriend. **[PHE 22a and 22b]**

CSSN S.R. described to law enforcement that on 11 April 2025, CSSN Copeland strangled her with both hands. She indicated that while he had his hands around her neck she could not breathe**. [PHE 22a and 22b, pg. 3 – 4]**

**Specification 2**: (*Domestic Violence – Violent Offense*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 11 April 2025, commit a violence offense against CSSN S.R., U.S. Navy, the intimate partner of the accused, to wit: by unlawfully pushing her with his hands.

**Elements:**

(1) That the accused committed a violent offense, to wit: unlawfully pushing her with his hands; and

(2) That the violent offense was committed against CSSN S.R., who was an intimate partner of the accused

**Maximum Punishment: E-1, TF, 3 years and 6 months, DD**

**Evidence:**

CSSN S.R. described to law enforcement that on 11 April 2025, she and CSSN Copeland were intimate partners. **[PHE 22a and 22b, pg. 2]**

CSSN S.R. described to law enforcement that on 11 April 2025, CSSN Copeland pushed her his hands onto the couch as she was trying to get up from the couch and leave the room. **[PHE 22a and 22b, pg. 3]**

**CHARGE VII: VIOLATION OF UCMJ, ARTICLE 107**

Specification 1 (*False Official Statement*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 1 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

**Elements:**

(1) That the accused made to Special Agent Jessica Gokey, NCIS. a certain official statement, that is: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect

(2) That such statement was totally false;

(3) That the accused knew it to be false at the time he made it; and

(4) That the false statement was made with the intent to deceive.

**Maximum Punishment:** DD, TF, 5 years, E-1. (Category 2)

**Evidence:**

CSSN Copeland told Special Agent Jessica Gokey on 1 June 2025 that he borrowed his roommate's vehicle and drove CS3 [redacted] back to barracks at approximately 1000. [**PHE 38]**

Geolocation data for the iPhone Pro Max belonging to CSSN Copeland did not contain any geolocation data other than locations near Willis Manor X-2 between 29 – 31 May. **[PHE 41]**

Specification 2 (*False Official Statement*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 3 June 2025, with intent to deceive, make to Special Agent Jessica Gokey, Naval Criminal Investigative Service, an official statement, to wit: that he did not know where CS3 A.R., U.S. Navy, went after she left his barracks room on the morning of 29 May 2025 or words to that effect, which statement was totally false, and was then known by the said CSSN Copeland to be so false.

**Elements:**

(1) That the accused made to Special Agent Jessica Gokey, NCIS. a certain official statement, that is: that he had returned CS3 A.R., U.S. Navy, back to her barracks room on the morning of 29 May 2025 or words to that effect

(2) That such statement was totally false;

(3) That the accused knew it to be false at the time he made it; and

(4) That the false statement was made with the intent to deceive.

**Maximum Punishment:** DD, TF, 5 years, E-1. (Category 2)

**Evidence**:

CSSN Copeland told Special Agent Jessica Gokey on 3 June 2025 that he did not know where CS3 A.R. went after she left his barracks room on the morning of 29 May 2025. [**PHE 38]**

[See exhibits for Specification 2 of Charge V]

**CHARGE VIII: VIOLATION OF UCMJ, Article 118**

Specification (*Premeditated Murder*): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did at or near Norfolk, Virginia, on or about 29 May 2025, with premeditation, murder CS3 A.R., U.S. Navy, by means of an act of the Accused.

**Elements**:

(1) That CS3 A.R. is dead;

(2) That her death resulted from the act of the accused

(3) That the killing of CS3 A.R. by the accused was unlawful; and

(4) That, at the time of the killing, the accused had a premeditated design to kill.

**Maximum Punishment: DD, TF, Life without the possibility of parole (mandatory minimum of confinement for life with eligibility for parole), E-1 (Category 6)**

"A murder is not "premeditated" unless the thought of taking life was consciously conceived and the act or omission by which it was taken was intended. Premeditated murder is murder committed after the formation of a specific intent to kill someone and consideration of the act intended. It is not necessary that the intention to kill have been entertained for any particular or considerable length of time. When a fixed purpose to kill has been deliberately formed, it is immaterial how soon afterwards it is put into execution. The existence of premeditation may be inferred from the circumstances." Dep't of Army, Pam. 27-9, Legal Services: Military Judges' Benchbook, para 3a-56-1 (10 Sep 2025)

Premeditation may be proven by a variety of factors to include precautions to avoid detection. *United States v. Glover*, 2002 CCA LEXIS 365 at *5 (factors to consider include, (1) vulnerability of the victim at the time of the attack, number and location of the wounds on the victim, confrontation between suspect and victim, threats made before the attack and precautions made to avoid detection). *United States v. Matthews*, 13 M.J. 501, 517 (A.C.M.R. 1982), *rev'd as to sentence*, 16 M.J. 354 (C.M.A. 1983)(hiding items containing fingerprints, concealed a blood-stained sweater, disposed the victim's watch, keys and shoes); .

**Evidence:**

PHE 47d – CS3 A[redacted] is dead.

Her death was the result of CSSN Copeland's actions. He was the person with her when she was last verified to be alive (when she called ET3 Rich, not when seen by FCC Parker as his visual and audio report of her being alive is simply not consistent with the other evidence). Her body was in a duffel bag in his closet. He concealed her body as explained in Specification 2 of Charge V, and her body was found in his duffel bag.

The question to examine is whether this killing was premeditated or instead, an unpremeditated murder under Article 118(1) or (2), respectively of the UCMJ.

The circumstantial evidence demonstrates CSSN Copeland's motive and thus the fact that his actions were premeditated: to prevent CS3 [redacted] from making an accusation of sexual assault against him when he already had two sexual assault investigations pending (and thereby to obstruct justice). The evidence shows that his intent after that call was to kill CS3 [redacted]

> In Oslo, Norway – CSSN Copeland reaction to a women accusing him of sexual misconduct resulted in proclaiming his life was over, attempts to kill himself, and refusal to return to the ship. **[PHE 14]** That was his reaction to what he knew was a second sexual assault allegation.
>
> Moving to what would have been his third sexual assault allegation in the early morning hours of 29 May, CS3 [redacted] made a panicked phone call to ET3 Rich pleading with him to pick her up. **[PHE 30]** CSSN Copeland's heartrate was elevated starting at 0152 and remained elevated until 0230. That data, the state of undress CS3 [redacted] was later seen in on the floor, the panicked phone call she made, and the admission by CS3 Copeland in **PHE 53** that he had engaged in some sexual activity with CS [redacted] (albeit couched in an otherwise false statement about him rejecting further sexual activity) all demonstrate that CS3 [redacted] rejected CSSN Copeland's sexual advances and called a friend in a state of panic **[PHE 53]**
>
> From that call, CSSN Copeland learned that he had 10 minutes to stop CS3 [redacted] from making what would be a third report of sexual assault against him. The heart rate data from the period immediately after the call demonstrates his actions to carry out the plan he formed during that phone call. He had an elevated heart rate in the 15 minutes that immediately followed, which demonstrates a prolonged period of intentional, violent actions to murder CS3 [redacted]
>
> Furthermore, CSSN Copeland lied to investigators when they asked if CS3 [redacted] called anyone to come pick her up.
>
> > **02:14:20: CSSN Copeland**: I don't think so. I mean like I said I was on the couch. I know she did call Rich and she was on the phone with her ex, but from what I recall I don't think so.
> >
> > **02:14:39: Special Agent**: Okay. So you don't recall hearing her tell somebody like yo, come get me, come pick me up, I want to leave, or anything like that?
> >
> > **02:14:46: CSSN Copeland**: No, ma'am. **[PHE 52b]**
>
> CS3 [redacted] was never heard from again after that phone call despite repeated attempts from others to contact her.

CS3 [redacted] phone died around 0456 and was never turned back on. **[PHE 33].** If she was in fact alive when FCC Parker came at 0852, she would have plugged her phone in at that time after FCC Parker's check woke her up. It is simply not plausible that he woke her up then and that she did not immediately check her phone, see that it was dead and had been for hours, and then plug it in.

For the time period of 0755 until 1131, CSSN Copeland was viewing adult pornography on is his iPhone 15 Pro Max. **[PHE 39b, pg. 15]** This evidence makes it unlikely that he killed her after FCC Parker came the next morning.

CSSN Copeland replied to Snapchat user name "luv.layna22" at 7:53:55 AM. This reply was the last communication sent by the iPhone 15 Pro Max belonging to CSSN Copeland until 12:44:35 PM when the user called the phone number (360) 521-1599. CSSN Copeland received several incoming calls and texts that he did not respond to. **[PHE 39b 6, 15, 18 -19]**

CSSN Copeland did not go into work when scheduled to do so on the morning of 29 May. **[PHE 37, pg. 6].** That fact shows a consciousness of guilt and a desire on his part to avoid answering questions from fellow crewmembers about where she was.

CS3 Re[redacted]s bank account shows no activity after 28 May 2025. **[PHE 40]**

FCC Parker arrives at CSSN Copeland's barracks room around 0852 and tells LSC Rob Janson – "I'm about to go into his room now." **[PHE 37, pg 6].**

At 0854, he says CS3 R[redacted] is with CSSN Copeland. **[PHE 37, pg 6].**

CSSN Copeland lies to FCC Parker between 0854 and 0900 and tells him that CS3 R[redacted] left her phone in her room. [**PHE 37, pg 6].**

CSSN Copeland further lies to FCC Parker and tells him CS3 R[redacted] was "going through some shit and needed someone to talk to." He told FCC Parker that she called several people and he was the first to get her. She came over to his place, but forgot her phone. He also lied and said his phone died overnight and that is why his alarm did not go off. **[PHE 37, pg 8]**

CSSN Copeland lied to FCC Parker and told him that he had dropped CS3 Re[redacted] back at her barracks room at 1247. **[PHE 37, pg 2]**

CSSN Copeland did not go into work when ordered to do so by FCC Brad Parker**. [PHE 37, pg. 9]**

CSSN Copeland's roommate arrived back to his barracks room around 1300 on 29 May – neither CSSN Copeland nor CS3 Re[redacted] was there. **[PHE 35]**

Geolocation data places CSSN Copeland in the vicinity of X-2 for the entire period of 29 May through the evening of 1 June. **[PHE 41]**

Circumstantial evidence exists that CSSN Copeland went to great lengths to conceal his crime.

In an attempt to avoid detection and knowing that CSSN Re[redacted]'s dead body was in his closet, CSSN Copeland sent her phone a text message on the evening 1 June 2025, asking her if she was ok and informing her that she had marked UA. **[PHE 25d, pg. 6]**

CSSN Copeland hid CS3 R[redacted]'s body in his barracks room's closet inside a large black duffel bag for 4 days. **[PHE 48a pg. 12 & 13, and 48c].**

CSSN Copeland hid CS3 Re[redacted]'s body - still inside his black duffle bag - in a wooded area near Broad Creek. **[PHE 44a pgs. 8-16], [PHE 47a], [PHE 47g]**

When questioned by investigators about her whereabouts, CSSN Copeland lied multiple times. **[PHE 36, 38]**

Additionally, all of the evidence listed above for Specification 2 of Charge V demonstrates the extensive efforts he invested in attempting to conceal the body of CS3 Re[redacted]. They are all consistent with a consciousness of guilt that would accompany a premeditated, intentional murder.

4. For these reasons, the Government asks that you recommend all charges and specifications be referred to General Court-Martial and welcomes any additional recommendations as to form of the charges.

[redacted]

Copy to: Detailed Defense Counsel

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X," as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.

Volume 13 of Volumes 25

# CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

| COPELAND | JERMIAH | T. | [redacted] | E-4 |
|---|---|---|---|---|
| *(Last Name)* | *(First Name)* | *MI* | *(DoD ID No.)* | *(Rank)* |

| USS JAMES E. WILLIAMS (DDG 95) | U.S. NAVY | NORFOLK, VIRGINIA |
|---|---|---|
| *(Unit/Command Name)* | *(Branch of Service)* | *(Location)* |

By

General Court-Martial (GCM) COURT-MARTIAL

*(GCM, SPCM, or SCM)*

Convened by COMMANDER

*(Title of Convening Authority)*

NAVY REGION MID-ATLANTIC

*(Unit/Command of Convening Authority)*

Tried at

REGION LEGAL SERVICE OFFICE MID-ATLANTIC, NORFOLK, VIRGINIA

*(Place or Places of Trial)*

On 09OCT2025, 10DEC2025, 05MAR2026, 30APR2026, 05JUN, 08-09JUN2026

*(Date or Dates of Trial)*

Companion and other cases NONE

*(Rank, Name, DOD ID No., (if applicable), or enter "None")*

This volume contains

Cover Page Volume 13 of 25, and Appellate Exhibits (AE XVIII through AE XXIX (Page 19)).



# APPELLATE EXHIBITS

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO EXCLUDE EVIDENCE PURSUANT TO M.R.E. 413**<br><br>**26 November 2025** |

## MOTION

Pursuant to Rule for Courts-Martial (R.C.M.) 906 and Military Rules for Evidence (M.R.E.) 401, 402, 403, and 413, the defense moves this Court to exclude the following evidence cited in the government's notice pursuant to M.R.E. 413.

1) That, in June 2022, when CSSN Copeland was a minor child in high school, he allegedly touched L.L.'s vulva without her consent; and

2) That, in June 2022, CSSN Copeland kissed L.L. without her consent.

## SUMMARY

On 22 August 2022, the government preferred charges against CSSN Copeland alleging, among other charges, violations of Article 120. On 5 November 2025, the government provided the defense with notices pursuant to M.R.E. 404(b) and 413. The government notified the defense that it intends to introduce evidence related to alleged preservice non-consensual sexual conduct on the part of CSSN Copeland for the "relevant purpose of propensity." The defense objects. First, some of this evidence does not meet the threshold requirement of being sexual activity. Second, this evidence is not relevant. Third, whatever probative value this preservice conduct that occurred when CSSN Copeland was a minor child has, it is far outweighed by the risk of unfair prejudice, confusing the issues, misleading the members, undue delay, and wasting time. Therefore, this evidence should be excluded.

## BURDEN

As the proponent of the evidence, the burden of proof and persuasion rests on the government. The standard as to any factual issue necessary to resolve this motion is to a preponderance of the evidence. RCM 905(c)(1).

## FACTS

1. CSSN Copeland's birthday is 23 March 2005. As of this filing, he is 20 years old. In July 2024, he was 19 years old.

2. On 22 August 2025, the government preferred charges in this case. The government alleges the following:

a. That on or about 24 July 2024, CSSN Copeland committed an aggravated sexual contact or an abusive sexual contact on ABHAN C.R. Specifications 1 and 2 of Charge I.

b. That on or about 25 May 2025, CSSN Copeland sexually assaulted Y.J. Specification 4 of Charge I. (Charge Sheet).

3. On 5 November 2025, the government provided notices pursuant to M.R.E. 404(b) and 413. (Enclosure (A): Notice under M.R.E. 404(b) and 413 of 5 Nov 25 at 14).

4. CSSN Copeland went to high school in Oak Harbor, Washington. According to an Oak Harbor Police report, on 23 June 2022, Monica Lopez made a complaint. According to Ms. Lopez, her 15-year-old daughter, told her that a boy named Jermiah Copeland made advances. Her daughter, L.L. was "on the fence" about moving forward with an official investigation. (Enclosure (B): Oak Harbor Police Report).

5. The Oak Harbor police spoke to L.L. L.L. went to the same high school as CSSN Copeland and the two previously dated. L.L. was at the home of Stephanie Johnson – she was invited by a friend of Jermiah Copeland. While there, she says that Jermiah Copeland made advances and tried to kiss her and touch her "private area." She moved his hand away and said no. Jermiah Copeland had to leave because his mom wanted him to come home. L.L. walked him to the door, and she kissed him goodbye. No one else in the house saw anything and there is no indication that she reported anything to the adults in the house. (*Id.* at 2).

6. On 11 July 2022, L.L. was the subject of a child forensic interview regarding these allegations.[1] (*Id.* at 5).

7. During the forensic interview L.L. stated that she was not supposed to be hanging out with CSSN Copeland. However, her mother found out he was at the same house. Her mother texted her and reminded her that she was not supposed to be hanging out with Jermiah Copeland. (*Id.*).

8. The police interviewed another person who was in the house at the time of this alleged assault. According to "B," while Jermiah Copeland and L.L. were on the couch together, the two were giggling and everything seemed fine. (*Id.* at 7).

[1] As of this filing the defense does not have a copy of this interview of any of the body camera footage mentioned in the investigation.

9. The case was closed "due to lack of physical evidence or independent witnesses." (*Id.* at 8).

**LAW**

10. Evidence is relevant if it has any tendency to make a fact of consequence more or less probable.[2] Irrelevant evidence is inadmissible.[3] Relevant evidence may still be excluded if its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the members, undue delay, wasting time, or needlessly presenting cumulative evidence.[4]

11. Evidence of a crime, wrong, or other act is not admissible to prove an accused's character in order to show that on a particular occasion the accused acted in accordance with the character.[5] "The rule can be best summed up by stating it is abundantly clear that evidence which is offered simply to prove that the accused is a bad person is not admissible."[6]

12. M.R.E. 413 creates an exception to the general prohibition on propensity evidence and allows for evidence of any other sexual offense to be considered on any matter to which it is relevant. Admission of evidence pursuant to M.R.E. 413 is predicated upon three threshold findings that: 1) the accused is charged with an offense of sexual assault; 2) the evidence proffered is of the accused's commission of another offense of sexual assault; and 3) the evidence is relevant under Mil. R. Evid. 401 and 402.[7] For the second prong, "the court must conclude that the members could find by a preponderance of the evidence that the offenses occurred."[8] The court must then conduct a balancing test under M.R.E. 403.[9]

13. In conducting the M.R.E. 403 balancing test, the military judge

> [S]hould consider the following factors: the strength of the proof of the prior act; the probative weight of the evidence; the potential to present less prejudicial evidence; the possible distraction of the fact-finder; the time needed to prove the prior conduct; the temporal proximity of the prior event; the frequency of the acts; the presence of any intervening circumstances; and the relationship between the parties.[10]

14. A "sexual offense" means an offense punishable under the UCMJ, or a crime under federal or state law, involving: (1) any conduct prohibited by Article 120; (2) any conduct prohibited by 18 U.S.C. chapter 109A; (3) contact, without consent, between any part of the accused's body, or an object held or controlled by the accused, and another person's genitals or anus; (4) contact,

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[2] MIL. R. EVID. 401.
[3] MIL. R. EVID. 402.
[4] MIL. R. EVID. 403.
[5] MIL. R. EVID. 404(b).
[6] *United States v. Reynolds*, 29 M.J. 105, 109 (C.M.A. 1989).
[7] *United States v. Wright*, 53 M.J. 476, 482 (C.A.A.F. 2000).
[8] *United States v. Solomon*, 72 M.J. 176, 179 (C.A.A.F. 2013) (citing *Wright* 53 M.J. at 482).
[9] *Wright* at 482.
[10] *United States v. Berry*, 61 M.J. 91, 95 (C.A.A.F. 2005) (citing *Wright*, 53 M.J. at 482).

without consent, between the accused's genitals or anus and any part of another person's body; (5) contact with the aim of deriving sexual pleasure or gratification from inflicting death, bodily injury, or physical pain on another person; or (6) an attempt or conspiracy to engage in conduct described above.[11]

15. To demonstrate that an accused sexually assaulted someone without consent, the government must show: (i) That the accused committed a sexual act upon another person; and (ii) That the accused did so without the consent of the other person.[12]

16. Mistake of fact is a defense to sexual assault. "Mistake of fact" means the accused held, as a result of ignorance or mistake, an incorrect belief that the other person consented to the sexual conduct.[13]

17. When determining the admissibility of evidence under M.R.E. 413, the military must consider defenses when considering the strength of proof and the probative weight of the evidence.[14]

## ARGUMENT

18. **Evidence the CSSN Copeland kissed or tried to kiss L.L. without her consent is not evidence of CSSN Copeland's commission of another offense of sexual assault.**

As a threshold issue, the allegation that CSSN Copeland kissed L.L. without her consent is not a violation of Article 120 of the UCMJ nor is it a sexual offense as defined in M.R.E. 413. Therefore, testimony regarding nonconsensual kissing cannot be used as evidence of CSSN Copeland's propensity to commit any other sexual offense.

19. **The government cannot demonstrate by a preponderance of the evidence that a sexual offense occurred.**

The government provided notice that it intends to offer evidence at trial that CSSN Copeland touched L.L.'s vulva (through the clothing) and kissed her without consent. The only evidence comes from L.L. The trial counsel has not talked to L.L.[15] From the summary of L.L.'s own forensic interview, it seems clear that L.L. was a teenager with a strong motive fabricate – she was concerned she was going to get in trouble with her mother for hanging out with a boy that she was not supposed be hanging out with anymore. Further, the police were unable to find any corroborating evidence and the other witness told police that L.L. was giggling and did not

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[11] MIL. R. EVID. 413(d).
[12] Article 120(b)(2)(d), UCMJ.
[13] *Id.*
[14] *Solomon*, 72 M.J. at 180-82.
[15] The defense assumes this because we have not received any disclosure pursuant to R.C.M. 701 regarding a conversation with L.L.

verbalize any issues. The witness did not see a sexual assault. The investigation was closed, and no charges were filed. There was no sexual assault, and the government should be precluded from eliciting evidence of this allegation.

20. **The government failed to state in its notice the relevant purpose for which this evidence will be used.**

The government simply states that it will be used for propensity without articulating what exactly CSSN Copeland has a propensity for or why it is relevant to this case. Therefore, without more, this evidence should be excluded.

21. **The evidence the government seeks to admit should be excluded because the probative value is substantially outweighed by the dangers of unfair prejudice, confusing the issues, misleading the members and wasting time.**

Even if this Court finds that L.L. alleged a crime and that the government can demonstrate it by a preponderance of the evidence, this evidence still must be excluded because any probative value would be far outweighed by the danger of unfair prejudice.

22. **The strength of the proof of the other act**

The strength of proof of the uncharged conduct is low. As stated above, no charges were filed, the case was closed, there is no corroborating evidence, the only other witness who was interviewed contradicts L.L., and L.L. had a strong motive to fabricate as she was a teenager who did not want to get in trouble with her mother for hanging out with a guy she was no longer supposed to be around. As CAAF stated in *Solomon*, this Court must consider potential defenses when considering the strength of the proof and the probative value.

23. **The probative weight of the evidence**

Not only is the strength of the evidence weak, this allegation carries no probative value regarding the charged offenses. In the charged offenses, the government alleges adult sexual conduct. L.L. and CSSN Copeland were both children who had previously been in a dating relationship. The alleged incident with L.L. occurred two years before the first charged conduct. In the allegations in specifications 1 and 2 of Charge I, CSSN Copeland is alleged to have touched a co-worker with force or without consent – ABHAN C.R. further alleges strangulation.[16] ABHAN C.R. and CSSN Copeland have no prior dating relationship. Likewise, the allegations made by L.L. are nothing like the allegations made by Y.J. Again, CSSN Copeland was an adult in May 2025 and Y.J. alleges penetration that occurred in a barracks room.

As stated in *United States v. Berry*, the probative value of events that occurred during childhood or adolescence have reduced probative value, and the government must be able to

[16] *See* the sole specification of Charge II.

demonstrate their probative value by competent evidence.[17] Here, the alleged incident of nonconsensual groping by a teenage CSSN Copeland has little probative value on the very serious allegations on the charge sheet in this case.

24. **The possible distraction of the fact-finder**

This evidence would be a distraction to the fact-finder that would paint CSSN Copeland as a bad seed – as someone who has been bad since he was a child. Further, L.L. was a younger child, and it may make CSSN Copeland look like a person who takes advantage of children. This has absolutely no relevance to the charged offenses. However, it will distract the members from the central issues – whether the charged offenses occurred.

25. **The time needed to prove the prior conduct**

To demonstrate to the members by a preponderance of the evidence that CSSN sexually assaulted L.L., the government would be required to call at the very least L.L. However, the defense would then call the other people at the party who contradict L.L.'s statements, a child forensic psychologist, and L.L.'s mom. This would lead to "trial within a trial."

26. **The temporal proximity of the other event**

The incident alleged in the government's M.R.E. 413 notice occurred at least two years before the charged offenses. Further, CSSN Copeland was a child, in high school, at the time of the alleged incident with L.L.

27. **The frequency of the acts**

L.L. alleged just one time that Jermiah Copeland touched her without consent.

28. **The presence of any intervening circumstances**

Between the June 2022 and July 2024, there was a significant intervening circumstance – CSSN Copeland became an adult and joined the Navy.[18]

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[17] 61 M.J. 91, 96-97 (C.A.A.F. 2005).

[18] *Cf. United States v. Berry*, 61 M.J. 91, 96-97 (C.A.A.F. 2005). Between the ages of twelve and seventeen, adolescents undergo a critical period of transition during which they experience rapid transformations in emotional, intellectual, physical, and social capacities. Even older adolescents, whose raw intellectual capacities may rival those of adults, have less experience on which to draw in making and evaluating choices. In short, adolescents are not simply miniature adults. *Id.* (internal citation omitted). "When projecting on a child the mens rea of an adult or extrapolating an adult mens rea from the acts of a child, military judges must take care to meaningfully analyze the different phases of the accused's development rather than treat those phases as being unaffected by time, experience, and maturity. Where a military judge finds that the prior "sexual assault" acts of a child or adolescent are probative to an act

29. **The relationship between the parties**

L.L. went to the same high school as Jermiah Copeland and they were in a previous dating relationship. However, ABHAN C.R. was a co-worker he only knew as an adult and Y.J. was a woman he had prior sexual relationship with, who he also only knew as an adult.

**RELIEF REQUESTED**

Pursuant to Rule for Courts-Martial (R.C.M.) 906 and Military Rules for Evidence (M.R.E.) 401, 402, 403, and 413, the defense moves this Court to exclude the following evidence cited in the government's notice pursuant to M.R.E. 413.

1) That, in June 2022, when CSSN Copeland was a minor child in high school, he allegedly touched L.L.'s vulva without her consent; and

2) That, in June 2022, CSSN Copeland kissed L.S. without her consent.

**EVIDENCE & HEARING**

30. The defense offers the following enclosures as evidence in support of this Motion:

A. Enclosure (A): Notice under M.R.E. 404(b) and 413 of 5 Nov 25
B. Enclosure (B): Oak Harbor Police Report

31. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter.

[redacted]

LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

A. M. SERFESS
LCDR, JAGC, USN
Detailed Defense Counsel

later committed as an adult, such a determination must be supported in the record by competent evidence." *Id.*

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO EXCLUDE**<br><br>**(M.R.E. 413)**<br><br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure (A): Notice under M.R.E. 404(b) and 413 of 5 Nov 25
b. Enclosure (B): Oak Harbor Police Report

**DEPARTMENT OF THE NAVY**
**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D S T A T E S**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN / E-3**<br>**USN** | **NOTICE UNDER**<br>**M.R.E. 404(b) AND 413**<br><br>**5 NOV 25** |

1. Pursuant to Military Rule of Evidence 404(b), the Government provides notice that it seeks to introduce the following evidence to establish common scheme, motive, and intent for the sole Specification of Charge II (Strangulation), Specification 1 of Charge V (Domestic Violence – Strangulation), and the sole Specification of Charge VII (Premeditated Murder) as well as lack of accident for the sole Specification of Charge VII (Premeditated Murder):

a. The Accused's history of strangulation as it relates to his actions toward ABHAN C.R. in the sole Specification of Charge II and CSSN S.R. in Specification 1 of Charge V, as well as the evidence consistent with the Accused's strangulation of CS3 A.R. in the sole Specification of Charge VII discussed in detail below.

b. The above-cited evidence provides good faith that these other acts occurred. Both the strangulation of ABHAN C.R. and the strangulation of CSSN S.R. were reported separately by each victim and neither had knowledge of the other. Both described being strangled by the Accused. The evidence supports that the Accused strangled CS3 A.R. as well. The medical examiner determined that CS3 A.R.'s death was consistent with strangulation. The medical examiner also ruled out blunt force trauma, stabbing, or shooting as potential causes of death and there were no findings to suggest suicide, overdose, or death by natural causes. CS3 A.R. made a panicked call for help at 0214 to ET3 Daniel Rich, USN, on 29 May 2025 while she was with the Accused. The Accused took the phone and asked ET3 Rich how far away he was. CS3 A.R. was never heard from by her loved ones again. Between 01:52:58-2:30:23, the Accused's heart rate rapidly increased and stayed between 125-128 bpm, spiking again at 130 bpm at 03:07:06. The Accused's suitemate reported hearing what he believed to be karaoke in the common room around that time, but did not investigate. The blood found at the scene was limited to the closet area where the Accused stored the body, suggesting no blood-producing injury occurred and eyewitnesses did not observe any obvious wounds on CS3 A.R.'s body just hours after she was murdered. In fact, they believed she was asleep. As discussed in paragraph 3.c.(1) below, the Accused also had a strong motive to murder CS3 A.R. at the time he did so.

c. The Accused's history of strangulation is offered to establish common scheme, motive, and intent for the sole Specification of Charge II (Strangulation), Specification 1 of Charge V

(Domestic Violence – Strangulation), and the sole Specification of Charge VII (Premeditated Murder) as well as lack of accident for the sole Specification of Charge VII (Premeditated Murder):

(1) Reasoning in support of common scheme for the sole Specification of Charge II, Specification 1 of Charge V, and the sole Specification of Charge VII.

i. The Accused has a demonstrated history of using strangulation to exert control over women to get them to comply. The Accused strangled ABHAN C.R. when she resisted his sexual advances. In that case, the Accused used strangulation to exert control over ABHAN C.R. and obtain his desired sexual gratification. The Accused similarly strangled CSSN S.R., his intimate partner, when she confronted him about his infidelity. The Accused did so again to gain control of his victim, in this case to stop her from arguing with him. As evidenced by these two occasions, the Accused is quick to use strangulation to assert control over a situation to get what he wants.

ii. The Accused applied this common scheme and again exerted control over CS3 A.R. by strangling her, just as he did with ABHAN C.R. and CSSN S.R. In the case of CS3 A.R., the Accused decided to strangle her to control her and prevent her from reporting misconduct to either ET3 Rich or the Accused's suitemates, as discussed in paragraph 2(c)(1) below.

iii. The Accused's strangulation of CS3 A.R. was approximately one month after his strangulation of CSSN S.R. All three strangulation events occurred within a year of each other and reflect a common scheme of controlling women to get them to comply.

(2) Reasoning in support of motive for the sole Specification of Charge II, Specification 1 of Charge V, and the sole Specification of Charge VII. As noted in 1.c.(1) above, the Accused sought control over both ABHAN C.R. and CSSN S.R. The Accused's strangulation of CS3 A.R. was motivated by the same desire for control.

(3) Reasoning in support of intent for the sole Specification of Charge II, Specification 1 of Charge V, and the sole Specification of Charge VII. As noted in 1.c.(1) above, the Accused used strangulation as a method to assert control over his victims. Specific to CS3 A.R., the Accused intended to control CS3 A.R. by strangling her to death, for the reasons discussed in paragraph 2.c.(1) below.

(4) Reasoning in support of lack of accident for the sole Specification of Charge VII. This evidence of the Accused's common scheme of strangulation of female victims will also be offered to show that CS3 A.R.'s death was not an accident. While there is no evidence to suggest CS3 A.R. died of natural causes, committed suicide, or otherwise unintentionally overdosed, this evidence of strangulation establishes her death was not an accident but an intentional action of the Accused. Moreover, the Accused demonstrated with ABHAN C.R. and CSSN S.R. that he could strangle someone and stop short of killing them. That the Accused was

capable of this demonstrates he did not unintentionally strangle CS3 A.R. for too long and accidentally murder her.

2. Pursuant to Military Rule of Evidence 404(b), the Government provides notice that it seeks to introduce the following evidence to establish knowledge and motive for the sole Specification of Charge VII (Premeditated Murder):

a. On 25 May 2025, Y.J. was in the Accused's barracks room. Two friends in the common area heard her telling the Accused to "stop" penetrating her vagina and entered the room to stop the Accused from continuing.

b. The above-cited evidence provides good faith that these other acts occurred. These events were reported by Y.J. and are corroborated by the witnesses who responded to her request for the Accused to "stop."

c. That others heard a victim ask the Accused to "stop" from another room within the Accused's barracks room is offered to establish knowledge and motive for the sole Specification of Charge VII (Premeditated Murder):

(1) Reasoning in support of knowledge and motive for the sole Specification of Charge VII. The above-described interaction with Y.J. occurred only 4 days prior to the night CS3 A.R. was murdered and both events took place in the same barracks room. For the reasons detailed in paragraph 3.c.(1) below, the Accused had a motive to murder CS3 A.R. This event with Y.J. was fresh on his mind and the Accused knew that his suitemates would be able to hear CS3 A.R. cry for help. The Accused also knew that his suitemates may be able to hear him murder CS3 A.R. if he chose a loud mechanism for doing so. As a result, the Accused was motivated to murder CS3 A.R. before his suitemates responded and he did so by strangulation because he knew it would be quiet.

3. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish motive, intent, and lack of accident for the sole Specification of Charge VII (Premeditated Murder) as well as consciousness of guilt for Specification 3 of Charge I (Sexual Assault) and both Specifications of Charge III (Indecent Recording and Broadcasting):

a. In July of 2024, the Accused was accused of sexual misconduct by ABHAN A.R. and was aware he was under investigation by NCIS for that accusation. He stated that ABHAN A.R. "put a case on him." In November of 2024, the Accused was accused by CSSN S.S. of a separate sexual assault and other offenses. The Accused reported that CSSN S.S. "put a charge" on him and that he "caught a case." He told her that his life was ruined. Nearly immediately after this accusation, he became inconsolable, threatened to kill himself, and repeatedly attempted to genuinely kill himself by walking in front of approximately three trains before being recovered by ship security and brought back to the ship.

b. The above-cited evidence provides good faith that these other acts occurred. The Accused's actions after being confronted by CSSN S.S. were observed by eyewitnesses and

members of the ship had to recover him and return him to the ship to stop his attempted self-harm. The Accused statements to CSSN S.S. about his desire to kill himself are recorded in text messages.

c. The Accused's reaction to an allegation of sexual assault is offered to establish motive, intent, and lack of accident with respect to the sole Specification of Charge VII (Premeditated Murder):

(1) Reasoning in support of motive for the sole Specification of Charge VII.

i. When CSSN S.S. made accusations against the Accused in November 2024, the Accused immediately demonstrated he was willing to take extreme and violent measures by attempting to kill himself.

ii. CS3 A.R. made a panicked call to ET3 Rich for help at 0214; a call the Accused denies occurred despite call records to the contrary. It is evident from that call that the Accused had done something to CS3 A.R. to cause distress. The Accused murdered CS3 A.R. shortly after that call.

iii. That call was prompted by an unwanted sexual advance and the Accused murdered her to prevent her from making a report. After CS3 A.R. went missing, the Accused self-servingly told investigators and his roommate that nothing sexual occurred that night between the two of them. Comparatively, the Accused advised another Sailor, CS2 Rezan Taylor, USN, that CS3 A.R. and he were making out, but that he had turned her down after she wanted to go further and this upset her. Both of these statements conflict with the accounts of the Accused's roommates, who described the Accused and CS3 A.R. as partially naked on top of each other on the floor of the common area later on the morning of 29 May. Consistent with their nudity and illuminated by the Accused's self-serving false and half-true statements (a common scheme detailed below) to CS2 Taylor, his roommate, and investigators, sexual conduct occurred between the Accused and CS3 A.R. Given the nature of CS3 A.R.'s plea for help, that sexual conduct was unwanted.

v. Motivated to prevent another report being made against him, the Accused made a decision to murder CS3 A.R. after his unwelcome advance. On the call, the Accused asked ET3 Rich how far away he was to determine how long he had to prevent another case against him from being reported. CS3 A.R. was never heard from again despite significant search efforts from interested parties immediately following the call.

vi. Just as he had an extreme and violent response to a second reported allegation against him from CSSN S.S., here he formed the premeditated intent to murder CS3 A.R. before she could make a third report, as discussed in paragraph 1.b. While the Government cannot say specifically what that unwanted sexual advance was, the Accused's lies about that evening combined with CS3 A.R.'s cry for help

and their state of undress that morning indicate that something inappropriate occurred and provided a motive for him to commit premeditated murder.

(2) Reasoning in support of intent for the sole Specification of Charge VII. As noted in 2.c.(1) above, the Accused formed the premeditated intent to murder CS3 A.R. because he did not believe he could overcome a third reported allegation. He was willing to kill himself after CSSN S.S.'s allegation, underscoring the extreme intent he is capable of. Anything less than murder would have been insufficient as it would have left her as a witness against him.

(3) Reasoning in support of lack of accident for the sole Specification of Charge VII. As noted in 2.c.(1) above, this evidence of the Accused's extreme desire to avoid an allegation even if by suicide establishes that CS3 A.R.'s death was not an accident, but the result of an intentional action of the Accused.

(4) Reasoning in support of consciousness of guilt for the for Specification 3 of Charge I and both Specifications of Charge III. The Accused's instant and extreme response by attempting suicide after he was accused of this charged misconduct by CSSN S.S. demonstrates a consciousness of guilt as to his actions towards her.

4. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish common scheme and consciousness of guilt for Specifications 1-3 of Charge I (Sexual Contact and Sexual Assault), the sole Specification of Charge II (Strangulation), both Specifications of Charge III (Indecent Recording and Broadcasting), Specifications 1 and 3 of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Premeditated Murder) as well as intent for both Specifications of Charge VI (False Official Statement):

a. The Government believes the below evidence is *res gestae*, but offers it here in an abundance of caution. Evidence of the Accused's history of telling half-truths to mislead investigators. The Accused has described himself as a "king manipulator" and acknowledged an intent to "get [his] story straight" and applies that manipulating behavior to the criminal investigations pending against him. This is not merely lying. Over the course of five separate investigations and several more interviews with investigators, the Accused has demonstrated a calculated pattern of (1) admitting only uncontroverted facts, (2) shifting when he realizes he is challenged with credible evidence or investigative steps, (3) fabricating favorable events where possible, and (4) never admitting to the most serious misconduct for which there is only one witness (the victim).

(1) During two separate investigations into pre-service misconduct, the Accused made misleading statements as follows:

i. In May 2022, when the Accused was in high school, a fellow student accused him of unlawfully recording a sexual encounter between them with his phone. Investigators obtained a warrant for the Accused's phone after he admitted to recording it, but the Accused advised his mother had taken his phone away preventing him from giving it to investigators. The Accused's mother advised that she told the

Accused to put his phone on her dresser, but found out he had only put the case for his phone there instead. The Accused then advised he had misplaced the phone. The phone was never recovered. This evidence meets categories (1) and (2).

ii. In June 2022, L.L. alleged that the Accused was at her home and they were sitting on the couch together. The Accused touched her vulva with his hand without her consent, despite her continually moving his hand away and telling him "no." He also pressured her to hug and kissed her without her consent. The Accused gave a half-true statement to investigators, agreeing that he was with L.L. on the couch but denied touching her inappropriately and denied kissing L.L. without consent, only that he attempted to kiss her. The Accused also told investigators that L.L. had sent him nude photographs and messages asking to be "fucked," but when asked the Accused advised he did not have those messages. This evidence meets categories (1)-(4).

(2) The accused made misleading statements during investigations into ABHAN C.R. and CSSN S.S. as follows:

i. The Accused made half-true statements about strangling ABHAN C.R. and his sexual interest in her. ABHAN C.R. told investigators that after talking with the Accused, the Accused strangled her, touched her intimate areas, and attempted to kiss her. The Accused downplayed the sexual nature of his interaction with ABHAN C.R. and that he strangled her, only admitting that he lightly choked her. Specifically, when asked by NCIS about this misconduct, he told investigators:

A. That they were "flirting," but he also denied being romantically or sexually interested in her. This evidence meets category (1).

B. When asked if he strangled ABHAN C.R., he stated "oh okay yeah I have but it wasn't like a weird way," and stated he put one hand around her neck without applying any pressure after she pinched his arm. The Accused also admitted that he told ABHAN C.R. that he heard she liked to be choked. Nonetheless, the Accused denied any sexual touching or attempted sexual touching took place. This evidence meets categories (1), (3), and (4).

ii. The Accused made half-true statements by admitting to recording and broadcasting a sexual encounter with CSSN S.S. but conveniently lied about the whereabouts of his phone and later "lost" the recording of that encounter when he got a "new" phone. CSSN S.S. alleged she was sexually assaulted while incapable of consenting and that the Accused recorded and broadcast the sexual assault to others without her consent. The Accused admitted to sex with CSSN S.S. but said it was consensual, said that the interaction seemed "too good to be true," told investigators he did not know if CSSN S.S. was aware he was recording, and admitted to showing others the recording. When asked about his phone, the Accused lied to investigators about its whereabouts. Specifically, he told NCIS another Sailor had the phone, but that Sailor denied ever having it and investigators were unable to locate it after

searching. When the Accused acquired a "new" phone, he recovered digital evidence for investigators, but no longer had the video of his sexual encounter with CSSN S.S. This evidence meets categories (1)-(4).

iii. The Accused also denied any misconduct when initially confronted by CSSN S.S. (who had no memory of the event) and told CSSN S.S. that they did not have sex, despite later admitting they did once it became clear that others were reporting they had seen the video. This evidence meets categories (2) and (3).

(3) After an investigation into CS3 A.R.'s disappearance, the Accused made several half-true statements to mislead during the early days of CS3 A.R.'s disappearance and follow-on investigation. Most notably:

i. On 29 May 2025:

A. The Accused told FCC Bradley Parker, USN, that early on the morning of her disappearance, CS3 A.R. was having personal issues and was seeking help, so he picked her up and brought her to his barracks room to discuss them. But this is not why or how they were together. CS3 A.R. came to the Accused's barracks room to make tacos and hang out on the evening of 28 May 2025. CS3 A.R. only made a call for help at 0214 on 29 May 2025 to ET3 Rich, discussed above, and no one else. FCC Parker was aware CS3 A.R. was seeking help that night because he had spoken to ET3 Rich. The Accused advised him that CS3 A.R. had called several people and he was the first to get to her. The Accused turned CS3 A.R.'s call for help to ET3 Rich into a narrative to make himself look better and more trusted while he concealed her dead body on his bed. This evidence meets categories (1), (3), and (4).

B. According to FCC Parker, the Accused was acting like he had just woken up and took a significant amount of time to answer the door, further indicating he had been sleeping. But the Accused had been awake since at least 0728, as demonstrated by his record of watching pornography nearly constantly from 0728-1150 that morning. Instead, he was concealing CS3 A.R.'s body and concocting a narrative. Relatedly, the Accused told FCC Parker his phone died and his alarm did not go off which is why he was not at work. But his phone was on and charged. This evidence meets categories (1), (3), and (4).

C. The Accused told FCC Parker he had a ride to work to get him to leave. He did not and he did not check in to work until 1 June 2025. This evidence meets category (3).

ii. On 1 June 2025:

A. The Accused told investigators that while CS3 A.R. was at his barracks room on 29 May 2025, PSSN Irbin Gordillocruz, USN, a suitemate of the Accused, came into the common area to ask if CS3 A.R. was okay as she was upset.

But PSSN Gordillocruz denied this occurred. He states he arrived to the unit around 0400 but the lights were off and he did not see anyone in the dark common area. This evidence meets categories (1) and (3).

B. The Accused maintained his lie that FCC Parker woke him and CS3 A.R. up on 29 May 2025 when he came to the room around 0900. CS3 A.R. was already dead and the Accused was already awake, as noted above. This evidence meets categories (1), (3), and (4).

C. The Accused told investigators he borrowed his roommate's car and dropped CS3 A.R. back at her barracks around 1000 on 29 May 2025. The Accused provided later that CS3 A.R. left of her own accord. None of the Accused's roommates allowed him to borrow a vehicle at that time. And, perhaps most notably, CS3 A.R. was already dead. There is no evidence to suggest she left the barracks room while alive. This evidence meets categories (1) and (3).

iii. On 2 June 2025:

A. During this interview of the Accused, an iPhone was found during a contemporaneous search in his barracks room. The Accused told investigators the phone did not work, but investigative efforts later determined that it did work and this had been a lie. This evidence meets category (3).

B. As discussed above, the Accused provided his encounter with CS3 A.R. was not a sexual encounter, but CS3 A.R. was described as partially naked by the Accused's roommates and he told CS3 Taylor that CS3 A.R. and he had begun making out in his bed and she wanted to go further sexually, but the Accused stopped it. As detailed above, this is not true. This evidence meets category (3) and (4).

C. The Accused told investigators that CS3 A.R. did not make a call for help or to be picked up. But she called ET3 Rich in a panic at 0214 asking to be picked up and the Accused took the phone to speak with him. This evidence meets category (3).

D. The Accused told investigators CS3 A.R. spent a significant amount of time on the phone with an ex-boyfriend from Texas, but there is no evidence to suggest that occurred. This evidence meets category (3).

E. The Accused re-iterated his lie about PSSN Gordillocruz checking on CS3 A.R. to ensure she was okay. This evidence meets category (3).

F. The Accused stated he slept in his bed with CS3 A.R. and denied being naked on the floor of the common area. But they were found on the common area floor by all three roommates in a state of undress before being seen in the Accused's bed by FCC Parker later that morning. This evidence meets

category (3).

G. The Accused stated his unauthorized absence (UA) status was a big misunderstanding and he did not know he was UA because he was not scheduled to work. But FCC Parker repeatedly told him to check in over the weekend. This evidence meets category (3).

H. The Accused denied telling investigators he had dropped CS3 A.R. off at her barracks room on 29 May 2025, in contrast with her previous statement. This evidence meets category (3) and (4).

I. The Accused denied knowing where CS3 A.R. was. This evidences meets categories (3) and (4).

iii. On 6 June 2025:

A. The Accused re-iterated several of his 2 June lies, including that CS3 A.R. called an ex-boyfriend from Texas, that nothing sexual occurred, that FCC Parker woke him up, and that he did not know CS3 A.R. was. This evidence meets categories (3) and (4).

B. The Accused also acknowledged he did not drop CS3 A.R. off as stated previously. This evidence meets category (2).

b. The above-cited evidence provides good faith that these other acts occurred. These statements were made by the Accused to investigators or other witnesses and are often corroborated by other investigative actions.

c. The Accused's history of telling half-truths as a "king manipulator" is offered to establish common scheme and consciousness of guilt for Specifications 1-3 of Charge I (Sexual Contact and Sexual Assault), the sole Specification of Charge II (Strangulation), both Specifications of Charge III (Indecent Recording and Broadcasting), Specifications 1 and 3 of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Premeditated Murder) as well as intent for both Specifications of Charge VI (False Official Statement):

(1) Reasoning in support of common scheme for Specifications 1-3 of Charge I, the sole Specification of Charge II, both Specifications of Charge III, Specifications 1 and 3 of Charge IV, both Specifications of Charge VI, and the sole Specification of Charge VII. The Accused's common scheme of providing half-true information in a calculated manner demonstrates a pattern with the goal of misleading investigators after he "get[s his] story straight." The sheer number of half-truths across various investigations demonstrates he is a deliberate liar—a "king manipulator"—and he uses this scheme of different types of lies as noted above to delay and obfuscate investigations. This is a very particular method of lying. That he consistently gives enough information to admit to an event without inculpating himself of the most serious

misconduct, fabricates accounts where he believes he will not be challenged, and misleads investigators as to the state of the evidence demonstrates a willful scheme to mislead that becomes more probative the more it is replicated. That these lies often contain some level of the truth makes his lies about what happened between himself and CS3 A.R. particularly illuminating, as he is the only witness still alive. And because this is a common scheme, these lies are more easily distilled down to what actually occurred, as described in paragraph 2.c.(1).ii, such as the fact that the Accused made the unwanted sexual advance on CS3 A.R. and not the other way around as he described to CS2 Taylor.

(2) Reasoning in support of consciousness of guilt for Specifications 1-3 of Charge I, the sole Specification of Charge II, both Specifications of Charge III, Specifications 1 and 3 of Charge IV, both Specifications of Charge VI, and the sole Specification of Charge VII. For the reasons outlined in paragraph 3.c.(1) above, the Accused's history of half-truths demonstrates an intentional pattern of misleading investigators to exculpate himself, demonstrating a consciousness of guilt for his misconduct.

(3) Reasoning in support of intent for both Specifications of Charge VI. The Accused's repeated history of half-truths to mislead investigators and others demonstrates that his false statements to investigators in these Specifications are intentional.

5. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish common scheme and lack of accident for Specifications 1 and 3 of Charge IV (Obstruction of Justice) and consciousness of guilt for Specification 3 of Charge I (Sexual Assault), both Specifications of Charge III (Indecent Recording and Broadcasting), all Specifications of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Murder):

a. The Accused has a history of hiding his phone from investigators when under criminal investigation.

i. In May 2022, when the Accused was in high school, a fellow student accused the Accused of unlawfully recording a sexual encounter between them with his phone. Investigators obtained a warrant for the Accused's phone, but the Accused advised his mother had taken his phone away, preventing him from giving it to them. The Accused's mother advised that she told the Accused to put his phone on her dresser, but found out he had only put the case for his phone there instead. The Accused then advised he had misplaced his phone. His phone was never recovered.

ii. In November 2024, after CSSN S.S. accused the Accused of misconduct, he hid his cell phone from investigators and lied and said he had given it to a friend before saying it was lost. When he later provided digital evidence to investigators, he advised he had gotten a "new" phone and no longer had the video in question.

iii. On 2 June 2025, when questioned about the disappearance of CS3 A.R., the Accused advised that the cell phone found in his barracks room would not turn on. However, investigative steps later determined that the phone was operational at the time. When investigators sought to seize that phone on 9 June 2025, the phone was missing from the Accused's belongings and never recovered.

iv. The Accused has also conducted online research on what a phone search can return, including queries such as: (1) "can police fet [ph.] infirmation [ph.] from reset phone;" (2) "ncis co cosign my phone;" and (2) "what do police do when they seuze [ph.] your phone;" (4) "ncis took my phone;" and (5) "can ncis take your phone off allegations."

b. The above-cited evidence provides good faith that these other acts occurred. These facts are supported by the accounts of criminal investigators and the Accused's own statements, as well as a digital extraction of one of the Accused's phones.

c. This evidence of the Accused hiding his phone when placed under investigation is offered to establish common scheme for Specifications 1 and 3 of Charge IV (Obstruction of Justice) and consciousness of guilt for Specification 3 of Charge I (Sexual Assault), both Specifications of Charge III (Indecent Recording and Broadcasting), all Specifications of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Murder):

(1) Reasoning in support of common scheme and lack of accident for Specifications 1 and 3 of Charge IV. The Accused has demonstrated a common scheme of lying and hiding his phone when under investigation for an offense that he perceives may result in his phone being seized. He did this with the pre-service allegations against him in May 2022, he did it again with the allegations of CSSN S.S. in November of 2024, and he did it most recently when being investigated for crimes related to the disappearance of CS3 A.R. This evidence also supports that him misplacing his phone is not an accident, but an intentional effort to obstruct justice.

(2) Reasoning in support of consciousness of guilt for Specification 3 of Charge I, both Specifications of Charge III, all Specifications of Charge IV, both Specifications of Charge VI the sole Specification of Charge VII. The Accused hides his phone intuitively because it contains incriminating information on it. The Accused's online search history supports that belief. That he lied and hid his phone repeatedly from investigators indicates a consciousness of guilt for all offenses related to both CSSN S.S. and CS3 A.R. Moreover, his Google search history supports that he did so with the specific intent to limit an investigation into misconduct.

6. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish common scheme, knowledge, and intent for both Specifications of Charge III (Indecent Recording and Broadcasting):

a. The Accused recorded and broadcast a sexual encounter with a female victim in high school in May of 2022 without her consent.

b. The above-cited evidence provides good faith that these other acts occurred. These facts are supported by the accounts of witnesses and the Accused's own statements.

c. This evidence of the Accused recording and broadcasting sexual encounters is offered to establish common scheme, knowledge, and intent for both Specifications of Charge III (Indecent Recording and Broadcasting):

(1) Reasoning in support of common scheme, knowledge, and intent for both Specifications of Charge III. The Accused has demonstrated a common scheme of recording and broadcasting sexual encounters without consent, just as he did with CSSN S.S. This evidence also supports that the Accused knew when he recorded and broadcast his encounter with CSSN S.S. that this conduct was wrongful absent her consent and that doing so without her consent was intentional.

7. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish motive and intent for Specification 1 of Charge V (Domestic Violence – Strangulation):

a. The Accused makes an "evil" grin when assaulting women.

b. The above-cited evidence provides good faith that these other acts occurred. This account is from a victim of the Accused's pre-service misconduct, L.L. She alleges that while he touched her vulva without consent, he had an "evil" grin.

c. This "evil" grin by the Accused is offered to prove motive, intent, and identity with respect to Specification 1 of Charge V.

(1) Reasoning in support of motive and intent for Specification 1 of Charge V. CSSN S.R. described the Accused as smiling while he strangled her. This description mirrors the "evil" grin described by L.L., identifying the Accused as the perpetrator and establishing further that the Accused enjoys and intends nonconsensual touching of women.

8. Pursuant to M.R.E. 404(b), the Government provides notice that it seeks to introduce the following evidence to establish consciousness of guilt for Specification 2 of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Murder):

a. The Government believes the below evidence outlining various actions of the Accused related to CS3 A.R.'s murder are *res gestae*, but offer them here in an abundance of caution. The Government provides notice of the following evidence:

(1) The Accused hid in various barracks lounges from 29 May 2025-1 June 2025 after he murdered CS3 A.R. When security from the ship came to find him on 1 June 2025, he hid in the bathroom on the fifth floor of his barracks. The Accused's roommate also stated that the

Accused was leaving very early and returning very late over that weekend, which was highly unusual for him.

(2) During the period of 29 May 2025 to 1 June 2025, the Accused was in an unauthorized absence status and was repeatedly notified that he needed to check-in, but he ignored those requests. Indeed, despite dozens of inquiries as to his whereabouts from both his ship and his friends that the Accused viewed on his phone, the Accused generally did not answer his phone or respond to text messages from 29 May 2025 until 1 June 2025.

(3) The Accused encouraged his roommate to leave the room, which was an unusual request.

(4) The Accused disposed of CS3 A.R.'s body in a wooded area on 2 June 2025. The Accused turned his phone on Airplane mode after he decided where to place the body and turned it off of Airplane mode when he was done placing her in the woods. Specifically, he placed his phone on Airplane mode at 04:48:08 on 2 June 2025 when he drove to a pinned location (where the body was found) and turned it off at 05:16:13 when he left the site.

(5) At 1311 the day he murdered CS3 A.R., the Accused searched for a trip to "Bermuda." In the days following his murder of CS3 A.R., the Accused searched online for "virginia airport" on 3 and 10 June 2025 and "norfolk airport" on 3 June 2025.

(6) As discussed in detail above, during the investigation into CS3 A.R.'s disappearance, the Accused lied about various things, including: (1) that he dropped CS3 A.R. off at her barracks on 29 May 2025, (2) that he did not know where CS3 A.R. was, (3) that the iPhone found in his room on 3 June 2025 did not work, (4) that CS3 A.R. did not call anyone for a ride from his barracks room on 29 May 2025, (5) that CS3 A.R. was on the phone with her ex-boyfriend from Texas on 29 May 2025, (6) that CS3 A.R. had wanted to go further sexually when they were together on 29 May 2025, but he declined, and (7) that he slept with CS3 A.R. in his bed that night and not on the floor.

(7) The Accused told his roommate nothing sexual occurred between himself and CS3 A.R. on 29 May 2025, in contrast to what he told CS3 Taylor and despite them being in a state of undress together on the floor of the common area that morning.

(8) The Accused hid and/or destroyed his second iPhone prior to going to the brig on 9 June 2025, as discussed above.

(9) The Accused turned off location services on his phone on 29 May 2025, including Life360 which had been on constantly for approximately one year and shared with another person.

(10) The Accused called and texted CS3 A.R. on 1 June 2025 asking where she was and notifying her of her UA status despite knowing she was deceased and her body was in his closet.

b. The above-cited evidence provides good faith that these other acts occurred. It is either

from data extracted from the Accused's phone, from the Accused's own statements, or from statements of eyewitnesses.

c. These actions by the Accused in the hours and days following the murder of CS3 A.R. are offered to show consciousness of guilt for Specification 2 of Charge IV (Obstruction of Justice), both Specifications of Charge VI (False Official Statement), and the sole Specification of Charge VII (Murder):

(1) Reasoning in support of consciousness of guilt for Specification 2 of Charge IV, both Specifications of Charge VI, and the sole Specification of Charge VII. These actions include an intent to flee, an attempt to mislead, and an attempt to hide from investigators and others. They were taken close in time to the disappearance of CS3 A.R. and are those taken by someone with a guilty conscience.

9. Pursuant to M.R.E. 413, the Government provides notice that it seeks to introduce the following propensity evidence as relevant to the charged sexual misconduct in Specifications 1, 2, and 4 of Charge I (Abusive and Aggravated Sexual Contact and Sexual Assault).

a. In June 2022, the Accused touched L.L.'s vulva and kissed her without consent despite her repeatedly removing his hand and telling him "stop" and "no."

b. The above-cited evidence provides good faith that this other sexual misconduct occurred. This account is from a victim of the Accused's pre-service misconduct, L.L.

c. This propensity evidence is offered as relevant to Specifications 1 and 2 of Charge I. Specifically, the Accused's actions towards ABHAN C.R. in these charged offenses nearly mirror the Accused undeterred approach to sexual gratification with L.L. In both cases, the Accused ignored the victim's request to stop and his hands being repeatedly removed and continued with his unwanted sexual contact.

d. This propensity evidence is also offered as relevant to Specification 4 of Charge I. Specifically, the Accused refused to take no for an answer from Y.J., just as he did with L.L. In both cases, he continued with his sexual goals despite that objection.

10. For any specific evidentiary Bate Stamp citations, or if you have any questions or concerns, please contact me at (757) 341-4545 or at Christopher.dempsey2@navy.mil.

[redacted]

C. B. DEMPSEY
LCDR, JAGC, USN
Special Trial Counsel

# OAK HARBOR POLICE

Report for Incident 22-O06199

**Nature:** Sex Offense
**Location:** OHP16

**Address:** 979 SW UPLAND CT
OAK HARBOR WA 98277

**Offense Codes:** SEOF
**Received By:** D109 **How Received:** T **Agency:** OHPD

**Assigned To:** **Detail:** **Date Assigned:** **/**/**
**Status:** **Status Date:** **/**/** **Due Date:** **/**/**

**Complainant:** 194477

**Last:** LOPEZ **First:** MONICA **Mid:**
**DOB:** PII **Dr Lic:** PII **Address:** PII

**Race:** W **Sex:** F **Phone:** ( ) - **City:** OAK HARBOR, WA 98277

## Offense Codes

**Reported:** SEOF Sex Offense
**Additional Offense(s):** SEOF Sex Offense

## Circumstances

**Responding Officers:** RICCI S
**Unit :** O21

**Responsible Officer:** RICCI S
**Received By:** D109
**How Received:** T Telephone
**When Reported:** 19:51:15 06/26/22
**Judicial Status:** CLO
**Misc Entry:** 071125 LL

**Agency:** OHPD
**Last Radio Log:** **:**:** **/**/**
**Clearance:** CBS SETL BY CONT
**Disposition:** CLO **Date:** 07/11/25
**Occurred between:** 19:45:28 06/26/22
**and:** 19:45:28 06/26/22

**Modus Operandi:** **Description :** **Method :**

## Involvements

| Date | Type | Description | Relationship |
|---|---|---|---|

## Narrative

Oak Harbor Police Department Officers Report

Officer: S. Ricci
Case/Incident Number: 22-O06199

On 06/26/2022 at 1951 hours, I responded, via phone, to a sex offense related complaint. The reporting party, Monica Lopez stated her 15 year old daughter, L[PII - Minor] L[PII - Minor], told her on Saturday (06/25/2022) that on Thursday (06/23/2022), a boy named Jeremiah Copeland, was making advances towards her. Jeremiah is 17 years old. Monica told me L[PII - Minor] said Jeremiah had groped her and tried to kiss her. Monica stated she would have to talk with her daughter about moving forward with an official investigation because she was currently on the fence about it. Monica informed me she would let me know by the evening of 06/27/2022. I provided her with my contact information. It was agreed upon that if I did not hear back from her by then, her daughter had made the decision to not move forward.

On 06/27/2022, I saw an email from Monica stating her daughter would like to move forward. We agreed to meet at their residence, located at [PII], [PII].

On arrival, I made contact with Monica. I activated my BWC and informed her the interaction would be audio and video recorded. Monica gave me permission to enter her residence where I met L[PII - Minor]. I also advised L[PII - Minor] the interaction would be audio and video recorded. We sat at the dining room table as L[PII - Minor] told me what happened.

L[PII - Minor] stated, on Thursday (06/23/2022), she was at a close family friend's house, Stephanie Johnson, whom she referred to as her aunt. She was there roughly between 1630-2245 hours. Stephanie lives at [PII] [PII]. L[PII - Minor] said she was there hanging out for the evening. Stephanie was not present; however, Stephanie's two kids and her boyfriend, Juan Izaguirre, were there. Stephanie's oldest son, B[PII - Minor] D[PII - Minor] (no other information provided), is around L[PII - Minor]'s age. L[PII - Minor] refers to B[PII - Minor] as her cousin. B[PII - Minor] is also friends with Jeremiah. All three of them attend(ed) Oak Harbor High School. Per L[PII - Minor], Jeremiah lives at [PII], with his mom and siblings. L[PII - Minor] stated she and Jeremiah used to date between 2020-2021. L[PII - Minor] said they no longer date and are not romantically involved.

L[PII - Minor] stated Jeremiah was invited over by B[PII - Minor]. She continued saying throughout the evening, Jeremiah would try to get close to her or get her attention but she would ignore him and/or walk away. L[PII - Minor] said sometime after dinner, L[PII - Minor] found herself in the living room alone with Jeremiah. She said B[PII - Minor] had gone up to his room for a bit to be alone. L[PII - Minor] said she was laying down on the couch on her side when Jeremiah came over and stood next to her. She said she tried to ignore him and pretend like she was tired and trying to sleep. She said Jeremiah leaned over her and began trying to kiss her. She said she felt his hand slide between her legs and begin to grope her "private area." L[PII - Minor] said she was wearing shorts and a t-shirt. L[PII - Minor] said she kept moving his hand away. She stated she told him "no." She said she felt disgusted. She told me she didn't want him to touch her and "didn't want it." She told me she didn't like him like that. She said she knew he could tell she didn't him to touch her.

During this, L[PII - Minor] said Jeremiah told her his mom said he needed to go back home. L[PII - Minor] said Jeremiah was stalling because she knew, without him saying it,

he wanted her to get up and walk him home. L[PII - Minor] said, in the past, when they dated, she would walk with him or walk him to the door. L[PII - Minor] said she didn't want to do that. L[PII - Minor] said after Jeremiah continued to keep touching her, even after her many attempts to stop him, she felt the easiest and quickest way for this to end was to walk him to the front door so he could leave. L[PII - Minor] said she "finally gave in" by getting up and walking him to the door. She said at the door, he put his arms around her to hug her, but she refused to give him a hug back. She said she stood there motionless with her hands down by her side. She said Jeremiah then kissed her on the lips. She said she didn't kiss back and didn't have a desire to do so. She said he continued to try and kiss her more. She said she didn't feel like she could get away and wanted to do whatever she had to do to get him to leave. She said at one point, she even kissed him back and told him to leave already.

L[PII - Minor] said B[PII - Minor] happened to walk back downstairs during this time and walked out with Jeremiah. L[PII - Minor] said she didn't think B[PII - Minor] saw anything that happened.

While recounting what happened, L[PII - Minor] appeared upset and irritated with Jeremiah's behavior and what he had been doing. She also used words, such as "ewww" and "disgusted." L[PII - Minor] made it clear she did not like Jeremiah and she did not want to be around him, let alone to be alone with him.

L[PII - Minor] completed a written and signed statement form regarding the above. L[PII - Minor]'s written statement reflects the above with one addition. While at the door with Jeremiah, L[PII - Minor] stated Jeremiah told her "don't pretend to be sick" while he was trying to kiss her, indicating L[PII - Minor] was using that as an excuse to not kiss Jeremiah back.

Prior to ending the contact, I left Monica and L[PII - Minor] with a business card, which held the case number.

Please forward to detectives for further investigation and interviews.

End of report.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

I am a law enforcement officer with the Oak Harbor Police Department, and I have electronically prepared and submitted this statement to a court or prosecutor from an electronic device that is owned, issued, or maintained by a criminal justice agency.

Signed (Officer Full Name): Shantel M. Ricci
Personnel ID: 4021
Date: 06/28/2022
Time: 0215 hours
Location (City/State): Oak Harbor, WA

Mark all that apply (explain in officers' narrative):
(X) Body Camera video captured
( ) Domestic Violence Supplemental form completed
( ) Firearms and Ammunition Statement advised per RCW 10.99.030
( ) Domestic Violence Information packet provided to victim per RCW 10.99.030

_____ _____

## Supplement

Oak Harbor Police Department Officers Report

Officer: A. SCELZI 4O28
Case/Incident Number:

22-o06199

On the 29th of June 2022, I was assigned this case.

On the 30th of June 2022, I contacted Monica Lopez (DOB: PII) by phone. I confirmed her daughter L[PII - Minor] L[PII - Minor] (DOB: PII) was willing to do a forensic interview.

On the 11th of July 2022, L[PII - Minor] arrived for her interview with Child Forensic Interviewer Ms. Long, which I attended via Zoom.

L[PII - Minor] said she was inappropriately touched without her consent. L[PII - Minor] said on a Thursday (06/23/2022) at around 1300 her brother dropped her off at her mom's best friend's house, who she also calls her aunt and who was identified as Stephanie Johnson (DOB: PII). L[PII - Minor] remembered the number of the house being "PII." L[PII - Minor] said Stephanie's boyfriend Juan "Izzy" Izaguirre (DOB: PII PII) and her sons B[PII - Minor], C[PII - Minor], J[PII - Min], and A[PII - M] were at the house. L[PII - Minor] said they were all hanging out in the backyard when Jeremiah Copeland (DOB: PII PII) messaged her on SnapChat asking if he should come over. L[PII - Minor] remembered not really giving him an answer. L[PII - Minor] said Jeremiah lives at the house across the street. Jeremiah was playing basketball and waved to B[PII - Minor], who asked him to come over and then they played a game. L[PII - Minor] said she was not supposed be around Jeremiah because of something in the past.

L[PII - Minor] explained she and Jeremiah dated in the Summer of 2020 and they dated on and off until Fall of 2021. L[PII - Minor] said Jeremiah was toxic and he would cheat on her. L[PII - Minor] said they really only hung out when she went over to Stephanie's house. L[PII - Minor] said they did not have a sexual relationship. She explained that at the end of Summer 2021 the relationship ended when she went to a sport event, saw him with a girl, took a picture of them, sent it to him and blocked him on everything. L[PII - Minor] said she added him on SnapChat a week before the current incident because he was interacting with her on social media. She explained she decided to add him because she was bored and got out of a relationship a month prior. L[PII - Minor] said, "I'm just going to do whatever I want basically, like add whoever I want, talk to whatever I want, kind-type of like mindset with like boys." L[PII - Minor] said her messages to him were mad at first and Jeremiah wanted to apologize for the past. L[PII - Minor] confirmed she did not feel like they were back together.

L[PII - Minor] said during the time they were hanging out, B[PII - Minor] was on the phone and B[PII - Minor] went away from the area where L[PII - Minor] and Jeremiah sitting. L[PII - Minor] said she could tell he was talking to his mom because of the tone he was using. L[PII - Minor] could hear B[PII - Minor] say, "I don't know he just came over. He is just hanging out here with L[PII - Minor]." Then L[PII - Minor] received an imessage from her mother asking why Jeremiah was there because she is not supposed to be around him and told her to not give Jeremiah the intention that she wanted to be friends again. L[PII - Minor] explained that there was an incident where Jeremiah recorded a sexual encounter with another girl without consent and as a result L[PII - Minor] wasn't supposed to be around him.

L[PII - Minor] said they were all hanging out and nothing was really happening and they

went into the second living room after being outside. L[PII - Minor] explained the "littlest" kids were playing a game. L[PII - Minor] said she was sitting on the floor and Jeremiah was sitting behind her playing the game. Right after that, they had dinner that Izzy made, L[PII - Minor] laid down on the couch, and then they went upstairs where B[PII - Minor] was and the little kids were screaming. Jeremiah also went upstairs. Izzy told them that Stephanie doesn't want them upstairs so they came back downstairs. L[PII - Minor] laid back down on the couch. Everyone was there for a little bit but then B[PII - Minor] left and Izzy went into his room.

L[PII - Minor] explained the "littlest" kids were on the loveseat couch watching a movie and she was on the long couch with Jeremiah next to her. L[PII - Minor] said Jeremiah put his hands on her thighs and knees and she demonstrated a "petting" motion. L[PII - Minor] said she would push them way. L[PII - Minor] said she was "kind of grossed out" and she knew what he had done in the past so she wasn't comfortable with it. L[PII - Minor] said that he didn't really say anything but he does a grin that is "evil." L[PII - Minor] then messaged her brother telling him to come get her. L[PII - Minor] said she then laid down facing the pillows on the couch with her body balled up with her knees up against her because she was tired. L[PII - Minor] said that Jeremiah still had his hand on her thigh. Jeremiah then said he had to leave and she said "bye." Jeremiah told her to walk him to the door and she said no and said she didn't want to because she knows where that goes. She stated when they dated he would have her walk him to the door to kiss and hug him goodbye. Jeremiah then came behind her and crouched over her. Jeremiah begged her to walk him to the door. As Jeremiah was begging L[PII - Minor], he touched her over her shorts between her thighs from behind her. L[PII - Minor] explained through hand gestures and verbally that the part of her body Jeremiah touched is the front part of her vagina, outer lip, near where you pee. L[PII - Minor] said doctors would say vagina but she views the vagina as the whole not the top area and calls this her "private area." L[PII - Minor] said when his hand was on her "private area" his hand would rub and his other hand was probably on top of the couch. L[PII - Minor] said she continued to lay there. L[PII - Minor] said about four times she moved his hand off her and she demonstrated grabbing his hand and moving it way. L[PII - Minor] said she felt shocked and grossed out. She advised she said "stop" and he kept doing it so she decided to walk him to the door. L[PII - Minor] said that if she did not walk Jeremiah to the door he would go further with it and continue to be more into it and could have lead somewhere else and she explained maybe he would try to go "inside."

L[PII - Minor] walked Jeremiah to the door and said, "okay bye." Jeremiah wouldn't leave and he said, "oh you're not so slick." Then Jeremiah hugged her and she kept her hands at her side not hugging him at all and he kissed her and she did not kiss back at all. L[PII - Minor] said that he kept kissing her on her lips and so she kissed him back once so he would leave, but he didn't leave and was still holding onto her. L[PII - Minor] said he had his arms over her so she couldn't get out of that in that moment. L[PII - Minor] told him that her brother was almost there and her family doesn't really like him and so he needed to go. Jeremiah said that is because of all the stuff L[PII - Minor] has told them about him. L[PII - Minor] replied by asking him, "the stuff I tell them or the stuff you do because last time I checked..." and then she walked away but Jeremiah had a grip on her hand. B[PII - Minor] came down the stairs and that is when Jeremiah let go of her hand. Then she went to go sit back in the living room. Jeremiah left after B[PII - Minor] said bye to Jeremiah. L[PII - Minor] said she waited on the couch until her brother came.

L[PII - Minor] advised she went home around 2100. L[PII - Minor] said she didn't really think anything about it because she thought it was okay. She messaged Jeremiah on SnapChat and told him she didn't like that he tried to kiss her when she didn't want to or hug her when she told him not to. She expressed how he touched her without her consent and how she didn't understand how he didn't get the hint she

didn't want that when she was pushing him away and saying stop. L[PII - Minor] advised she blocked him that night. L[PII - Minor] said she does not have the SnapChat messages with Jeremiah because she un-added him.

L[PII - Minor] said her mother got home late that night. L[PII - Minor] told her mother and she was "not really freaking out about it..." L[PII - Minor]'s mother asked her what she wanted to do about it and L[PII - Minor] replied, "nothing really..." and explained, "I still thought that it was okay basically cause I didn't really think anything about it." Then she went to bed.

The next day her father called her and was crying and telling her he was sorry he couldn't protect her. Her father kept telling her it was not okay and people like that need to know it is not okay. L[PII - Minor] said that she realized she wanted to do something about it.

On the 26th of July 2022, I contacted Stephanie and set up and interview for the 1st of August 2022 at 1000 with her oldest son B[PII - Minor] D[PII - Minor] (DOB: [PII - Minor]) who may have witnessed the incident. I also contacted Monica by phone and kept her updated on where I was at with the case.

On the 1st of August 2022, I interviewed Stephanie's son B[PII - Minor] at the Oak Harbor Police Department. B[PII - Minor] advised he was here to talk about something that happened to a family friend in the summer about a week after school ended. B[PII - Minor] said L[PII - Minor] L[PII - Minor] told him Jeremiah Copeland forced a kiss on her. B[PII - Minor] said L[PII - Minor] was over at his house. Then later B[PII - Minor] mentioned how Jeremiah was at the basketball courts, but then joined them at his house and they were all hanging out in the backyard. L[PII - Minor] came outside to watch and "time flew by." B[PII - Minor], Jeremiah, and L[PII - Minor] walked in the house and put on the movie Rush Hour 2. B[PII - Minor] said he went to get snacks out of the pantry and saw L[PII - Minor] on the couch laying down. Jeremiah had his left hand on L[PII - Minor]'s right shoulder and was leaning over her and his right hand leaning on the couch arm rest. L[PII - Minor] was on her left side and Jeremiah was leaning over. B[PII - Minor] said he didn't think anything of it because of the "giggling." They watched a majority of the movie, only twenty-five minutes were left. B[PII - Minor] said during the movie Jeremiah moved and began to sit on L[PII - Minor]'s legs. L[PII - Minor] was going through TicTok and they were all laughing. B[PII - Minor] said everything seemed fine but now looking back seemed slightly uncomfortable. B[PII - Minor] said that L[PII - Minor] was laughing and smiling but then sometimes seemed out of it by starring off into the screen and didn't respond to prompts. B[PII - Minor] described L[PII - Minor] as "smiling but with worried eyebrows." B[PII - Minor] said that L[PII - Minor] was "scooching" away from Jeremiah. B[PII - Minor] said that his brothers C[PII - Minor] and A[PII - Minor] were upstairs, C[PII - Minor] kept going up and down, but J[PII - Minor] was in front of the Xbox. B[PII - Minor] went upstairs because he was bored and thirty minutes later Jeremiah went upstairs and said goodbye. B[PII - Minor] walked downstairs and opened the door and Jeremiah left. B[PII - Minor] did not mention seeing Jeremiah holding L[PII - Minor]'s hand.

On the 27th of October 2022, I contacted Rochelle Brown the mother of Jeremiah. She stated after she talked to me the first time her son said the mom's boyfriend (Izzy) was there and was present the whole time. Rochelle knows the girl from going over to the neighbor's house, but didn't know her name. Rochelle said that she knows the girl was talking to her son and sending nudes over SnapChat unprovoked and she is friends with K[PII - Minor] who was involved in the other situation with Jeremiah.

On the 31st of October 2022, I interviewed Jeremiah at his residence with his mother present. I asked Jeremiah to tell me what happened between him and L[PII - Minor] L[PII - Minor] about a week after school ended this summer. Jeremiah explained that he

went over to Stephanie's house. Jeremiah explained he has a good relationship with B[PII - Minor] and can go over and walk in. Jeremiah said at one point a movie was on. Jeremiah said B[PII - Minor] and the rest of Stephanie's kids where there. He said he was on the couch with L[PII - Minor]. Jeremiah said at one point his head may have been on her shoulders and her leg was over his thighs. I asked if this was usual when they hung out and he said sometimes, but it didn't go farther than that. I asked if anything else physical happened. Jeremiah said he didn't think so on the couch. Jeremiah said they were eating and after they ate and he pushed his dishes into the sink, he asked L[PII - Minor] if she wanted to walk him to the door and she replied, "I guess." Jeremiah said when they were at the door he hugged her and went in for a kiss and she moved out of the way and that was it. Jeremiah said they were texting and she was "leading him on" and he went in for a kiss and then she acted weird about it. When I asked if anyone else was around, Jeremiah mentioned that he believes C[PII - Minor] was in the first living room on the couch.

I asked Jeremiah if L[PII - Minor] contacted him after and he said yes but it was on SnapChat and he did not have the messages because she blocked him. Jeremiah said he remembers her texting him and that she mentioned how she didn't want him to kiss her. Jeremiah responded to me by saying nonchalantly, "oh okay, like just alright." Jeremiah confirmed he and L[PII - Minor] used to "talk" and that they did not have a sexual relationship but that she would send him nudes.

Jeremiah explained they were no longer "talking" but she added him on SnapChat and messaged him saying, "I know what you and B[PII - Minor] did to K[PII - Minor]," accusing him referring to the incident with K[PII - Minor] B[PII - Minor] and B[PII - Minor] G[PII - Minor]. Jeremiah said that he got over it and he interpreted their relationship as good. Jeremiah said that after L[PII - Minor] re-added him on SnapChat she was sending him unsolicited nude photographs and telling him that she wanted to be "fucked," but advised he did not have those messages. I asked Jeremiah why he thought L[PII - Minor] was sending him nudes and he said he was not sure and probably that she was horny. I asked Jeremiah why someone would say something non-consensual happened on the couch. Jeremiah said L[PII - Minor] is friends with K[PII - Minor] and it might have been a "set up."

At this time I am closing this case due to lack of physical evidence or independent witnesses

CASE CLOSED.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

I am a law enforcement officer with the Oak Harbor Police Department, and I have electronically prepared and submitted this statement to a court or prosecutor from an electronic device that is owned, issued, or maintained by a criminal justice agency.

Signed (Officer Full Name): ANGELICA JADE SCELZI
Personnel ID: 4028
Date: 02 NOV 2022
Time: APPROX 1007
Location (City/State): OAK HARBOR, WA

Mark all that apply (explain in officers' narrative):

( X ) Body Camera video captured
( ) Domestic Violence Supplemental form completed
( ) Firearms and Ammunition Statement advised per RCW 10.99.030
( ) Domestic Violence Information packet provided to victim per RCW 10.99.030

_____ _____

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**V.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO DISMISS WITH PREJUDICE FOR LACK OF SPEEDY TRIAL PURSUANT TO ARTICLE 10, SIXTH AMENDMENT & R.C.M. 707 VIOLATIONS (Speedy Trial)**<br><br>**26 November 2025** |

## MOTION

Pursuant to Article 10, Uniform Code of Military Justice (UCMJ), the Sixth Amendment of the U.S. Constitution and Rule for Court-Martial (R.C.M.) 707, the Defense respectfully requests that the Military Judge dismiss all charges and specifications with prejudice.

## SUMMARY

The Government placed CSSN Copeland into pre-trial confinement (PTC) on 9 June 2025. Charges were preferred 22 August 2025. Article 10, UCMJ, provides that when a person subject to the UCMJ is ordered into arrest or confinement before trial, immediate steps shall be taken to: (1) inform the person of the specific offense of which the person is accused; and (2) try the person or to dismiss the charges and release the person. R.C.M. 707(a) requires the accused to be "brought to trial" within 120 days of confinement or preferral, whichever is earlier. The Convening Authority purports to have granted excludable delay under R.C.M. 707(c) twice in this case from 10 June 2025 through 25 July 2025, and 25 July 2025 through 15 August 2025 for a total of sixty-seven (67) days. However, the Convening Authority did not properly grant a delay under R.C.M. 707(c) and, consequently, CSSN Copeland was not "brought to trial" (in the form of arraignment) within 120 days. The Government has not exercised "reasonable diligence" and therefore, the Defense respectfully requests the Court dismiss all charges and specifications with prejudice.

## BURDEN

Once defense raises the issue, government has burden of persuasion to show no denial of speedy trial. R.C.M. 905(c)(2)(B). The government's burden of proof on any factual issue is by a preponderance of the evidence. R.C.M. 905(c)(1); *United States v. Cummings*, 21 M.J. 987 (N.M.C.M.R. 1986).

## FACTS

1. The Government alleges violations of Article 120, 128, 120c, 131b, 128b, 107, and 118, Uniform Code of Military Justice (UCMJ). (Charge Sheet).

2. On 9 June 2025, CSSN Copeland was placed into PTC at Naval Consolidated Brig Chesapeake where he was placed in a maximum confinee status. (Enclosure 1 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

3. The seven-day review IRO hearing was held on 16 June 2025, and CSSN Copeland was ordered to remain in PTC. (Enclosure 3 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

4. That same day, 16 June 2025, the Defense demanded speedy trial. (Enclosure 6 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

5. On 1 July 2025, the Government submitted a request for excludable delay from 10 June 2025 through 25 July 2025. The Defense submitted our objection to this request the same day. (Enclosures 7, 8 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

6. On 9 July 2025 the Convening Authority granted the Government's excludable delay request until 25 July 2025. (Enclosure 9 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

7. On 25 July 2025, the Defense again demanded a speedy trial for a second time. The Government neither acknowledged nor responded to this request. (Enclosure 10 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

8. One 30 July 2025, to ensure CSSN Copeland received a speedy trial, despite the volume of expected evidence, the Defense requested discovery citing Rules 3.4 and 3.8 of the JAG Corps Rules for Professional Responsibility because the Defense requires and is entitled to fairness and equal access to discovery. In the request, the Defense also explained that discovery would reduce the risk of prejudicial speedy trial issues if charges were ever preferred in this case. The Government neither acknowledged nor responded to this request. (Enclosure 11 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

9. Instead, on 8 August 2025, the Government once again requested excludable delay; this time from 25 July 2025 through 15 August 2025. The Defense submitted our objection to this request on 11 August 2025. (Enclosures 12, 13 to Defense Mot. for Appropriate Relief (MFAR) dtd 26 Aug 25).

10. On 22 August 2025, the Government preferred charges in this case. (Charge Sheet).

11. On 26 August 2025, the Defense filed a Motion for Appropriate Relief pursuant to Article 30a requesting the Court review CSSN Copeland's PTC because of how his continued confinement and the Government's refusal to resolve the issue interfered with CSSN Copeland's attorney-client relationship and case preparation. In this motion, the Defense detailed all of the

attempts and steps CSSN Copeland took—many the Government just ignored—in order to prevent interference with his rights to counsel.

12. The hearing to decide the Defense's MFAR occurred on 15 September 2025. Prior to this date, the Defense had not had a reasonable opportunity to have substantive conversations with CSSN Copeland.

13. At the hearing, the Military Judge denied the Defense's MFAR ruling that the Court did not have standing.

14. It was not until 6 October 2025 until the Government relieved CSSN Copeland of issues with him being able to communicate with his defense counsel, since the time defense counsel effectively established relationship with CSSN Copeland. (Enclosure A).

15. On 27 August 2025, the Convening Authority granted the Government's second excludable delay request. (Enclosure B).

16. On 3 September 2025, the defense was notified that the Article 32 preliminary hearing would take place on 18 September 2025. (Enclosure C).

17. Despite the fact that the charges were preferred on 22 August 2025, the Defense did not receive initial discovery until 12 September 2025, just six days prior to the Article 32 hearing. (Enclosure D).

18. Even worse, the Defense just recently received discovery on 20 November and 21 November 2025 for the NCIS Report of Investigation (ROI) dated 7 July 2025 into CSSN S.R.'s allegations, and a Digital Forensics Exam report of CSSN Copeland's phone completed on 12 August 2025, respectively. (Enclosure E).

19. The charges were referred on 1 October 2025 but served to CSSN Copeland on 3 October 2025. (Charge Sheet).

20. CSSN Copeland was arraigned on the charges on 9 October 2025. (Trial Management Order).

21. The Defense has not made any requests for continuances or delay.

22. R.C.M. 707 deadline from 9 June 2025, without excludable delay, was 7 October 2025.

## LAW

A military member's right to speedy trial arises from several sources. Article 10(b) of the Uniform Code of Military Justice requires "immediate steps" to be taken to try or dismiss the charges against any accused placed into pretrial confinement. R.C.M. 707(a) requires the accused to be brought to trial within 120 days of preferral of charges, imposition of pretrial restraint, or activation of a reservist for court-martial purposes. Finally, the Sixth Amendment of the United States Constitution guarantees "the right to a speedy and public trial."

a. Article 10 of the Code authorizes confinement of service members charged with military offenses, but it also requires the Government take immediate steps to try the confinee or to dismiss the charges and to release the member from confinement.

A person subject the UCMJ, who is charged with an offense under the Code, "may be ordered into arrest or confinement as the circumstances require." 10 U.S.C. § 810(a)(1) (2024). When that person is ordered into confinement pursuant to this authority "immediate steps shall be taken to (A) inform the person of the specific offenses of which the person is accused; and (B) to try the person or to dismiss the charges and release the person." 10 U.S.C. § 810(b)(1) (2016).

Article 10 is a "fundamental, substantial, personal right, and is a statutory protection intended to prevent soldiers from being put in the clink and held there for weeks, sometimes months, before being brought to trial." *United States v. Cooley*, 75 M.J. 247, 259 (2016) (internal quotation marks and citations omitted). Furthermore, Article 10 "is designed to ensure that the accused knows the reason for the restraint of his liberty, and to protect him, while under restraint, from unreasonable or oppressive delay in disposing of a charge." *Id*. (internal quotation marks and citations omitted).

Article 10 affords broader rights than the right to a speedy trial afforded to civilians under the Sixth Amendment to the U.S. Constitution. *United States v. Birge*, 52 M.J. 209, 211 (C.A.A.F. 1999) (citing *United States v. Kossman*, 38 M.J. 258, 262 (C.M.A. 1993). The Government may comply with the strictures of R.C.M. 707 and the Sixth Amendment and still fail to satisfy Article 10. *Id.* "Not only is the demand for a speedy trial under the U.C.M.J. more exacting, by virtual of Article 98, U.C.M.J, 10 U.S.C. 898 (2000), unreasonable delay in disposing of criminal charges in the military is unlawful." *United States v. Mizgala*, 61 M.J. 122, 125 (C.A.A.F. 2005) (internal citations omitted).

b. R.C.M. 707 requires the Government to bring the accused to trial within a specified time period, or else face dismissal of charges.

The accused must be arraigned within 120 days of pretrial confinement. R.C.M. 707(a)-(b). It is possible to exclude certain periods of time from the 120-day limit pursuant to R.C.M. 707(c). The purpose of R.C.M. 707 as written is to "eliminate after-the-fact determinations as to whether certain periods of delay are excludable." Manual for Courts-Martial (2016 ed.), app. 21, Rule 707 analysis at A21-40 (2016 ed.); *United States v. Thompson*, 46 M.J. 472, 474 (C.A.A.F. 1997); *United States v. Proctor*, 58 M.J. 792, 795 (A.F. Ct. Crim. App. 2003) *petition for grant of review denied* 60 M.J. 122 (C.A.A.F. 2004)("After-the-fact exclusion of time from the government's speedy trial accountability is no longer an option.") (internal quotation and citations omitted).

Prior to referral, the convening authority may grant requests for delay. R.C.M. 707(c); *United States v. Anderson*, 46 M.J. 540, 1997 CCA LEXIS 84, at *11 (N.M.C.C.A. 1997) ("[T]here need not be a request for delay from either the accused or the government before a delay is excludable under R.C.M. 707(c); the military judge or convening authority may approve a delay on his or her own initiative."). Although not required, when practicable, any decision granting delay should be reduced to writing, along with the supporting reasons for the grant of

delay. R.C.M. 707(c)(1) Discussion. Although there is no requirement that the convening authority's grant of delay be reduced to writing at the time the determination is made, "the Government always runs the risk of an adverse ruling when it allows a significant delay event to pass without seeking a ruling." *United States v. Dies*, 45 M.J. 376, 378 (C.A.A.F. 1996). Some examples of reasons to grant delay include time to prepare for trial, to allow mental examination of the accused, time requested by the defense, or time to secure availability of witnesses or evidence. R.C.M. 707(c)(1) Discussion.

Military judges serve two separate functions as it relates to R.C.M. 707. First, the military judge can grant delay post-referral under R.C.M. 707(c). Second, the military judge determines whether any delays prior to referral are excludable. *See Proctor*, 58 M.J. at 795 (finding the trial military judge erred in excluding time prior to referral because the convening authority did not properly grant a "delay" under R.C.M. 707); *United States v. Matli*, 2003 CCA LEXIS 60, *13-14 (A.F. Ct. Crim. App. Feb. 4 2003) (upholding trial military judge's disapproval of convening authority's blanket exclusion of time, as opposed to exclusion of time until "some distinct event"). Grants of delay are reviewed for abuse of discretion and reasonableness. *See United States v. Lazauskas*, 62 M.J. 39, 44 (C.A.A.F. 2005) ("In this case, the military judge's ruling approved the pretrial delay. That ruling was neither unreasonable nor an abuse of discretion."); *Proctor*, 58 M.J. at 795 ("The convening authority's grant of a blanket exclusion of time, rather than a delay, exceeded his authority under R.C.M. 707(c), and was an abuse of discretion.")

In *United States v. Proctor*, where the convening authority purported to exclude delay under R.C.M. 707 at the request of the Staff Judge Advocate (SJA), the Air Force Court of Criminal Appeals found the military judge erred in ratifying the delay "because the Convening Authority did not properly grant a 'delay' under R.C.M. 707." 58 M.J. at 795, *petition for grant of review denied* 60 M.J. 122 (C.A.A.F. 2004). In *Proctor*, the accused was ordered into pretrial confinement on 19 September 2000 and stayed there pending the investigation. *Id.* at 793. Prior to arraignment on day 161 of pretrial confinement, the special court-martial convening authority excluded time from 8 January 2001 to 1 March 2001 at the request of the SJA. *Id.* at 794. The SJA requested the time "so that the government could 'process Airman Proctor's case to trial'" given "the difficulties associated with the processing of the case, and the unusually heavy court-martial workload facing the legal office at the time." *Id.* On appeal, the military judge's decision to ratify this delay (up to the date of referral) was overturned. *Id.* In so doing, the Air Force Court of Criminal Appeals noted that the Government cannot be delayed and moving forward at the same time. *Id.* A blanket exclusion of time is not a "delay"; rather, a delay is a period of time between events in the court-martial process. *See id.*

Failure to comply with R.C.M. 707 will result in dismissal of the affected charges. R.C.M. 707(d). The dismissal must be with prejudice where the accused has been deprived of the Constitutional right to a speedy trial. R.C.M. 707(d)(1); *United States v. Bray*, 52 M.J. 659, 663 (A.F. Ct. Crim. App. 2000). In determining whether to dismiss the charges with or without prejudice, the military judge considers these factors: the seriousness of the offense, the facts and circumstances of the case that lead to dismissal; the impact of a re-prosecution on the administration of justice, and any prejudice to the accused resulting from the denial of a speedy trial. R.C.M. 707(d)(1); *United States v. Dooley*, 61 M.J. 258, 262-264 (C.A.A.F. 2005). Prejudice to the accused can take many forms, including any detrimental effect on trial

preparation, any impact on the right to a fair trial, and restrictions or burdens on liberty. *Id.* at 264.

c. Separate and apart from Article 10 and R.C.M. 707, the Sixth Amendment also guarantees an accused at court-martial the right to a speedy trial.

The Sixth Amendment provides, *inter alia*, "[i]n all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial …" U.S. CONST. amend. VI. "In the military context, the Sixth Amendment speedy trial right applies upon preferral or imposition of pretrial restraint." *United States v. Wilder*, No. 201400118, 2014 CCA LEXIS 571, at *11 (N-M. Ct. Crim. App. Aug 12, 2014) (citing *United States v. Vogan*, 35 M.J. 32, 33 (C.M.A. 1992) (additional citation omitted)). "For Sixth Amendment purposes, the speedy trial clock continues to run until the trial actually commences." *Id*. (citing *United States v. Cooper*, 58 M.J. 54, 60 (C.A.A.F. 2003)); accord *United States v. Danylo*, 73 M.J. 183, 189 (C.A.A.F. 2014) ("Analysis of the Sixth Amendment speedy trial claim requires consideration of the entire period of delay from arrest (pretrial confinement) or preferral of charges until commencement of trial on the merits.") (citing *United States v. MacDonald*, 456 U.S. 1, 6-8 (1982)).

d. In conducting an Article 10 and Sixth Amendment analysis, courts begin by evaluating the four *Barker v. Wingo* factors in determining whether the Government has deprived the accused of her right to a speedy trial.

In examining whether an accused's Sixth Amendment speedy trial right has been violated this Court examines the four factors set forth in *Barker v. Wingo*, 407 U.S. 514 at 530 (1972). These factors are (1) the length of the delay; (2) the reasons for the delay; (3) the accused's assertion of his right; and (4) the prejudice of delay to the accused. *Id*. These factors are non-exhaustive. *Id*.

**(1) Length of Delay**

Where the length of the delay is facially unreasonable, the full due process analysis is triggered and the court balances the four factors to determine whether there has been a due process violation. *United States v. Merrit*, 72 M.J. 483, 489 (C.A.A.F. 2013). However, there is no magic number of days required to trigger a speedy trial analysis. *See e.g. United States v. Wilson*, 72 M.J. 347, 351-52 (finding that 174 days of pre-trial delay was facially unreasonable); *United States v. Thompson*, 68 M.J. 308, 312 (C.A.A.F. 2010) (finding that 145 days of pre-trial confinement were sufficiently unreasonable under Article 10); *United States v. Cossio*, 64 M.J. at 256 (holding that 117 days of pre-trial confinement triggered the full Article 10 inquiry). The reasonableness of the delay necessarily depends on the specific facts and circumstances of any given case. *Barker v. Wingo*, 407 U.S. at 531 ("the length of delay that will provoke [a speedy trial inquiry] is necessarily dependent on the specific circumstances of the case"). "[W]here the accused has been deprived of his or constitutional right to a speedy trial . . . [t]he charges must be dismissed with prejudice." R.C.M. 707(d)(1).

When assessing the length of delay between pretrial confinement and the commencement of trial, "[t]he R.C.M. 707(a) standard of 120 days, although not directly applicable to the Sixth

Amendment analysis, is still a useful basis for comparison." *United States v. Arma*, No. 2014-09, 2014 CCA LEXIS 802, at *15 (A.F. Ct. Crim. App. Oct 22, 2014), *rev. denied*, 2015 C.A.A.F. LEXIS 190 (C.A.A.F. Feb 11, 2015).

**(2) Reasons for Delay**

"Bad faith" on the part of the Government causing delay "will be weighed heavily against the government." *Doggett v. United States*, 505 U.S. 647, 656 (1992) (citing *Barker v. Wingo*, 407 U.S. at 531). "Official negligence" occupies a "middle ground" between diligent prosecution and bad-faith delay. *Doggett*, 505 U.S. at 565-67. Negligent delay may not compel relief in every case where bad-faith delay "would make relief virtually automatic," but negligence is not "automatically tolerable simply because the accused cannot demonstrate exactly how it has prejudiced him." *Id*. at 565. Conversely, "a valid reason [for delay], such as a missing witness, should serve to justify appropriate delay." *Barker v. Wingo*, 407 U.S. at 531. In sum, "different weights should be assigned to different reasons [for delay]." *Id.*

**(3) Assertion of the Right to Speedy Trial**

The accused has some responsibility to assert a speedy trial claim. *Barker v. Wingo*, 407 U.S. at 529. When he or she does demand a speedy trial, that demand "is entitled to strong evidentiary weight in determining whether the [accused] is being denied that right." *Id.* at 531-32. The accused's assertion can, and often is made to Government officers, as well as to the Courts. *See e.g. Cooley*, 75 M.J. at 253 (where appellant satisfied this prong with pre-trial demands to military authorities before charges were preferred against him or referred to a Court. There is, however, no special or required formulation of the demand required, other than it asserts the desire to be tried in conformity with the right to a speedy trial. *See Barker v. Wingo*, 407 U.S. at 529 ("[The flexible approach articulated] would allow a court to weigh the frequency and force of the objections as opposed to attaching significant weight to a purely *pro forma* objection."); *see also United States v. Battis*, 589 F. 2d 673, 681 (3d Cir. 2009) (finding the defendant was obligated to make a "reasonable assertion of his speedy trial right" and not a procedurally perfect one in light of *Barker v. Wingo*); *Prince v. Alabama*, 507 F.2d 693, 703 (5th Cir. 1975) ("We interpret these rulings as an indication that the courts should take a liberal view of convict-defendants' attempts to contact the prosecutors and courts in other jurisdictions regarding charges pending against them there.").

**(4) Prejudice**

The Supreme Court has established the following test for prejudice in the speedy trial context:

> Prejudice, of course, should be assessed in the light of the interests of defendants which the speedy trial right was designed to protect. This Court has identified three such interests: (i) to prevent oppressive pretrial incarceration; (ii) to minimize anxiety and concern of the accused; and (iii) to limit the possibility that the defense will be impaired. Of these, the most serious is the last, because the inability of a defendant adequately to prepare his case skews the fairness of the entire system.

*United States v. Mizgala*, 61 M.J. 122, 129 (C.A.A.F. 2005) (quoting *Barker*, 407 U.S. at 532 (footnote omitted)).

However, the Court's "consideration of prejudice is not limited to the specifically demonstrable" and the "affirmative proof of particularized prejudice is not essential to every speedy trial claim." *Doggett*, 505 U.S. at 655 (internal citations omitted). In fact, *Barker v. Wingo*, "explicitly recognized that impairment of one's defense is the most difficult for of speedy trial prejudice to prove because time's erosion of exculpatory evidence and testimony can rarely be shown." *Id*. (citing *Barker v. Wingo*, 407 U.S. at 532) (internal quotation marks omitted). Thus, Courts "have to recognize that excessive delay presumptively compromises the reliability of a trial in ways that neither party can prove, or for that matter, identify." *Id*.

e. Ordinarily, dismissal is the only appropriate remedy for a violation of the accused's right to a speedy trial.

Dismissal is "the only possible remedy" for a denial of the constitutional right to a speedy trial. *Strunk v. United States*, 412 U.S. 434, 440 (1973) (quoting *Barker v. Wingo*, 407 U.S. 522).

## ARGUMENT

a. The Convening Authority abused his discretion in granting the Government a delay under R.C.M. 707.

In its first request for excludable delay submitted 1 July 2025, the Government claimed that investigations remained ongoing into each allegation CSSN Copeland was accused of to include, Articles 107, 117a, 118, 120, 128, and 128b, UCMJ. However, all of the allegations against CSSN Copeland that did not include CS3 A.R.'s death had already been concluded was in the trial counsel's possession. The Convening Authority should have identified this inaccuracy prior to granting the Government's excludable delay request. The Defense objected by encouraging the Convening Authority to seek more information—actually require the Government to first show good cause—why such request should be granted. The Defense even highlighted the fact that one of the investigations started in July 2024, the previous year. No explanation was made or required into the Government's claim that extensive ongoing investigations into each allegation. Instead, the Convening Authority, over the Defense's objection simply rubberstamped a blanket exclusion of time.

Even more indicative that the Convening Authority abused his discretion is the fact that the Government submitted a second request stating the exact same inaccuracy, verbatim, as it did in its first request. Moreover, this second request for excludable delay was to extend the total excludable delay amount to 67 continuous days. The Defense once again objected demanding that the Convening Authority request good cause from the Government. No information was provided to explain what was completed between the first timeframe of delay granted. No information about the amount of witnesses required to still be interviewed. No information was given to explain why the Government requested 15 August 2025 as the end date of their excludable delay request. No specificity at all. Nevertheless, the Convening Authority, over the

Defense's objection, once again rubberstamped a blanket approval to the Government's request. Like the special court-martial convening authority in *Proctor*, the Convening Authority in this case granted a blanket exclusion of time, rather than delay between two intervals in the court-martial process. As such, the Convening Authority abused his discretion in granting both the Government's excludable delay requests. Consequently, the Government was two days past the R.C.M. 707 deadline.

Here, the violation of R.C.M. 707 requires dismissal and the four factors weigh in favor of dismissal with prejudice. Although the charges in this case are serious, CSSN Copeland has been in pre-trial confinement and maximum custody status (essentially solitary confinement) since 9 June 2025, and he currently remains in pre-trial confinement to this day. Not only that, the conditions of his pre-trial confinement, as detailed within the Defense's Motion for Appropriate Relief for Illegal Pre-trial Punishment, are too severe and more harsh than necessary.[1] If the charges were dismissed without prejudice, any re-prosecution would not result in administration of justice because the plain meaning of R.C.M. 707 would be thwarted. R.C.M. 707 requires dismissal, but if the Government is permitted to re-prosecute, this would only lead to further delay for CSSN Copeland. Finally, CSSN Copeland would suffer prejudice daily as a result of the R.C.M. 707 violation by being deprived of his liberty. Additionally, his ability to discuss his case with counsel and assist in trial preparations was severely limited and strained as a result of his pre-trial confinement and brig protocol throughout the entire duration of the R.C.M. 707 time requirements.

b. All four of the *Barker v. Wingo* factors weigh against the Government, warranting dismissal of the charges with prejudice for a violation of CSSN Copeland's Article 10 and Sixth Amendment Rights.

**(1) The length of the delay is facially unreasonable under the circumstances.**

Under the specific facts and circumstances of this case, just the delay it took to get this case even to arraignment is facially unreasonable. That alone was 123 days. All of the investigations involving the named alleged victims: ABHAN C.R., CSSN S.S., and CSSN S.R. were already completed before CSSN Copeland even went into pre-trial confinement. No further investigative steps were taken in those case after 9 June 2025. Even with the investigation involving CS3 A.R.'s death, many of the investigative steps in that case had already happened. By the time CSSN Copeland was placed into pre-trial confinement, majority of the interviews had been completed, including several of CSSN Copeland, places had been canvased and searched, and data from some search warrants had already returned. Within CSSN Copeland's first week of confinement, CS3 A.R.'s body had been found, the autopsy of her body—which NCIS was present for—had already been completed, and CSSN Copeland's belongings had been searched. In just over 30 days from the time CSSN Copeland was placed into confinement, the investigation into CS3 A.R.'s death was substantially complete. Yet, the Government still took approximately 88 days to get the case to arraignment. Even worse, which should highly be considered, by the time CSSN Copeland will have gone to trial, he will have served 360 days. This factor is in the Defense's favor.

[1] *See* Defense MFAR Article 13

**(2) The reasons for the delay are solely attributed to a failure on the part of the Government and not CSSN Copeland.**

As previously mentioned, CSSN Copeland and the Defense have not requested any delays throughout this case, and the Convening Authority's decision to grant the Government's delay was improper: accordingly, the proffered reasons for delay in the Government's requests are unreasonable. Based on the facts and circumstances surrounding the investigation and the fact all investigations were substantially complete by mid-July of 2025, the logical determination is that the Government sought time to justify this foreseeable motion, not because the delay was necessary.

Although the trial date was jointly proposed by both sides, the Defense would have sought less time between arraignment and trial, if the defense counsel had adequate access to the discovery in this case and confidential communications with our client, as we requested numerous times before and after preferral to no avail. The Government's decision to not share evidence with the Defense should be heavily scrutinized. It begs the question itself: why was the discovery not initially sent as soon as the case was preferred on 22 August 2025? Instead, the initial discovery was not sent until 12 September 2025—this is 22 days after preferral and 75 days after the Defense submitted our initial discovery request citing to Rules 3.4 and 3.8 of the JAG Corps Rules for Professional Responsibility. Even worse, the Defense just recently received discovery on 20 November and 21 November 2025 for the NCIS Report of Investigation (ROI) dated 7 July 2025 into CSSN S.R.'s allegations, and a Digital Forensics Exam report of CSSN Copeland's phone completed on 12 August 2025, respectively. The delay in receipt of discovery that the Government has had for months shows a lack of due diligence in moving this case forward to trial. The sole reason defense counsel submitted the initial request on 30 June 2025 was to avoid any and all possible delay. The Government should not reap the benefits of the delay it has forced on the Defense.

**(3) CSSN Copeland demanded speedy trial twice and has requested zero delays or continuances**

It is undisputed that CSSN Copeland has not filed any requests for delay or continuances at any point and has demanded speedy trial, twice.

**(4) CSSN Copeland has suffered personal and professional prejudice, elevated anxiety and concern, and hindered from early case preparation.**

CSSN Copeland has suffered oppressive pre-trial confinement while at Naval Consolidated Brig Chesapeake, and his ability to adequately prepare his case prior to arraignment has been impaired. The Government's treatment of CSSN Copeland solely based on an allegation and his pre-trial prisoner status, has detrimentally impacted his attorney-client relationship early in the process.

The first opportunity the Defense had to have a substantive conversation with CSSN Copeland regarding the allegations following his IRO hearing did not and could not occur until 15 September 2025 when CSSN Copeland was made to travel to Naval Station Norfolk because

the Court scheduled an Article 30a hearing on the Defense's MFAR. Other than that, date it was not until 6 October 2025 when the Government finally allowed for in-person attorney-client communications in the same room. Prior to this time, CSSN Copeland did not have the ability to have a private, privileged conversation with his defense counsel without the concern of others overhearing. Because of this concern, CSSN Copeland was deprived from preparing for his case for 113 days of his time in pre-trial confinement. Here, the four factors for the Sixth Amendment analysis weigh in favor of dismissal with prejudice.

The Government's actions (or inaction) show that they did not use "reasonable diligence" in bringing this case to trial. Although Article 10 "does not demand constant motion," it still imposes a standard of "reasonable diligence" in bringing the charges to trial. *Mizgala*, 61 M.J. at 129. The overwhelming facts in this case were apparent within a week of CSSN Copeland's confinement. If there was any doubt at all, the Government had all it needed by mid-July, when the findings of the toxicology exam were completed on CS3 A.R., to diligently bring CSSN Copeland to trial. Failure to do so resulted in a violation of CSSN Copeland's Article 10 rights and as such all charges and specifications should be dismissed with prejudice.

## RELIEF REQUESTED

The Defense requests the Government provide a chronology of events to assist the Court with understanding the timeline and delay. Additionally, pursuant to Article 10, UCMJ, the Sixth Amendment of the U.S. Constitution and Rule for Court-Martial (R.C.M.) 707, the Defense respectfully requests that the Military Judge dismiss all charges and specifications with prejudice.

## EVIDENCE AND HEARING

The Defense requests oral argument on this matter.

- Enclosure (A): Brig Response to Defense's Request for Contact Visits
- Enclosure (B): Approval of Government's Second Excludable Delay Request
- Enclosure (C): Article 32 Appointing Order
- Enclosure (D): Discovery Receipt for Initial Discovery
- Enclosure (E): Discovery Receipts for DFE Report dtd 12 Aug 25 and Report of Investigation for CSSN S.R.

[redacted]

C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]
C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **ENCLOSURES TO DEFENSE MOTION TO DISMISS WITH PREJUDICE FOR LACK OF SPEEDY TRIAL PURSUANT TO ARTICLE 10, SIXTH AMENDMENT & R.C.M. 707 VIOLATIONS (Speedy Trial)**<br><br>**26 November 2025** |

- Enclosure (A): Brig Response to Defense's Request for Contact Visits
- Enclosure (B): Approval of Government's Second Excludable Delay Request
- Enclosure (C): Article 32 Appointing Order
- Enclosure (D): Discovery Receipt for Initial Discovery
- Enclosure (E): Discovery Receipts for DFE Report dtd 12 Aug 25 and Report of Investigation for CSSN S.R.

**DEPARTMENT OF THE NAVY**
NAVAL CONSOLIDATED BRIG CHARLESTON
1050 REMOUNT RD, BLDG 3107
CHARLESTON SC 29406-3515

6 Oct 25

From: Commanding Officer, Naval Consolidated Brig Charleston
To: Officer in Charge, Naval Consolidated Brig Charleston Detachment Chesapeake
Info: CAPT Derek Butler, JAGC, USN, Region Special Trial Counsel, Office of Special Trial Counsel

Subj: RESPONSE TO THE REQUEST FOR A CONTACT VISIT WITH COUNSEL ICO CSSN JERMIAH T. COPELAND

Ref: (a) Naval OSTC Det Norfolk ltr of 2 Oct 25

1. In response to ref (a) and in support of the government's position on this unique case, limited exception to policy is cautiously granted with the following caveats:

a. The prisoner will remain restrained at all times during the visit.

b. The prisoner visits will be conducted in a brig contact room and staff will maintain current security protocols; no further adjustments will be authorized.

c. Any guilty Disciplinary Review Board findings, whether related to a visit or not, will revoke this exception and return the prisoner to standard protocols associated with his classification.

d. Any security protocol violations during the visit will return the prisoner to standard protocols associated with his classification.

2. I note that isolated instances of previously demonstrated compliance do not mitigate risk with prisoners facing severe sentences and consequences. This is particularly true in cases where a prisoner may receive unexpected news or information that serve as a trigger for volatile behavior. Allowing contact visits for prisoners designated with a custody classification of "maximum" increases risk to the safety of visiting personnel and my staff. Brig security policy is in place for everyone's safety, even when it is inconvenient. I have seen numerous staff assaulted in my tenure by unstable prisoners who were at times compliant, thus the cautious approval of this unique government request. I hope this level of risk, which I wholly own, is noted for any future requests.

[redacted]
J. M. BRISCO JR.

**DEPARTMENT OF THE NAVY**
**COMMANDER**
**NAVY REGION MID-ATLANTIC**
**1510 GILBERT STREET**
**NORFOLK, VA 23511-2737**

5810
Ser N00J/499
27 Aug 25

From: Commander, Navy Region Mid-Atlantic
To: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: RESPONSE TO GOVERNMENT'S SECOND REQUEST FOR EXCLUDABLE DELAY ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) Your ltr dated 8 Aug 25
(b) LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel ltr of 11 Aug 25

1. Pursuant to Rules of Courts-Martial 707, the Government's request for excludable delay, reference (a), from 25 July 2025 to 15 August 2025 is hereby approved. I have reviewed reference (b), and have determined that the Government's request is reasonable in both length and rationale based on the Government's stated basis.

2. My point of contact for this matter is Staff Judge Advocate, CDR Beasley-Ledet, JAGC, USN (757) 322-2936, or via email at ronisha.t.beasleyledet.mil@us.navy.mil.

[redacted]
C. A. LAHTI

Copy to:
Detailed Defense Counsel
File

**DEPARTMENT OF THE NAVY**
**COMMANDER**
**NAVY REGION MID-ATLANTIC**
**1510 GILBERT STREET**
**NORFOLK, VA 23511-2737**

5800
Ser N00J/528
3 Sep 25

From: Commander, Navy Region Mid-Atlantic
To: CDR John Butler, JAGC, USN, Preliminary Hearing Officer

Subj: APPOINTMENT AS ARTICLE 32 PRELIMINARY HEARING OFFICER IN THE CASE OF THE UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

Ref: (a) Article 32, UCMJ
(b) R.C.M. 405 (2024 ed.)
(c) R.C.M. 707(c) (2024 ed.)
(d) Article 6b, UCMJ
(e) M.R.E. 412 MCM
(f) M.R.E. 513 MCM
(g) M.R.E. 514 MCM

Encl: (1) Preferred Charge Sheet (DD Form 458) of 22 Aug 25

1. Pursuant to references (a) and (b), you are hereby appointed as the Preliminary Hearing Officer (PHO) to conduct a preliminary hearing into all matters set forth in the charges and specifications preferred against CSSN Jermiah Copeland, U.S. Navy, on 22 August 2025, as set forth in enclosure (1). Your investigation shall be conducted in accordance with the relevant provisions of the 2024 Manual for Courts-Martial, references (a) through (c), and current case law relating to preliminary hearings.

2. The following additional personnel are detailed to the preliminary hearing for the purpose indicated:

**Counsel for the Government**

CDR Lauren Mayo, JAGC, USN, and LT Christopher Dempsey, JAGC, USN, are certified under Article 27(b), UCMJ and previously sworn under Article 42(a), UCMJ.

**Defense Counsel**

LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN, are certified under Article 27(b), UCMJ and previously sworn under Article 42(a), UCMJ.

3. The preliminary hearing shall be held on **18 September 2025**. Authority to grant no more than two (2) continuances for a total of 30 days is delegated to the PHO pursuant to reference (c). Any additional delay must be approved by the convening authority. Requests for delay shall be submitted to you in writing, via the counsel for the government, for approval or disapproval. Pursuant to reference (c), you are also authorized to make a finding of excludable delay for any

requests for delay; this finding must be in writing and included in your report. All requests for delay, regardless of decision, shall be included in your final report.

4. All requests by defense counsel for production of witnesses or evidence shall be submitted to you, via the counsel for the government, at least **seven calendar days** prior to the start of the hearing. The counsel for the government shall provide you a response to the defense's request at least **three calendar days** prior to the start of the hearing. All witness and evidence production requests shall contain sufficient information to meet the production of witness requirements contained in reference (b).

5. As provided in references (a) and (b), the purpose and scope of the preliminary hearing is limited to the following:

a. Determination as to whether there is probable cause, an offense has been committed, and the accused committed the offense;

b. Determination as to whether the convening authority has jurisdiction over the offense and the accused;

c. Consideration of the form of the charges; and,

d. Recommendation as to the disposition of the case.

The preliminary hearing is not meant as a means of discovery for any party, and all evidence presented must be relevant to the purpose of the hearing.

6. As provided in references (a) and (d), the victim has a right to be informed of the date, time, and location of the hearing, to refuse to testify, and to confer with the counsel for the government. The victim also has a right not to be excluded from the hearing unless you receive clear and convincing evidence that the victim's testimony would be materially altered if the victim heard other testimony at the hearing. Pursuant to references (a) and (e) through (g), any party intending to introduce evidence in accordance with references (e) through (g) must provide notice at **least five days prior** to the preliminary hearing. This notice and any relevant filings must be provided to the victim's legal counsel, if represented, and the victim has a right to be heard on these matters. You must close the courtroom for any hearings upon reference (e) and you may close the courtroom for any hearings pursuant to references (f) and (g) upon motion of any party and good cause shown. You are specifically directed to seal any exhibits or testimony received pursuant to references (e) through (g).

7. I authorize the use of audio-visual technology between you and the parties, in accordance with R.C.M. 405(k)(4) and section 0132 of JAGINST 5800.7G, CH-2. The prescribed uniform is Service Uniform.

8. You are directed to provide a report of the preliminary hearing to the detailed special trial counsel as soon as possible after the conclusion of the investigation, but no later than 10 calendar days after the conclusion of the investigation. Any request for delay in submitting the report shall be submitted to the convening authority in writing.

Subj: APPOINTMENT AS ARTICLE 32 PRELIMINARY HEARING OFFICER IN THE CASE OF THE UNITED STATES V. CSSN JERMIAH T. COPELAND, USN

9. My point of contact in this matter is CDR Roni Bealey-Ledet, JAGC, USN, and she may be reached by phone at 757-322-2936 or email at ronisha.t.beasleyledet.mil@us.navy.mil.

[redacted]

R. BEASLEY-LEDET
By direction

Copy to:
Government Counsel
Defense Counsel

## Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** NoReplyNCORS@navy.mil on behalf of NCORS Case Management System <noreplyncors@www.appian.com>
**Sent:** Friday, September 12, 2025 4:34 PM
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Jamesleematos, Amber E PO2 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Jooshani, Sahar CDR USN (USA); Alexander, Alexandra CIV USN DEFSVCOFF SE NOR VA (USA); Cary, Kaitlyn R PO1 USN JNTEXPB LCR FTS VA (USA); Abel, Emily E PO1 USN DEFSVCOFF SE NOR VA (USA); Port, Juana J PO1 USN (USA); Bullock, Travis L LCDR USN (USA); Badanes, Lori J CIV USN DEFSVCOFF SE NOR VA (USA); Vargas, Lephania CIV (USA)
**Subject:** Acknowledge Discovery documents in case U.S. v. Copeland (3) (Rank: SN)

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| 0096-0100_ROI_Interim_Ex-9_08JUL25 | 96 | 100 |
| 0101-0129_v[redacted] File_ | 101 | 129 |
| 0130-0329_ROI_Interim_Ex 1-33_17Jun25 | 130 | 329 |
| 0330-0588_ROI_Interim_Ex 34-75_30Jun25 | 330 | 588 |
| 0589_1146_ROI_Interim_Ex 76-176_22Jul25 | 589 | 1146 |
| 1147-1233_ROI_Interim_Ex 177-192_06Aug25 | 1147 | 1233 |
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**From:** NoReplyNCORS@navy.mil on behalf of NCORS Case Management System <noreplyncors@www.appian.com>
**Sent:** Friday, November 21, 2025 12:49 PM
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Mihill, Todd M LCDR USCG (USA); Jamesleematos, Amber E PO2 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Jooshani, Sahar CDR USN (USA); Alexander, Alexandra CIV USN DEFSVCOFF SE NOR VA (USA); Cary, Kaitlyn R PO1 USN JNTEXPB LCR FTS VA (USA); Abel, Emily E PO1 USN DEFSVCOFF SE NOR VA (USA); Port, Juana J PO1 USN (USA); Bullock, Travis L LCDR USN (USA); Badanes, Lori J CIV USN DEFSVCOFF SE NOR VA (USA); Vargas, Lephania CIV (USA)
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| BS 2299-2484_DFE Report 12AUG25 | 2299 | 2484 |

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**Sent:** Thursday, November 20, 2025 1:07 PM
**To:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Mihill, Todd M LCDR USCG (USA); Jamesleematos, Amber E PO2 USN (USA); Barletto, Bryan C CDR USN DEFSVCOFF SE NOR VA (USA); Jooshani, Sahar CDR USN (USA); Alexander, Alexandra CIV USN DEFSVCOFF SE NOR VA (USA); Cary, Kaitlyn R PO1 USN JNTEXPB LCR FTS VA (USA); Abel, Emily E PO1 USN DEFSVCOFF SE NOR VA (USA); Port, Juana J PO1 USN (USA); Bullock, Travis L LCDR USN (USA); Badanes, Lori J CIV USN DEFSVCOFF SE NOR VA (USA); Vargas, Lephania CIV (USA)
**Subject:** Acknowledge Discovery documents in case U.S. v. Copeland (3) (Rank: SN)

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| BS 2202-2262_ROI CCN 07JUL25 NFNF 00304 7VNA_V_SK_Redacted | 2202 | 2262 |
| BS 2263-2306_Interim ROI 12NOV25_01JUN25-NFNF-00237-7HNA | 2263 | 2306 |

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**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **SUPPLEMENTAL ENCLOSURES TO DEFENSE MOTION TO DISMISS WITH PREJUDICE FOR LACK OF SPEEDY TRIAL PURSUANT TO ARTICLE 10, SIXTH AMENDMENT & R.C.M. 707 VIOLATIONS**<br>**(Speedy Trial)**<br><br>**12 December 2025** |

- Enclosure (F): CSSN S.S. Investigation Narrative Summary Showing Investigative Steps Prior to CSSN Copeland's Confinement
- Enclosure (G): ABHAN C.R. Investigation Narrative Summary Showing Investigative Steps Prior to CSSN Copeland's Confinement
- Enclosure (H): CSSN S.R. CLEOC Investigation Showing Investigative Steps Prior to CSSN Copeland's Confinement
- Enclosure (I): CS3 A.R. Investigation Narrative Summaries Showing Investigative Steps Prior to CSSN Copeland's Confinement
- Enclosure (J): Copeland Article 138 Complaint ltr of 13 Aug 25

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM) 19MAR25

SEXUAL ASSAULT - ADULT (II) CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
PII
V/S , S /SN USN
PII

COMMAND/USS HARRY S TRUMAN (CVN 75)/21853

MADE AT/NFXQ/RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)/BERNADETTE DUFFY, SPECIAL AGENT

REFERENCE(S)
(A) NCISRU USS HARRY S. TRUMAN (CVN 75) CASE FILE/ S/COPELAND, JEREMIAH TAYLOR/SN USN/ CCN:26JUL24-NFXQ-00015-8CNA

EXHIBIT(S)
(1) IA: RESULTS OF PRELIMINARY INTERVIEW OF V/06NOV24
(2) IA: RESULTS OF ATTEMPTS TO LOCATE CELLULAR TELEPHONE/06NOV24
(3) IA: RESULTS OF INTERVIEW OF CS2 DAMARKO SINGLETARY, USN/06NOV24
(4) IA: RESULTS OF INTERVIEW OF CSSA JACQUELINE BITA, USN/06NOV24
(5) IA: RESULTS OF INTERVIEW OF CDR BRETT BALLARD, USN/06NOV24
(6) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE (PASS)/06NOV24
(7) IA: RESULTS OF INTERVIEW OF CSSN KAULISE COUSINS, USN/06NOV24
(8) IA: RESULTS OF INTERVIEW OF V/07NOV24
(9) IA: RESULTS OF INTERVIEW OF CSSN SHAMEL EADDY, USN/08NOV24
(10) IA: RESULTS OF INTERVIEW OF CSSN ALEXIS RODGERS, USN/08NOV24
(11) IA: RESULTS OF INTERVIEW OF CSSA JAKOBIE GANT, USN/08NOV24
(12) IA: RESULTS OF INTERVIEW OF CSSA NICHOLAS SPIVEY, USN/08NOV24
(13) IA: RECEIPT OF SEXUAL ASSAULT FORENSIC EXAMINATION (SAFE) KIT/10NOV24
(14) IA: RESULTS OF INTERVIEW OF CSSN JADA KNIGHT, USN/18NOV24
(15) IA: RESULTS OF INTERVIEW OF S/COPELAND/18NOV24
(16) IA: RESULTS OF SECOND INTERVIEW OF S/COPELAND/20DEC24
(17) IA: RESULTS OF INTERVIEW OF CSSN KAYLEE PARKS, USN/18MAR25
(18) IA: RESULTS OF INTERVIEW OF CS2 KIRSTEN CLICK, USN/18MAR25

EXECUTIVE SUMMARY
1. On 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN Sonique ( ), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. V underwent a Sexual Assault Forensic



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Examination (SAFE) aboard the ship. During her interview on 07Nov24, V[redacted] stated she was intoxicated and did not remember sexual contact with S/COPELAND, but other sailors approached her the following day and indicated S/COPELAND showed multiple sailors a video on his cellular telephone of his sexual contact with her. Multiple witness interviews were conducted corroborating the existence of a video and sexual encounter. S/COPELAND was interviewed on 18Nov24 and 20Dec24 and subsequent to waiving his Article 31b Rights stated the sexual contact with V[redacted] was consensual and admitted to producing a video recording during the sexual encounter. A Military Protective Order (MPO) was requested. This investigation remains open pending forensic analysis of the Sexual Assault Forensic Examination (SAFE) kit and any other investigative actions deemed necessary.

NARRATIVE

1. This reactive criminal investigation pertains to a suspected violation of Article 120 (Abusive Sexual Contact) of the Uniform Code of Military Justice (UCMJ).

2. Reference (A) documents a prior abusive sexual assault allegation wherein S/COPELAND is the subject.

3. On 06Nov24, a preliminary interview with V[redacted] was conducted wherein she stated she learned of a video circulated by S/COPELAND that depicted sexual intercourse. V/[redacted] stated she was intoxicated at the time the video was taken and was too intoxicated to consent; Exhibit (1) pertains.

4. On 06Nov24, Reporting Agent (RA) made attempts to locate the cellular telephone belonging to S/COPELAND via verbal consent of S/COPELAND's person and the person of CSSN Kaulise COUSINS, USN, CVN 75. The cellular telephone was not located; Exhibit (2) pertains.

5. On 06Nov24, CS2 Demarko SINGLETARY, USN, CVN 75, was interviewed in reference to the investigation. CS2 SINGLETARY stated V/[redacted] disclosed the assault to him and indicated the names of other sailors who had purportedly seen the video of the sexual encounter; Exhibit (3) pertains.

6. On 06Nov24, CSSA Jacqueline BITA, USN, CVN 75, was interviewed in reference to the investigation. CSSA BITA stated S/COPELAND showed her a video of him having sexual intercourse with V[redacted] on the night of the offense; Exhibit (4) pertains.

7. On 06Nov24, CDR Brett BALLARD, USN, Executive Officer (XO), HSC 11, was interviewed in reference to the investigation. CDR BALLARD recalled his involvement in assisting S/COPELAND back to the ship as the Senior Shore



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Patrol Representative the day following the offense; Exhibit (5) pertains.

8. On 06Nov24, RA made further attempts to locate the cellular telephone belonging to S/COPELAND via Permissive Authorization for Search and Seizure (PASS). The berthing, rack, and personal spaces belonging to S/COPELAND aboard the ship were searched with negative results; Exhibit (6) pertains.

9. On 06Nov24, CSSN COUSINS was interviewed in reference to the investigation. CSSN COUSINS denied ever having possession of S/COPELAND's cellular telephone or disposing of the cellular telephone for S/COPELAND; Exhibit (7) pertains.

10. On 07Nov24, V[redacted] was interviewed in reference to the investigation. [redacted] stated she did not remember having sexual intercourse with S/COPELAND due to alcohol consumption. V[redacted] stated she subsequently heard rumors of S/COPELAND circulating a video of them having sexual intercourse and confronted S/COPELAND about it via telephone, at which time S/COPELAND made a statement of denial; Exhibit (8) pertains.

11. On 07Nov24, CSSN Shamel EADDY, USN, CVN 75, was interviewed in reference to the investigation. CSSN EADDY provided RA with a video of V[redacted] confronting S/COPELAND telephonically; Exhibit (9) pertains.

12. On 08Nov24, CSSN Alexis RODGERS, USN, HSC 11, was interviewed in reference to the investigation. CSSN RODGERS recalled accompanying V/[redacted] on liberty on 04Nov24; Exhibit (10) pertains.

13. On 08Nov24, CSSA Jakobie GANT, USN, CVN 75, was interviewed in reference to the investigation. CSSA GANT related on 05Nov24, he was approached by S/COPELAND, who stated he had sexual intercourse with V/[redacted] and seemed excited about it. CSSA GANT related S/COPELAND stated V[redacted] kissed S/COPELAND's neck and had sexual intercourse; Exhibit (11) pertains.

14. On 08Nov24, CSSA Nicholas SPIVEY, USN, CVN 75, was interviewed in reference to the investigation. CSSA SPIVEY had no personal knowledge of the event, but provided V/[redacted] S/COPELAND's telephone number so she could call him and confront S/COPELAND about the rumors; Exhibit (12) pertains.

15. On 10Nov24, RA received the Sexual Assault Forensic Examination (SAFE) Kit pertaining to V/[redacted] from LT Rasheda DIA, USN, CVN 75; Exhibit (13) pertains.

16. On 18Nov24, CSSN Jada KNIGHT, USN, VAW 126, was interviewed in reference to the investigation. CSSN KNIGHT recalled S/COPELAND showing her a video of



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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him having sexual intercourse with [redacted] the night of 04Nov24 and provided RA with a separate video of V/[redacted] during the same evening following the assault of V[redacted] drinking alcohol; Exhibit (14) pertains.

17. On 18Nov24, S/COPELAND was interviewed in reference to the investigation. Subsequent to waiving his Article 31b Rights, S/COPELAND admitted to taking a video of him having sexual intercourse with V/[redacted] in a bathroom stall of the bar but stated the sexual intercourse was consensual. S/COPELAND stated he lost his cellular telephone prior to returning back to the ship on 05Nov24. S/COPELAND provided a sample of his DNA via PASS; Exhibit (15) pertains.

18. On 20Dec24, a secondary interview of S/COPELAND was conducted per his request. Subsequent to waiving his Article 31b Rights, S/COPELAND provided RA with photographs and videos of the evening from his newly purchased cellular telephone, but stated he no longer possessed the video of him having sexual intercourse with V[redacted]; Exhibit (16) pertains.

19. On 18Mar25, CSSN Kaylee PARKS, USN, CVN 75, was interviewed and recalled her observations of V[redacted] and S/COPELAND at Heidi's Bier Bar in Oslo, Norway; Exhibit (17) pertains.

20. On 19Mar25, CS2 Kirsten CLICK, USN, Strike Fighter Squadron 11 (VFA-11), was interviewed and recalled events that took place at Heidi's Bier Bar in Oslo, Norway; Exhibit (18) pertains.

21. On 28Feb25, CDR Michelle MATTHEWS, USN, Commanding Officer (CO), USS JAMES E WILLIAMS (DDG 95), was notified concerning the status of the investigation.

22. This investigation remains open pending forensic analysis of the Sexual Assault Forensic Examination (SAFE) kit and any other investigative actions deemed necessary.

23. The generation of this reporting was delayed due to connectivity at sea and operational tempo aboard the USS HARRY S TRUMAN (CVN 75).

DISTRIBUTION
NCISHQ:023E
INFO :USS JAMES E WILLIAMS (DDG 95) (CDR Timothy WINTERS, USN, Commanding Officer (CO), USS JAMES E WILLIAMS (DDG 95)(timothy.winters@ddg95.navy.mil)) (E)/NFFO/NFXQ/ COMNAVSURFLANT (LT George KUNTHARA, JAGC, USN, Staff Judge Advocate (CJA), COMNAVSURFLANT(george.kunthara.mil@us.navy.mil)) (E)/OSTC Norfolk (trialcounseldutyemail.mil@us.navy.mil) (E)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM) 22OCT24

SEXUAL CONTACT - ADULT (II) CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]
V/R[redacted], C[redacted]/SN USN
[redacted]

COMMAND/USS HARRY S TRUMAN (CVN 75)/21853

MADE AT/NFXQ/RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)/BERNADETTE DUFFY, SPECIAL AGENT

EXHIBIT(S)
(1) IA: RECEIPT OF STATEMENT OF CSSN FERNANDO CUESTABRAVO, USN/26JUL24
(2) IA: RESULTS OF SOCIAL MEDIA CHECKS/29JUL24
(3) IA: RESULTS OF INTERVIEW OF V[redacted]06AUG24
(4) IA: RESULTS OF INTERVIEW OF CSSN JAELEN OWENS, USN/16AUG24
(5) IA: RESULTS OF INTERVIEW OF CSSN FERNANDO CUESTABRAVO, USN/16AUG24
(6) IA: RESULTS OF INTERVIEW OF CSC GREGORY SIMMONS, USN/16AUG24
(7) IA: RESULTS OF INTERVIEW OF CSSA DEONTAE WILLIAMS, USN/16AUG24
(8) IA: RESULTS OF INTERVIEW OF S/COPELAND/16AUG24

EXECUTIVE SUMMARY
1. On 26Jul24, NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, USS HARRY S TRUMAN (CVN 75), of an unrestricted report of sexual assault wherein ABHAN [redacted] (V/[redacted], USN, CVN 75, stated she was sexually assaulted by CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, while aboard the ship in port on 23Jul24 at approximately 0200 hours. During her interview on 06Aug24, V/[redacted] stated S/COPELAND grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe. Multiple witnesses were interviewed in reference to the offense. During his interview on 16Aug24, subsequent to waiving his Article 31b Rights, S/COPELAND denied the allegations. A Military Protective Order (MPO) was requested. All investigative actions completed, this case is hereby pending administrative and/or judicial action.

NARRATIVE
1. This reactive criminal investigation pertains to a suspected violation of Article 120 (Abusive Sexual Contact) of the Uniform Code of Military Justice (UCMJ).

2. On 26Jul24, MA1 Ronald CORTESELLI, USN, CVN 75, forwarded the voluntary statement of CSSN Fernando CUESTABRAVO, USN, CVN 75, related to the assault; Exhibit (1) pertains.



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ENCLOSURE G

000074_COPELAND

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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3. On 29Jul24, Participating Representative Wynter EDWARDS conducted social media checks in reference to the investigation; Exhibit (2) pertains.

4. On 06Aug24, V/[redacted] was interviewed in reference to the offense by Reporting Agent (RA) while aboard the ship at sea. V/[redacted] stated S/COPELAND grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe; Exhibit (3) pertains.

5. On 16Aug24, RA interviewed CSSN Jaelen OWENS, USN, CVN 75, in reference to the offense. CSSN OWENS stated he was approached by S/COPELAND approximately two (2) months prior to the interview and CSSN CUESTABRAVO informed S/COPELAND told him V/[redacted] had "put a case on" him (S/COPELAND) for an incident with CSSN CUESTABRAVO's girlfriend; Exhibit (4) pertains.

6. On 16Aug24, RA interviewed CSSN CUESTABRAVO in reference to the offense. CSSN CUESTABRAVO recalled at approximately 0200 hours on 24Jul24, he received text messages from V/[redacted] indicating something bad had happened. Later that morning, CSSN CUESTABRAVO stated V/[redacted] disclosed S/COPELAND had strangled her, grabbed her, and "touched her everywhere"; Exhibit (5) pertains.

7. On 16Aug24, RA interviewed CSC Gregory SIMMONS, USN, USS HARRY S TRUMAN (CVN 75), in reference to the offense. CSC SIMMONS related CSSN CUESTABRAVO approached him and stated S/COPELAND "assaulted" V/[redacted] Exhibit (6) pertains.

8. On 16Aug24, RA interviewed CSSA Deontae WILLIAMS, USN, CVN 75, in reference to the offense. recalled S/COPELAND told him CSSN Fernando CUESTABRAVO, USN, "put a case on [S/COPELAND]" because S/COPELAND was talking to V/[redacted] on SnapChat; Exhibit (7) pertains.

9. On 16Aug24, RA and MAC Adam NORMAN, USN, USS HARRY S TRUMAN (CVN 75), interviewed S/COPELAND in reference to the offense. Subsequently to waiving his Article 31b Rights, S/COPELAND denied the allegations; Exhibit (8) pertains.

10. The generation of this reporting was delayed due to connectivity at sea and operational tempo.

11. On 21Oct24, CAPT Michael SNOWDEN, USN, Commanding Officer (CO), CVN 75; and LCDR Nora LOPOPOLO, JAGC, USN, Command Judge Advocate (CJA), CVN 75, were apprised of the status of this investigation.

12. All investigative actions completed, this case is hereby pending



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:26JUL24-NFXQ-00015-8CNA** **22OCT24**

administrative and/or judicial action.

DISTRIBUTION
NCISHQ:023E
INFO :NFFO/NFXQ/USS HARRY S TRUMAN (CVN 75) (LCDR Nora LOPOPOLO, JAGC, USN, Command Judge Advocate (CJA), USS HARRY S TRUMAN (CVN 75)(LEGAL_DEPT@CVN75.NAVY.MIL)) (E)/OSTC Norfolk (trialcounseldutyemail@us.navy.mil) (E)

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| INCIDENT REPORT | INCIDENT NUMBER | REPORT NUMBER | REPORT TYPE |
|---|---|---|---|
| | 254752300197 | 254752300197 REVISION 1 | INITIAL |

***PRIVACY ACT STATEMENT***

**AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 5031; 44 U.S.C. 3103 and EO 9397
**PRINCIPAL PURPOSE:** Used to record information and details of criminal activity which may require investigative action by commanding officers, supervisors, security police, NCIS special agents, etc. Used to provide information to the appropriate individuals within DoD organizations who ensure that proper legal and administrative action is taken.
**ROUTINE USES:** Information may be disclosed to local, county, state and federal law enforcement or investigatory authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.
**DISCLOSURE IS VOLUNTARY:** SSN is used to positively identify the individual making the statement and as a conduit to check past criminal activity records.

**SECTION I. ADMINISTRATIVE**

Incident Subject : DISORDERLY CONDUCT (DOMESTIC)

| Date Received | Time Received | Incident Received | Start Date / Time of Incident | End Date / Time of Incident |
|---|---|---|---|---|
| 11-APR-2025 | 0648 | By Radio | 11-APR-2025 0530 | 11-APR-2025 0630 |

Weather : Clear
Lighting : Daylight

**SECTION II. COMPLAINANT(S)**

**SECTION III. OFFENSE(S)**

**OFFENSE**

Offense : UCMJ - Article 92 - Failure to obey order or regulation | Statutory Basis : UCMJ | On Base : YES | Offense Status : COMPLETED

Location : BLDG X-2 ROOM 335 (B) NORFOLK, Virginia
Location Type : Residence-BOQ/BEQ

Bias Motivation : No Bias

Offender Used :
Type Weapon / Force Used :

Type of Criminal Activity :

**OFFENSE**

Offense : UCMJ - Article 128 - Assault | Statutory Basis : UCMJ | On Base : YES | Offense Status : COMPLETED

Location : BLDG. X-2 ROOM 335 (B) NORFOLK, Virginia
Location Type : Residence-BOQ/BEQ

Bias Motivation : No Bias

Offender Used :
Type Weapon / Force Used : Bodily Force

Type of Criminal Activity : None/Unknown

**OFFENSE**

Offense : UCMJ - Article 134 - Weapon: concealed, carrying (prior to January 1, 2019) | Statutory Basis : UCMJ | On Base : YES | Offense Status : COMPLETED

Location : X-2 ROOM 335 (B) NORFOLK, Virginia
Location Type : Residence-BOQ/BEQ

Bias Motivation : No Bias

Offender Used :
Type Weapon / Force Used : Knife/Cutting Tool

Type of Criminal Activity : Possessing/Concealing

**OFFENSE**

Offense : UCMJ - Article 109 - Property other than military property of the U.S. - waste, spoilage, or destruction (on or after January 1, 2019) | Statutory Basis : UCMJ | On Base : YES | Offense Status : COMPLETED

Location : X-2 ROOM 335 (B) NORFOLK, Virginia
Location Type : Residence-BOQ/BEQ

Bias Motivation : No Bias

Offender Used :
Type Weapon / Force Used :

Type of Criminal Activity :

**OFFENSE**

**Offense :** UCMJ - Article 134 - Unlawful entry (prior to January 1, 2019) | **Statutory Basis :** UCMJ | **On Base :** YES | **Offense Status :** COMPLETED

**Location :** X-2 ROOM 335 (B) NORFOLK, Virginia | **Location Type :** Residence-BOQ/BEQ

**Bias Motivation :** No Bias

**Offender Used :** | **Type Weapon / Force Used :**

**Type of Criminal Activity :**

**BURGLARY / BREAKING AND ENTERING INFORMATION**

**Force Used :** Yes | **# of Premises Entered :** 1 | **Condition of Premise(s) :** Occupied

**Method(s) of Entry :** Bodily Force | **Tool(s) Used :** Bodily Force

**SECTION IV. PROPERTY**

**PROPERTY ITEM** | **Property Type :** Game Console

**Type of Property Loss** Damaged/Destroyed/Vandalized | **Quantity** | **Value** 500 | **Secured**

**Make / Model** PLAY STATION 5 | **Size** | **Color** | **Serial Number**

**Description**

**Disposition of Property** Destroyed | **Ownership Type** Private/Personal

**PROPERTY ITEM** | **Property Type :** Automobiles

**Type of Property Loss** Damaged/Destroyed/Vandalized | **Quantity** | **Value** 700 | **Secured**

**Make / Model** | **Size** | **Color** | **Serial Number**

**Description** tire

**Disposition of Property** Destroyed | **Ownership Type** Private/Personal

**SECTION IV. PROPERTY - NARCOTIC(S)**

**SECTION IV. PROPERTY - VEHICLE(S)**

**SECTION V. VICTIMS(S)**

**VICTIM** | **Victim Type** Individual | **DD2701 Issued**

**Name** COPELAND, JERMIAH TAYLOR | **ID Num** SSN / PII | **Rank** Seaman

**Branch of Service** Navy | **Personnel Type** MILITARY | **Status** Regular (Active) | **Date of Birth** PII | **Place of Birth** DURHAM NC, United States

**Sex :** Male | **Race :** Black or African American | **Ethnicity :** Unknown | **Resident of Jurisdiction :**

**Address**

**Organization** USS JAMES E WILLIAMS | **UIC / RUC** | **Work Telephone**

**ADDITIONAL VICTIM INFORMATION**

**Offense(s) Committed Against This Victim :** 2 - UCMJ - Article 128 - Assault , 4 - UCMJ - Article 109 - Property other than military property of the U.S. - waste, spoilage, or destruction (on or after January 1, 2019) , 5 - UCMJ - Article 134 - Unlawful entry (prior to January 1, 2019)

**Relationship of Victim to Suspect(s) :**
R[redacted]S[redacted] - Victim Was Ex-Relationship (Ex-boy/girlfriend)

**Aggravated Assault Circumstances :**

Injury Type(s):

| VICTIM | | | Victim Type: Society | DD2701 Issued |
|---|---|---|---|---|
| Name: SOCIETY, | | | ID Num: / UNKNOWN | Rank |
| Branch of Service | Personnel Type: UNKNOWN | Status: CIVILIAN | Date of Birth | Place of Birth |
| Sex : | Race : | Ethnicity : | | Resident of Jurisdiction : |
| Address | | | | |
| Organization | | | UIC / RUC | Work Telephone |

**ADDITIONAL VICTIM INFORMATION**

Offense(s) Committed Against This Victim : 3 - UCMJ - Article 134 - Weapon: concealed, carrying (prior to January 1, 2019)

Relationship of Victim to Suspect(s) :

Aggravated Assault Circumstances :

Injury Type(s):

**SECTION VI. WITNESS/SPONSOR - WITNESS(S)**

| WITNESS | | | | DD2701 Issued : |
|---|---|---|---|---|
| Name: BRYANT, JOSHUA TIMOTHY | | | ID Num: SSN / [redacted] | Rank: Petty Officer Second Class |
| Branch of Service: Navy | Personnel Type: MILITARY | Status: Regular (Active) | Date of Birth: [redacted] | Place of Birth: GOOSECREEK SC, United States |
| Address: [redacted] PII | | | | |
| Organization: USS JOHN E. WILLIAMS | | | UIC / RUC | Work Telephone |

| WITNESS | | | | DD2701 Issued : |
|---|---|---|---|---|
| Name: MONAGHAN, SEAN MICHAEL | | | ID Num: [redacted] PII | Rank: Seaman |
| Branch of Service: Navy | Personnel Type: MILITARY | Status: Regular (Active) | Date of Birth: [redacted] | Place of Birth: PA, United States |
| Address: [redacted] PII | | | | |
| Organization: HM-17 | | | UIC / RUC | Work Telephone |

**SECTION VI. WITNESS/SPONSOR - SPONSOR(S)**

**SECTION VII. SUSPECT(S) / ARRESTEE(S)**

**SUSPECT**

| [redacted] | | | ID Num: SSN / [redacted] | Rank: Seaman Apprentice |
|---|---|---|---|---|
| Branch of Service: Navy | Personnel Type: MILITARY | Status: Regular (Active) | Date of Birth: [redacted] | Place of Birth: BELLVILLE IL, United States |
| Address: [redacted] PII | | | | |
| Organization: UNACCOMPANIED HOUSING | | | UIC / RUC | Work Telephone |

Known Alias :

**ADDITIONAL SUSPECT / ARRESTEE INFORMATION**

Offense(s) Committed by This Suspect/Arrestee:
UCMJ - Article 92 - Failure to obey order or regulation - Principal, UCMJ - Article 128 - Assault - Principal , UCMJ - Article 134 - Weapon: concealed, carrying (prior to January 1, 2019) - Principal , UCMJ - Article 109 - Property other than military property of the U.S. - waste, spoilage, or destruction (on or after January 1, 2019) - Principal, UCMJ - Article 134 - Unlawful entry (prior to January 1, 2019) - Principal

**SUSPECT / ARRESTEE DESCRIPTION**

| Sex: Female | Race: Black or African American | Ethnicity: Not Hispanic or Latino | Resident of Jurisdiction |
|---|---|---|---|

ENCLOSURE H

| Hair Color | Eye Color | Height (Inches) | Weight (lbs.) | Body Build | Dexterity |
|---|---|---|---|---|---|
| Black | Brown | 65 | 139 | Thin | Right-Handed |

Hair Type(s): Long | Hair Style(s): Cornrow | Facial Hair :
Complexion : Clear | Appearance : Neat
Attire : Athletic Attire | Speech : Mumbles | Demeanor : Calm

**IDENTIFYING MARKS**

| Type | Location | Description |
|---|---|---|
| Tattoo | Right Wrist | BLACK SCORPION |
| Tattoo | Right Hand | 1/2 DOZEN ROSES AND PSALM 46:5 |
| Tattoo | Right Lower Arm | RED IN COLOR HEART SHAPED SPIDER WEB |
| Tattoo | Right Upper Arm | FISH WITH CHINESE LETTERING |
| Tattoo | Left Shoulder | BUTTERFLY |
| Tattoo | Right Lower Arm | "WAYS" |
| Tattoo | Right Lower Arm | "444" |
| Tattoo | Right Lower Arm | BIBLE VERSE/JEREMIAH 29:11 |

**ARRESTEE INFO**

Date Arrested : | Type of Arrest :
Multiple Clearance : | Disposition of Juvenile :
Suspect Was Armed With :

**SECTION VIII. ADDITIONAL POLICE OFFICERS**

**POLICE OFFICER**

| Name | | Rank |
|---|---|---|
| MONTGOMERY, JAHNAE | | |

| Branch of Service | Personnel Type | Status | Organization |
|---|---|---|---|
| | UNKNOWN | CIVILIAN | |

**SECTION IX. NARRATIVE**

On 11APR25, at Approximately 0648 Hours, MASN Clerveauxjean and MASN Montgomerywere dispatched to Building X-2located at 9712 Virginia Ave, Norfolk, VA 23511 in reference to a report of Disorderly Conduct.

Upon Arrival, Officers metwith CSSN Copeland, Jermiah (Victim/USS James E. Williams) who stated at around 0530 Hours his Former Partnerknown to be[redacted](Suspect/USS James E. Williams/LIMDU) Bargedintohis Room (335) whileBrandishing a Tan in Color Multi-tool Knife shoved passed hisroommate Monagan, Sean (Witness/HM-12/YNSN) and into room AB where V/Copeland was laying down.

Further Investigation revealed that[redacted] then proceeded to Kick and destroyed his PlayStation 5[redacted] also threatened to stab victim then proceeded to Punch Himaccording to W/Monoghan who witnessed the entire altercation. V/Copeland asked the Suspect to leave several timeswhichto after an hour the Suspect requested to see a Residential Assistant.[redacted] eventually fled the scene just prior to Police Arrival in a White in Color Nissan Altima with Unknown Virgina Tags.

At Approximately 0720 Hours, the Chief of the Guard located[redacted] at Pier 1 and shortly after MASN Montgomery Apprehended S/R[redacted] and transported to CEP-161.

MASN Clerveauxjean tooka statement fromW/Monoghan andtook pictures of Damages completed to Personal Property of V/Copeland. V/Copeland property damages total estimated to be $700 USD.

At Approximately, 0722 Hours, MASN Clerveauxjean conducted a Personnel Search and Detained V/Copeland with Double-Locking Handcuff restraints. V/Copeland was transported for furtherinvestigation with starting Mileage 39217 endingin the same mileage arriving at 0815 Hours.

At Approximately 0730 Hours, Both Parties Commands Representatives were notified of the incident. CDO Chief Jones, Steven mediated the notification.

At Approximately 0905 hours, The Suspect was advised of 31B via Military Suspects Acknowledgment and Waiver of Rights (OPNAV 5580/3) by MASN Montgomery and decided to make a statement.

At Approximately 1130 Hours,[redacted] was released to CMC Pearson, Willie via DD Form 2708 without incident.

At Approximately 1159 Hours, V/Copeland was advised of 31B Rights via Military Suspects Acknowledgment and Waiver of Rights (OPNAV

5580/3) by Detective Gaston and decided to make a statement.

At Approximately 1330 Hours, V/ Copeland was released to Chief Parker, Brad via DD Form 2708 without incident.

Following the Release of Both Individuals, CID Detective Gaston consumed the case in the pursuit of additional charges per UCMJ. The investigation would resume to Monday due to Health Conditions of S[redacted]

At Approximately 0915 Hours on 14APR25, S[redacted] was Detained for further investigation.

At the Direction of Detective Gaston with a Permissive Authorization for Search and Seizure via DD Form 5580/16 signed by Suspect, MASN Clerveauxjean conducted a Search of S[redacted] Living Quarters Located at Schamberger Hall Building R-61 Room 228, Located at 1353 Gilbert St, Norfolk, VA 23511. Witnesses present were MASN Montgomery and MA2 Jones. The Search Commenced at 1058 Hours and Completed at 1127 Hours, yielding Negative Results in search for the Tan in Color Multi-Tool Knife.

At Approximately 1150 Hours, on 14APR25, S[redacted] DNA was collected pursuant to DOD Instruction 5505.14, the DNA Collection Kit Number is #0404885. The DNA was mailed to: CODIS Laboratory, US Army Criminal Investigation LAB, 4930 N. 31st Street, Forest Park, GA 30297-9864.

At Approximately 1215 Hours, on 14APR25, S[redacted] was fingerprinted pursuant to DOD Instruction 5505.11 via Livescan, the Transaction Control Number is #NOR1012025041425059 by MASN Clerveauxjean.

At Approximately 1320 Hours on 14APR25, [redacted] was released to her Chain of Command Representative via DD Form 2708 without Incident following Processing.

There are no further Witnesses at this Time.

**ENCLOSURE(S)**

| ENCL # | DESCRIPTION |
|---|---|
| 1 | 5580/2 Voluntary Statment \| ICO: Monoghan, Sean |
| 2 | 5580/3 Military Acknowledgement Of Rights \| ICO: [redacted] |
| 3 | DD Form 2708 Prisoner Custody Reciept \| ICO: [redacted] |
| 4 | Photo Log/Pictures ICO [redacted] |
| 5 | 5580/16 Permissive Search and Seizure \| ICO: [redacted] |
| 6 | DD Form 5580/2 \| ICO: Copeland, J. |
| 7 | DD Form 2708 Prisoner Custody Receipt \| ICO: Copeland Jermiah |
| 8 | Photo Log \| ICO: Copeland J. |
| 9 | 5580/2 Voluntary Statement \| ICO: CS2 Bryant, J. |

**SECTION X. REPORTING/APPROVING OFFICIALS**

| Reporting Official | Date | Approving Official | Date |
|---|---|---|---|
| CLERVEAUXJEAN, ZACHARY Seaman | 15-APR-2025 APPROVED ON 11-APR-2025 | BALLESTEROS, CRIS GS08 Watch Commander | 15-APR-2025 FINAL APPROVED ON 15-APR-2025 |

**SECTION XI. ADMINISTRATIVE DISPOSITION**

| Victim/Witness Notification | | Incident Status | Date Cleared |
|---|---|---|---|
| 0 Victims Notified | 0 Witnesses Notified | | |

**Referred To/Assumed By :**

**Distribution :**

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM) 17JUN25

DEATH (II) CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted]
V/R [redacted] A [redacted] /SN USN
[redacted]

COMMAND/USS JAMES E WILLIAMS/23148

MADE AT/NFNF/RESIDENT AGENCY NORFOLK/JESSICA R GOKEY, SPECIAL AGENT

REFERENCE(S)
(A) NCIS NORFOLK, VA/USS HARRY S TRUMAN/S/COPELAND, JERMIAH TAYLOR/SN USN CCN: 26JUL24-NFXQ-00015-8CNA/26JUL24
(B) NCIS NORFOLK, VA/USS HARRY S TRUMAN/S/COPELAND, JERMIAH TAYLOR/SN USN CCN: 06NOV24-NFXQ-00029-8SNA/06NOV24

EXHIBIT(S)
(1) IA: RESULTS OF INITIAL CONTACT WITH NORFOLK POLICE DEPARTMENT/01JUN25
(2) IA: RESULTS OF INITIAL CONTACT WITH COMMAND, MTAC, AND ET3 DANIEL RICH, USN ON 31MAY25/01JUN25
(3) IA: RESULTS OF EXECUTION OF BOLO FOR CSSN [redacted] USN/01JUN25
(4) IA: RESULTS OF EMERGENCY CELLULAR PHONE PINGS(V[redacted]/01JUN25
(5) IA: RESULTS OF INITIAL INTERVIEW OF CSSN JERMIAH COPELAND, USN/01JUN25
(6) IA: RESULTS OF INITIAL CONTACT WITH FCC BRAD PARKER, USN/01JUN25
(7) IA: RESULTS OF INITIAL INTERVIEW OF ET3 DANIEL RICH, USN/01JUN25
(8) IA: RESULTS OF CONTACT WITH NAVAL MEDICAL CENTER PORTSMOUTH, VA/01JUN25
(9) IA: RESULTS OF INTERVIEW OF ESMERALDA CASTLE, CIV/01JUN25
(10) IA: RESULTS OF INITIAL SEARCH OF CSSN [redacted] BARRACKS ROOM/01JUN25
(11) IA: RESULTS OF INTERVIEW OF MA3 JESSICA GOUGE, USN/01JUN25
(12) IA: RESULTS OF BACKGROUND CHECKS OF CSSN JERMIAH COPELAND, USN/02JUN25
(13) IA: RESULTS OF INTERVIEW OF YN3 SEAN MONAGHAN, USN/02JUN25
(14) IA: RESULTS OF NAVY FEDERAL CREDIT UNION SUBPOENA FOR V/RESENDIZ ACCOUNT/02JUN25
(15) IA: RESULTS OF HOTEL INQUIRIES TO LOCATE V/[redacted]/02JUN25
(16) IA: RESULTS OF INTERVIEW OF CSSN GARCIA-BARRERA, USN/02JUN25
(17) IA: RESULTS OF SURVEILLANCE VIDEO REVIEW FROM TARGET/03JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

(18) IA: RESULTS OF INTERVIEW OF AR JOHN CALISSE, USN/03JUN25
(19) IA: RESULTS OF CONTACT WITH EMERGENCY ROOM RECORDS CUSTODIAN/03JUN25
(20) IA: RESULTS OF INTERVIEW OF PSSN IRBIN GORDILLOCRUZ, USN/03JUN25
(21) IA: RESULTS OF INTERVIEW OF CSSN EDDYSON JEAN JACQUES, USN/03JUN25
(22) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FROM CSSN EDDYSSON JEAN JACQUES, USN/03JUN25
(23) IA: RESULTS OF INTERVIEW OF HT3 MICHAEL GILLESPIE, USN/03JUN25
(24) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE REGARDING HT3 MICHAEL GILLESPIE'S IPHONE/03JUN25
(25) IA: RESULTS OF INTERVIEW OF CSSN JUNROGEL MIGUEL, USN/03JUN25
(26) IA: RESULTS OF SOCIAL MEDIA CHECKS/03JUN25
(27) IA: RESULTS OF CONTACT OF YN3 SEAN MONAGHAN, USN/03JUN25
(28) IA: RESULTS OF INTERVIEW OF FCC BRAD PARKER, USN/03JUN25
(29) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FROM FCC BRAD PARKER, USN/03JUN25
(30) IA: RESULTS OF CONTACT OF CSSN SARAH COOK, USN/03JUN25
(31) SCENE OBSERVATION DOCUMENT/03JUN25
(32) IA: RESULTS OF INTERVIEW OF CSSN JERMIAH COPELAND, USN /03JUN25
(33) IA: RESULTS OF NCIS ENTRY AND CRITICAL MISSING ALERT ISSUANCE FOR V[redacted]03JUN25

EXECUTIVE SUMMARY
1. On 31MAY25, NCIS received a report of a missing person, CSSN [redacted], USN, USS JAMES E. WILLIAMS (DDG-95), who was marked as Unauthorized Absent by DDG-95 along with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95. On 01JUN25, base security was able to locate S/COPELAND, however, V/[redacted] was still missing. NCIS responded to Naval Station Norfolk and began conducting field interviews of friends and family members of V/[redacted] NCIS also spoke with S/COPELAND who stated, he along with one of his roommates dropped V/[redacted] off at her barracks, Miller Hall, on the morning on 29MAY25, and he had not seen or spoken to V/[redacted] since. Throughout the course of the investigation, it was determined S/COPELAND was the last person to see V[redacted] and he had not been truthful about V/[redacted] whereabouts nor his actions through 29MAY25 until 01JUN25. NCIS was able to seize S/COPELAND's cellphone and conducted a forensic review of the cellphone, which lead NCIS to a neighborhood in Norfolk, VA where V/[redacted] body was located inside a black duffel bag. After the discovery, NCIS detained S/COPELAND and attempted to interview him. S/COPELAND requested a lawyer be present for the interview and the interview was terminated. S/COPELAND was then remanded to Pre-Trial Confinement, pending charges. This investigation continues pending



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

forensics, interviews, and evidence evaluation.

NARRATIVE
1. This reactive investigation pertains to the suspected violations of Article 107 (False Official Statements), Article 118 (Murder) and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). NCIS is the lead investigating Agency.

2. Reference's (A) and (B) document previous NCIS cases with S/COPELAND.

3. On 31MAY25, NCIS received a phone call from Norfolk Police Department (NPD) Officer James STALCUP, CIV, who stated he had received notification about V/[redacted] and S/COPELAND being missing. Officer STALCUP stated he attempted to make contact with V/[redacted] but was unsuccessful; Exhibit (1) pertains.

4. On 31MAY25, NCIS made initial contact with multiple individuals to include V/[redacted] Command, in an attempt to locate V[redacted] NCIS attempted to conduct a phone ping on V/[redacted] phone, however, MTAC denied the request, as at the time there was no suspected suicidal ideations or suspected harm. NCIS spoke with LTJG David DEZMURE, USN, Legal Officer DDG-95, who stated he was aware of both sailors being UA but expressed no safety concerns for V/[redacted] and S/COPELAND; Exhibit (2) pertains.

5. On 01JUN25, NCIS executed a "Be on the Lookout" (BOLO) for CSSN [redacted] (V[redacted], USN, JAMES E. WILLAIMS (DDG-95); Exhibit (3) pertains.

6. On 01JUN25, NCIS conducted Emergency Cellular Phone Pings via MTAC on V/[redacted] cellphone; Exhibit (4) pertains.

7. On 01JUN25, NCIS conducted a field interview of S/COPELAND in the lounge area of Building X-2. S/COPELAND stated he borrowed his roommates vehicle and drove V/[redacted] to her barracks at approximately 1000 on 29MAY25; Exhibit (5) pertains.

8. On 01JUN25, NCIS conducted an initial interview of FCC Brad PARK[redacted] DDG-95, who stated he had made contact with both S/COPELAND and V/[redacted] on 29MAY25 at approximately 0900; Exhibit (6) pertains.

9. On 01JUN25, NCIS conducted an interview of ET3 Daniel RICH, USN, DDG-95, who stated he had become concerned about V/[redacted] after her location data, which was shared with ET3 RICH, had stopped showing her location. ET3 RICH stated he and HT3 Michael GILLESPIE, USN, DDG-95, along with base Security Forces searched the surrounding area of X-2 for V[redacted] ET3 RICH also stated he and Security Forces went to V/[redacted] barracks to see if she



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

was there, which she was not; Exhibit (7) pertains.

10. On 01JUN25, NCIS made contact with Naval Medical Center Portsmouth Charge Nurse who determined V[redacted] was not currently checked into the hospital; Exhibit (8) pertains.

11. On 01JUN25, NCIS contacted Esmeralda CASTLE, CIV, mother of V[redacted] via telephone to inquire on the whereabouts of V[redacted] Exhibit (9) pertains.

12. On 01JUN25, NCIS conducted an initial search of V[redacted] barracks room; Exhibit (10) pertains.

13. On 01JUN25, NCIS conducted an initial interview of MA3 Jessica GOUGE, USN, USS GEORGE H.W. BUSH (CVN-77), who was identified as the roommate of V[redacted] Exhibit (11) pertains.

14. On 02JUN25, NCIS conducted background checks for S/COPELAND which revealed he is the subject of two NCIS investigations; Exhibit (12) pertains.

15. On 02JUN25, NCIS conducted an interview with YN3 Sean MONGHAN, USN, HELICOPTER MINE COUNTERMEASURES SQUADRON (HM-12). YN3 MONGHAN was identified as being the roommate of S/COPELAND; Exhibit (13) pertains.

16. On 02JUN25, NCIS submitted a Navy Federal Credit Union Subpoena for V/[redacted] checking account for the timeframe of 02MAY25-01JUN25; Exhibit (14) pertains.

17. On 02JUN25, NCIS conducted a phone ping for V/[redacted] cellphone. Once supplied with the information from the service provider, NCIS was able to see a low confidence data ping in the area of two hotels. NCIS contacted those hotels and was met with negative results; Exhibit (15) pertains.

18. On 02JUN25, NCIS conducted an interview with CSSN Gladys GARCIA-BARBERA, USN, DDG-95, who was identified as being friends with V/[redacted] and going to Target with her on 28MAY25; Exhibit (16) pertains.

19. On 03JUN25, NCIS obtained surveillance footage from Target, located at 1245 N. Military Highway, Norfolk VA, showing CSSN GARCIA-BARBERA and V[redacted] shopping; Exhibit (17) pertains.

20. On 03JUN25, NCIS conducted an interview with AR John CALISSE, USN, Airborne Command & Control Squadron (VAW-124), who was identified as being a roommate of S/COPELAND's; Exhibit (18) pertains.

21. On 03JUN25, NCIS made contact with the emergency rooms and intakes from



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

Sentara Health, Bon Secours Mercy Health and Riverside Health to conduct searches of their systems for V[redacted] Exhibit (19) pertains.

22. On 03JUN25, NCIS conducted an interview of PSSN Irbin GORDILLOCRUZ, USN, VAW-124, who was identified as being a roommate of S/COPELAND; Exhibit (20) pertains.

23. On 03JUN25, NCIS conducted an interview of CSSN Eddyson JEAN-JACQUES, USN, DDG-95, who was identified as receiving text messages from V/[redacted] on 28MAY25 and received phone calls from HT3 GILLESPIE; Exhibit (21) pertains.

24. On 03JUN25, NCIS executed a Permissive Authorization for Search and Seizure (PASS) on CSSN JEAN-JACQUES' cellphone, who provided screenshots of messages between himself and V/[redacted] Exhibit (22) pertains.

25. On 03JUN25, NCIS conducted an interview of HT3 GILLESPIE, who was identified as being one of the sailors who attempted to locate V/[redacted] on the morning of 29MAY25; Exhibit (23) pertains.

26. On 03JUN25, NCIS executed a PASS on HT3 GILLESPIE's cellphone, which revealed the last text message from V/[redacted] was received at 23:22 hours on Wednesday, 28MAY25. NCIS also seized a video of HT3 GILLESPIE confronting S/COPELAND about the disappearance of V/[redacted] Exhibit (24) pertains.

27. On 03JUN25, NCIS conducted an interview of CSSN Junrojel MIGUEL, USN, DDG-95, who was determined to be a close friend of V[redacted] and gave insight into the relationship between V/[redacted] and HT3 GILLESPIE; Exhibit (25) pertains.

28. On 03JUN25, NCIS conducted Social Media Checks from S/COPELAND; Exhibit (26) pertains.

29. On 03JUN25, NCIS made secondary contact with YN3 MONAGHAN, S/COPELAND's roommate during the execution of the Command Authorization for Search and Seizure (CASS) for S/COPELAND's barracks room; Exhibit (27) pertains.

30. On 03JUN25, NCIS conducted an interview of FCC PARKER, who was determined to be the Command Representative sent to find S/COPELAND on 29MAY25, after he was marked as Unauthorized Absent (UA); Exhibit (28) pertains.

31. On 03JUN25, NCIS executed a PASS on FCC PARKER's cellphone, who provided 12 images of text messages between himself and LSC Robert JANSEN, USN, DDG-95, in regard to the interactions with S/COPELAND; Exhibit (29) pertains.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

32. On 03JUN25, NCIS interviewed CSSN Sarah COOK, USH, USS HARRY S. TRUMAN (CVN-77), who was located inside S/COPELAND's barracks room during the execution of a CASS for S/COPELAND's barracks room; Exhibit (30) pertains.

33. On 03JUN25, NCIS conducted a CASS on S/COPELANDS barracks room and documented a crime scene examination, collecting several pieces of evidence; Exhibit (31) pertains.

34. On 03JUN25, NCIS conducted an interview of S/COPELAND. S/COPELAND stated he and V[redacted] hung out on Wednesday, 28MAY25. S/COPELAND stated V[redacted] left h s barracks room in the morning on Thursday, 29MAY25 presumably by Z-Trip. S/COPELAND denied hurting V[redacted] or knowing her location; Exhibit (32) pertains.

35. On 03JUN25, NCIS issued a Critical Missing Persons Alert and NCIC entry for V[redacted] via Virginia State Police (VSP); Exhibit (33) pertains.

36. Between 01JUN25-03JUN25, LTJG David DEMAZURE, USN, DDG-95 Legal Officer, were updated on the status of this investigation.

37. Between 01JUN25-03JUN25, NCIS made contact with Esmeralda CASTLE, CIV, mother of V[redacted] and provided daily updates.

38. Between 01JUN25-03JUN25, CDR Lauren MAYO, LT Christopher DEMPSEY and LT Patricia CANNADAY, USN, OSTC, were provided updates.

39. This ROI (INTERIM) documents the completed investigative actions from the initiation of the investigation through 03JUN25. Due to the numerous and extensive investigative activities completed since the start of this investigation, subsequent ROI (INTERIM)'s will be generated to document all additional investigative steps in chronological order of date completed.

40. This investigation continues pending forensics, interviews, and evidence evaluation.

ACTION
R.DFNF: Please provide forensic support in captioned investigation. Please contact SA Jessica Gokey at 757-513-1377 or jessica.gokey@ncis.navy.mil



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM) 30JUN25

DEATH (II) CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted PII]
V/R[redacted], A[redacted]/SN USN
F/W/NEE3/S[redacted]

COMMAND/USS JAMES E. WILLIAMS (DDG-95)/23148

MADE AT/NFNF/RESIDENT AGENCY NORFOLK/JESSICA R GOKEY, SPECIAL AGENT

REFERENCE(S)
(A) NCISRU USS HARRY S TRUMAN (CVN 75) CASE FILE:/S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 26JUL24-NFXQ-00015-8CNA
(B) NCISRU USS HARRY S TRUMAN (CVN 75) CASE FILE: S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 06NOV24-NFXQ-00029-8SNA
(C) NCISRA NORFOLK, VA CASE FILE: S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 07JUL25-NFNF-00304-7VNA
(D) NCIS NORFOLK, VA ROI (INTERIM)/(CONTAINS EXHIBITS 1-33)/27JUN25

EXHIBIT(S)
(34) SCENE OBSERVATION DOCUMENT: JEEP COMPASS BELONGING TO AR JOHN CALISSE, USN/03JUN25
(35) IA: RESULTS OF 18 USC 2703(D) COURT ORDER TO AT&T/04JUN25
(36) IA: RESULTS OF FINANCIAL QUERIES/04JUN25
(37) IA: RESULTS OF LICENSE PLATE READER NETWORK QUERIES/04JUN25
(38) IA: RESULTS OF AREA CANVASS OF BUILDING X2/04JUN25
(39) IA: RESULTS OF INTERVIEW OF MA3 JESSICA GOUGE, USN/04JUN25
(40) SCENE OBSERVATION DOCUMENT: BUILDING X2 STAIRWELL 5/04JUN25
(41) SCENE OBSERVATION DOCUMENT: BARRACKS ROOM OF S/COPELAND/04JUN25
(42) SCENE OBSERVATION DOCUMENT: BARRACKS ROOM OF V[redacted]04JUN25
(43) IA: RECEIPT OF X2 VISITOR LOGBOOK/04JUN25
(44) IA: RESULTS OF INQUIRY FOR X2 TRASH COLLECTION/04JUN25
(45) IA: RESULTS OF FLOCK CAMERA QUERIES FROM THE NORFOLK POLICE DEPARTMENT REAL TIME CRIME CENTER/04JUN25
(46) IA: RESULTS OF AREA CANVASS OF BUILDING X2/05JUN25
(47) IA: RESULTS OF SECONDARY INTERVIEW OF FCC BRAD PARKER, USN/05JUN25
(48) IA: RESULTS OF INTERVIEW OF CS2 JOSHUA BRYANT, USN/05JUN25
(49) IA: RESULTS OF 18 USC 2703(D) ORDER AND SEARCH WARRANT TO T-MOBILE FOR V[redacted]05JUN25
(50) IA: RESULTS OF CONTACT WITH KIMBERY MCKINNEY, CIV/05JUN25
(51) IA: RESULTS OF INTERVIEW OF BRUCE WILLIAMS, CIV/05JUN25
(52) IA: RESULTS OF INTERVIEW OF ABHAA DEONDRE WILLIAMS, USN/05JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **30JUN25**

(53) IA: RESULTS OF INTERVIEW OF LSSA OMERI SMOOT, USN/05JUN25
(54) IA: RESULTS OF TERTIARY INTERVIEW OF FCC BRAD PARKER, USN/05JUN25
(55) IA: RESULTS OF SECONDARY INTERVIEW OF ESMERALDA CASTLE, CIV/05JUN25
(56) IA: RESULTS OF SEARCH WARRANT FOR V/[redacted] GOOGLE ACCOUNT/05JUN25
(57) IA: RECEIPT OF SHIP OUTLOOK ACCOUNT OF CSSA DEONTAE WILLIAMS, USN/05JUN25
(58) IA: RESULTS OF T-MOBILE CELLULAR LOCATION PINGS/05JUN25
(59) IA: RESULTS OF ATTEMPTED CONTACT OF TERRELL GREEN, CIV/05JUN25
(60) IA: RESULTS OF CONTACT OF SAMANTHA FLORES ANDA, CIV/05JUN25
(61) IA: RESULTS OF AREA CANVASSING IN SUFFOLK, VA/05JUN25
(62) IA: RESULTS OF CONTACT WITH T-MOBILE/05JUN25
(63) IA: RESULTS OF CANVASS FOR DODGE CHALLENGER VA TAG TLE-3729/05JUN25
(64) IA: RESULTS OF RAPID DNA ANALYSIS/05JUN25
(65) IA: RECEIPT AND REVIEW OF CMEO DOCUMENTATION/05JUN25
(66) IA: RESULTS OF CONTACT WITH THE NATIONAL INSURANCE CRIME BUREAU/05JUN25
(67) IA: RESULTS OF TIP RECEIVED FROM MULTIPLE THREAT ALERT CENTER REGARDING SUBREDDIT POST/05JUN25
(68) IA: RECEIPT AND REVIEW OF FOOTAGE OF REAR EXTERIOR OF X2/05JUN25
(69) IA: RESULTS OF INTERVIEW OF OSSN BRIARNNIA MEBANE, USN/05JUN25
(70) IA: RESULTS OF TELEPHONIC CONTACT OF CTT2 KAYTLYN JAMES, USN/05JUN25
(71) IA: RESULTS OF THIRD FLOOR CANVASS INTERVIEWS AT BUILDING X2/05JUN25
(72) IA: RESULTS OF CONTACT WITH GREYHOUND AND AMTRAK/05JUN25
(73) IA: RESULTS OF AREA CANVASSING OF ROCKBRIDGE AVE AND MAGNOLIA AVE IN NORFOLK, VA/05JUN25
(74) IA: RESULTS OF CANVASS OF OLD DOMINION UNIVERSITY/05JUN25
(75) IA: REVIEW OF USACIL DNA REPORT/10JUN25

EXECUTIVE SUMMARY

1. On 31MAY25, NCIS received a report of a missing person, CSSN [redacted], USN, USS JAMES E. WILLIAMS (DDG-95), who was marked as Unauthorized Absent (UA) by DDG-95 along with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95. On 01JUN25, base security was able to locate S/COPELAND; however, V/[redacted] remained missing. NCIS responded to Naval Station Norfolk and began conducting field interviews of friends and family members of V/[redacted] NCIS spoke with S/COPELAND who stated he, along with one of his roommates, dropped V/[redacted] off on the morning on 29MAY25 at her barracks located at Miller Hall aboard Naval Station Norfolk and had not



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seen her since. Throughout the course of the investigation, NCIS conducted exhaustive efforts yielding S/COPELAND was the last person to see V[redacted] and he was not truthful about her whereabouts or his actions from 29MAY25 through 01JUN25. These efforts included submission and execution of legal process, interviews, foot canvasses, collaborative search efforts, and the utilization of digital forensics. NCIS seized the cellular device of S/COPELAND and conducted a forensic review, which led NCIS to a neighborhood where V[redacted] body was located inside a black duffel bag. After the discovery, NCIS detained S/COPELAND and attempted to conduct an interview; however, he requested counsel and the interview was terminated. Subsequently, S/COPELAND was placed into pre-trial confinement pending charges. This investigation is pending evidence analysis, interviews, cellular data findings, and any additional investigative steps deemed appropriate.

NARRATIVE

1. This reactive investigation pertains to the suspected violations of Article 107 (False Official Statements), Article 118 (Murder) and Article 131b (Obstruction of Justice) of the Uniform Code of Military Justice (UCMJ). NCIS maintains primary jurisdiction.

2. References (A - C) document additional NCIS cases wherein CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) was identified as the subject of the investigations.

3. Reference (D) documents all previous investigative activity to date.

4. Upon review of Reference (D), administrative errors were observed and will be corrected in this ROI (INTERIM). EXHIBIT (20) titled "RESULTS OF INTERVIEW OF PSSN IRBIN GORDILLOCRUZ, USN" stated he returned to his barracks room at approximately 0400 on 28JUN25, this date should have reflected as 28MAY25. EXHIBIT (32) titled "IA: RESULTS OF INTERVIEW OF CSSN JERMIAH COPELAND, USN" did not provide the Command representative who S/COPELAND was released to at the conclusion of his interview. S/COPELAND was turned over to FCC Brad PARKER, USN, DDG-95, at approximately 0045 hours. Subsequent to his interview, FCC PARKER escorted S/COPELAND to his barracks room for the execution of a Permissive Authorization for Search and Seizure (PASS) to review the contents of his backpack.

5. On 03JUN25, NCIS documented the Jeep Compass belonging to AR John CALISSE, USN, Airborne Command & Control Squadron 124 (VAW-124), via a PASS; Exhibit (34) pertains.

6. On 04JUN25, NCIS submitted a 2703(d) Court Order for the AT&T account of S/COPELAND connected to phone number [redacted]4307; Exhibit (35) pertains.



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7. On 04JUN25, NCIS conducted financial queries for S/COPELAND; Exhibit (36) pertains.

8. On 04JUN25, NCIS conducted license plate reader network queries for two vehicles associated with S/COPELAND; Exhibit (37) pertains.

9. On 04JUN25, NCIS conducted area canvassing at Building X2; Exhibit (38) pertains.

10. On 04JUN25, NCIS conducted an interview of MA3 Jessica GOUGE, USN, USS GEORGE H.W. BUSH (CVN-77); Exhibit (39) pertains.

11. On 04JUN25, NCIS documented Stairwell 5, located inside of Building X2. Inside Stairwell 5, multiple reddish brown in color stains were observed wherein swabs were taken and sent for analysis; Exhibit (40) pertains.

12. On 04JUN25, NCIS conducted a secondary search of S/COPELAND's barracks room; Exhibit (41) pertains.

13. On 04JUN25, NCIS conducted a scene documentation of V/[redacted] barracks room located in Miller Hall; Exhibit (42) pertains.

14. On 04JUN25, NCIS confiscated the visitor logbook associated with Building X2; Exhibit (43) pertains.

15. On 04JUN25, NCIS conducted queries on what company serviced the dumpsters located at Building X2; Exhibit (44) pertains.

16. On 05JUN25, NCIS obtained FLOCK camera queries from the Norfolk Police Department; Exhibit (45) pertains.

17. On 05JUN25, NCIS conducted area canvassing at Building X2; Exhibit (46) pertains.

18. On 05JUN25, NCIS conducted a secondary interview of FCC PARKER; Exhibit (47) pertains.

19. On 05JUN25, NCIS conducted an interview of CS2 Joshua BRYANT, USN, DDG-95; Exhibit (48) pertains.

20. On 05JUN25, NCIS submitted a 2703(d) Court Order to T-Mobile and a search warrant to T-Mobile for V[redacted] telephone records; Exhibit (49) pertains.

21. On 05JUN25, NCIS interviewed Kimbery MCKINNEY, CIV, Navy Lodge Manager, Joint Expeditionary Base Little Creek (JEBLC), who reported a tip in regard



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to a sighting of V/[redacted] at the hotel; Exhibit (50) pertains.

22. On 05JUN25, NCIS interviewed Bruce WILLIAMS, CIV, in regard to a sighting of V[redacted] at the Navy Lodge aboard JEBLC; Exhibit (51) pertains.

23. On 05JUN25, NCIS interviewed ABHAA Deondre WILLIAMS, USN, USS DWIGHT D. EISENHOWER (CVN-69); Exhibit (52) pertains.

24. On 05JUN25, NCIS interviewed LSSA Omeri SMOOT, USN, CVN-69; Exhibit (53) pertains.

25. On 05JUN25, NCIS conducted a tertiary interview of FCC PARKER; Exhibit (54) pertains.

26. On 05JUN25, NCIS conducted a secondary interview of Esmeralda CASTLE, CIV, mother of V[redacted] Exhibit (55) pertains.

27. On 05JUN25, NCIS received the search warrant return for the Google account of V/[redacted] Exhibit (56) pertains.

28. On 05JUN25, NCIS received the Outlook account for CSSA Deontae WILLIAMS, USN, USS HARRY S. TRUMAN (CVN-75); Exhibit (57) pertains.

29. On 05JUN25, NCIS received the results of the T-Mobile phone pings for V/[redacted] Exhibit (58) pertains.

30. On 05JUN25, NCIS attempted to contact Terrell GREEN, CIV, identified as an associate of V/[redacted] Exhibit (59) pertains.

31. On 05JUN25, NCIS interviewed Samantha FLORES ANDA, CIV, aunt of V/[redacted] Exhibit (60) pertains.

32. On 05JUN25, NCIS conducted a canvass with local law enforcement in Suffolk, VA, which was based on V[redacted] last phone ping; Exhibit (61) pertains.

33. On 05JUN25, NCIS contacted a T-Mobile representative in regard to the phone pings for V[redacted] It was determined the last phone ping in Suffolk, VA, was erroneous; Exhibit (62) pertains.

34. On 05JUN25, NCIS conducted a canvass for a Dodge Challenger thought to be associated with S/COPELAND; Exhibit (63) pertains.

35. On 05JUN25, NCIS received the results of the preliminary rapid DNA test conducted by Virginia State Police; Exhibit (64) pertains.



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36. On 05JUN25, NCIS received and reviewed the Command Managed Equal Opportunity (CMEO) complaint filed against V[redacted] while aboard DDG-95; Exhibit (65) pertains.

37. On 05JUN25, NCIS contacted the National Insurance Crime Bureau to locate additional information pertaining to a Dodge Challenger, thought to be associated with S/COPELAND; Exhibit (66) pertains.

38. On 05JUN25, NCIS received a tip from the Multiple Threat Alert Center (MTAC) reporting Ronald DAVENPORT, CIV, having information pertaining to the captioned investigation; Exhibit (67) pertains.

39. On 05JUN25, NCIS received and reviewed camera footage for the rear exterior of Building X2; Exhibit (68) pertains.

40. On 05JUN25, NCIS interviewed OSSN Briarnnia MEBANE, USN, Naval Station Norfolk; Exhibit (69) pertains.

41. On 05JUN25, NCIS interviewed CTT2 Kaytlyn JAMES, USN, DDG-95, who stated she had been concerned for the mental well-being of V/[redacted] because of harassment towards her on the ship; Exhibit (70) pertains.

42. On 05JUN25, NCIS conducted third floor area canvassing at Building X2; Exhibit (71) pertains.

43. On 05JUN25, NCIS contacted Greyhound and Amtrak to search their passenger manifest to see if V,[redacted] was onboard or purchased a ticket; Exhibit (72) pertains.

44. On 05JUN25, NCIS conducted area canvassing of Rockbridge Ave and Magnolia Ave where a series of knock and talks were conducted all yielding negative results; Exhibit (73) pertains.

45. On 05JUN25, NCIS conducted area canvassing of Old Dominion University (ODU) in search of relevant persons and vehicles pertaining to captioned investigation; Exhibit (74) pertains.

46. On 10JUN25, NCIS obtained results of the Deoxyribonucleic Acid (DNA) Report pertaining to items of evidence submitted for examination to the US Army Criminal Investigation Laboratory (USACIL); Exhibit (75) pertains.

47. Between 04-05JUN25, CDR Lauren MAYO, JAGC, USN, Chief, Office of Special Trial Counsel (OSTC), LT Christopher DEMPSEY, JAGC, USN, Region Legal Service Office Mid-Atlantic (RLSO-MA), and LT Patricia CANNADAY, JAGC, USN, OSTC, were provided updates.



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48. This ROI (INTERIM) documents the completed investigative actions through 04JUN25-05JUN25. The DNA report was provided ahead of the reporting timeline in preparation for judicial proceedings. Due to the numerous and extensive investigative activities completed since the start of this investigation, subsequent ROI (INTERIM) reports will be generated to document all additional investigative steps in chronological order of date completed.

49. This investigation is pending evidence analysis, interviews, cellular data findings, and any additional investigative steps deemed appropriate.

ACTION
R.TSK9: Request ESD K9 support.

DISTRIBUTION
NCISHQ:23B2
ACTION:TSK9
INFO :OSTC (patricia.t.cannaday.mil@us.navy.mil;
lauren.a.mayo2.mil@us.navy.mil;
christopher.b.dempsey2.mil@us.navy.mil) (E)/NFNF/NFFO



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM) 22JUL25

DEATH (II) CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[redacted PII]
V/R[redacted] A[redacted]/SN USN
F/W/NEE3/S/[redacted PII]

COMMAND/USS JAMES E. WILLIAMS (DDG-95)/23148

MADE AT/NFNF/RESIDENT AGENCY NORFOLK/JESSICA R GOKEY, SPECIAL AGENT

REFERENCE(S)
(A) NCISRU USS HARRY S TRUMAN (CVN 75) CASE FILE:/S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 26JUL24-NFXQ-00015-8CNA
(B) NCISRU USS HARRY S TRUMAN (CVN 75) CASE FILE: S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 06NOV24-NFXQ-00029-8SNA
(C) NCISRA NORFOLK, VA CASE FILE: S/COPELAND, JERMIAH TAYLOR/SN USN/CCN: 07JUL25-NFNF-00304-7VNA
(D) NCIS NORFOLK, VA ROI (INTERIM)/(CONTAINS EXHIBITS 1-33)/27JUN25
(E) NCIS NORFOLK, VA ROI (INTERIM)/(CONTAINS EXHIBITS 34-75)/10JUL25

EXHIBIT(S)
(76) IA: RESULTS OF SERVICE OF MILITARY SUBPOENA TO NAVY FEDERAL CREDIT UNION FOR FINANCIAL RECORDS OF S/COPELAND, USN/06JUN25
(77) IA: RESULTS OF FIRST SUBPOENA TO COX COMMUNICATIONS /06JUN25
(78) IA: RESULTS OF SECOND SUBPOENA TO COX COMMUNICATIONS/06JUN25
(79) IA: RESULTS OF LANDFILL SITE SURVEY/06JUN25
(80) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FOR YN3 SEAN MONGHAN, USN BUCCAL SWABS/06JUN25
(81) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FOR DNA OF PSSN IRBIN GORDILLOCRUZ, USN AND ARSN JOHN CALISSE, USN/06JUN25
(82) IA: RESULTS OF CONTACT WITH LTJG DAVID DEMAZURE, USN/06JUN25
(83) IA: RESULTS OF CONTACT OF VICTORIA ALEJOS, CIV/06JUN25
(84) IA: RESULTS OF INTERVIEW OF CSSA DEONTAE WILLIAMS, USN/06JUN25
(85) SCENE OBSERVATION DOCUMENT FOR A 2015 DODGE CHALLENGER BELONGING TO CSSA DEONTAE WILLIAMS/06JUN25
(86) IA: RESULTS OF TELEPHONIC INTERVIEW OF ALEXIS VANCE, CIV/06JUN25
(87) IA: RESULTS OF TELEPHONIC INTERVIEW OF OSSN ISABELLA AGUILAR, USN/06JUN25
(88) IA: RESULTS OF ATTEMPTED CONTACT OF GEORGE MORORS,



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CIV/06JUN25
(89) IA: RESULTS OF INTERVIEW OF MARY BENSON, CIV, AND CSSN CARMESHA SAUNDERS, USN/06JUN25
(90) IA: RESULTS OF INITIATION OF SCREENING QUESTIONNAIRE/06JUN25
(91) IA: RESULTS OF INTERVIEW OF CS1 DREVON THOMPSON, USN/06JUN25
(92) IA: RESULTS OF INTERVIEW OF FCC CAMERON SVEDARSKY, USN/06JUN25
(93) IA: RESULTS OF INTERVIEW OF ETC MICHAEL SCHIANO, USN/06JUN25
(94) IA: RESULTS OF INTERVIEW OF CS2 REZAN TAYLOR, USN/06JUN25
(95) IA: RESULTS OF INTERVIEW OF GSEC AMBER D. SANTOS TAYLOR, USN/06JUN25
(96) IA: RESULTS OF INTERVIEW OF QMSA JARIEL E. ALVAREZBAUTISTA, USN/06JUN25
(97) IA: RESULTS OF INTERVIEW OF LT YAN LIANG, USN/06JUN25
(98) IA: RESULTS OF INTERVIEW OF LS1 JEFFREY MILLER, USN/06JUN25
(99) IA: RESULTS OF INTERVIEW OF LSSN VIVIAN GUADALUPERIVERA, USN /06JUN25
(100) IA: RESULTS OF INTERVIEW OF GMC JONATHAN WYTAS, USN /06JUN25
(101) IA: RESULTS OF INTERVIEW OF STGSN JOHN BOAMAH, USN/06JUN25
(102) IA: RESULTS OF INTERVIEW OF S/COPELAND/06JUN25
(103) IA: RESULTS OF PERMISSIVE AUTHROIZATION FOR SEARCH AND SEIZURE FOR S/COPELAND DNA/06JUN25
(104) IA: RESULTS OF CONTACT WITH VIRGINIA'S OFFICE OF THE CHIEF MEDICAL EXAMINER (OCME)/07JUN25
(105) IA: RESULTS OF FIREARMS QUERIES RELATED TO HT3 MICHAEL DAVONTAE GILLESPIE, USN/07JUN25
(106) IA: RESULTS OF SEARCH WARRANT TO V/[redacted] SNAPCHAT ACCOUNT/07JUN25
(107) IA: RESULTS OF INTERVIEW OF SARA SEAGREN, CIV/07JUN25
(108) IA: RESULTS OF INTERVIEW OF IS3 NATALIA DIAMANTE SANTIAGO, USN/07JUN25
(109) IA: RESULTS OF WELFARE CHECK FOR V[redacted] AT KNOWN TEXAS ADDRESS /07JUN25
(110) IA: RESULTS OF MENTAL HEALTH FACILITIES CHECKS FOR V[redacted]/07JUN25
(111) IA: RESULTS OF INTERVIEW OF ET3 DANIEL RICH, USN/07JUN25
(112) SCENE OBSERVATION DOCUMENT FOR THE VEHICLE BELONGING TO ET3 DANIEL RICH/07JUN25
(113) SCENE OBSERVATION DOCUMENT FOR ET3 DANIEL RICH'S RESIDENCE/07JUN25
(114) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FOR ET3 DANIEL RICH, USN DESKTOP/07JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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(115) SCENE OBSERVATION DOCUMENT FOR SEARCH AND RESCUE EFFORTS/07JUN25
(116) IA: RESULTS OF CONTACT WITH NAVAL STATION NORFOLK BASE POLICE/08JUN25
(117) IA: RESULTS OF CONTACT WITH BUILDING X2 ASSISTANT BULDING MANAGER/08JUN25
(118) IA: RESULTS OF INTERVIEW OF ET3 ARMANI LIMAS, USN/08JUN25
(119) IA: RESULTS OF 18 USC 2703(D) ORDER TO VERIZON FOR HT3 MICHAEL GILLESPIE'S ACCOUNT/08JUN25
(120) IA: RESULTS OF 18 USC 2703(D) COURT ORDER TO VERIZON FOR ET3 DANIEL RICH'S ACCOUNT/08JUN25
(121) IA: RESULTS OF INTERVIEW OF CS1 DARYL HOWELLEL/08JUN25
(122) IA: RESULTS OF REVIEW OF V/[redacted]MEDICAL RECORDS/08JUN25
(123) IA: RESULTS OF INTERVIEW OF HT3 MICHAEL GILLESPIE, USN/08JUN25
(124) SCENE OBSERVATION DOCUMENT FOR THE MOTORCYCLE BELONGING TO HT3 MICHAEL GILLESPIE/08JUN25
(125) SCENE OBSERVATION DOCUMENT FOR THE MUSTANG BELONGING TO HT3 MICHAEL GILLESPIE/08JUN25
(126) IA: NEGATIVE RESULTS FOR CAMERA FOOTAGE AT WILLIS MANNOR /09JUN25
(127) IA: RESULTS OF SUBPOENA TO EQUIFAX FOR V/[redacted]/09JUN25
(128) IA: RESULTS OF SERVICE OF MILITARY SUBPOENA TO NAVY FEDERAL CREDIT UNION FOR FINANCIAL RECORDS OF V[redacted]9JUN25
(129) IA: RESULTS OF DBIDS INQUIRY/09JUN25
(130) IA: RESULTS OF DUMPSTER SEARCH AT NAVAL MEDICAL CENTER PORTSMOUTH/09JUN25
(131) IA: RESULTS OF CANVASS OF FORT MONROE, VIRGINIA/09JUN25
(132) IA: RESULTS OF CONTACT WITH NAVAL STATION NORFOLK DENTAL CLINIC/09JUN25
(133) IA: RESULTS OF SECONDARY INTERVIEW OF YN3 SEAN MONAGHAN, USN/09JUN25
(134) SCENCE OBSERVATION DOCUMENT FOR THE VEHICLE BELONGING TO YN3 MONAGHAN/09JUN25
(135) IA: RESULTS OF PERMISSIVE AUTHORIZATION OF SEARCH AND SEIZURE FOR BATHMAT SIGNED BY YN3 SEAN MONAGHAN, USN/09JUN25
(136) IA: RESULTS OF INTERVIEW OF MA2 JOEL RASH, USN/09JUN25
(137) IA: RESULTS OF INTERVIEW OF MA2 GABRIEL MCMILLAN, USN/09JUN25
(138) IA: RESULTS OF RECEIPT OF DFAS DIRECT DEPOSIT INFORMATION/09JUN25
(139) IA: RESULTS OF DBIDS RECORD CHECKS/09JUN25
(140) IA: RESULTS OF IDENTIFICATION OF ET3 ARMANI GRACE LIMAS, USN/09JUN25
(141) IA: RESULTS OF AREA CANVASS OF BUILDING X-2 WITH



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ELECTRONIC STORAGE DETECTION K9 PIXEL/09JUN25
(142) IA: RESULTS OF BLOODHOUND SEARCH, MILLER HALL BUILDING X2/09JUL25
(143) IA: RESULTS OF TELEPHONIC CONTACT WITH BRADLEY AND ERIK CASTLE/09JUN25
(144) IA: RESULTS OF RECEIPT OF SECURITY FOOTAGE FROM OPERATIONAL TEST AND EVALUATION FORCE/09JUN25
(145) SCENE OBSERVATION DOCUMENT OF RECOVERED REMAINS/09JUN25
(146) IA: RESULTS OF CANVASSING INTERVIEWS WITH NORFOLK POLICE DEPARTMENT DETECTIVE DAVID TODD, CIV/09JUN25
(147) IA: RESULTS OF CANVASSING INTERVIEWS ON CARY AVE, NORFOLK, VIRGINIA WITH NORFOLK POLICE DEPARTMENT DETECTIVE KYLE AUSTIN, CIV/09JUN25
(148) IA: RESULTS OF CANVASSING INTERVIEWS ON CARY AVE AND GODFREY AVE, NORFOLK, VA /09JUN25
(149) IA: RESULTS OF CANVASSING INTERVIEWS ON CARY AVE NORFOLK, VA/09JUN25
(150) IA: RESULTS OF CANVASS INTERVIEWS ON CARY AVE AND E. PRINCESS ANNE RD/09JUN25
(151) IA: RESULTS OF INTERVIEW OF BRITTANY MYRICK, CIV/09JUN25
(152) IA: RESULTS OF APPREHENSION OF S/COPELAND/09JUN25
(153) IA: RESULTS OF INTERVIEW OF S/COPELAND/09JUN25
(154) IA: RESULTS OF VERBAL COMMAND AUTHORIZATION FOR SEARCH AND SEIZURE/09JUN25
(155) EXAMINATION AND DOCUMENTATION OF S/COPELAND/09JUN25
(156) IA: RESULTS OF AUTOPSY ATTENDANCE/10JUN25
(157) IA: RESULTS OF CONTACT WITH HT3 MICHAEL GILLESPIE, USN/10JUN25
(158) IA: RESULTS OF SCREENING QUESTIONNAIRE/10JUN25
(159) IA: RESULTS OF INTERVIEW OF LSC ROBERT JANSON, USN/10JUN25
(160) IA: RESULTS OF INTERVIEW OF LTJG GEOFFREY SCHMID, USN/10JUN25
(161) IA: RESULTS OF INTERVIEW OF OS3 AALIYAH JORDAN, USN/10JUN25
(162) IA: RESULTS OF INTERVIEW OF ET3 JOSEPH TOMLINSON, USN/10JUN25
(163) IA: RESULTS OF INTERVIEW OF OS2 GANNON BUTCH, USN/10JUN25
(164) IA: RESULTS OF INTERVIEW OF QMSA JARIEL ALVAREZ BAUTISTA, USN/10JUN25
(165) IA: RESULTS OF INTERVIEW WITH LSSA VINCENT STALLONE, USN/10JUN25
(166) IA: RESULTS OF CONTACT WITH LT ALIA CARTWRIGHT, USN/10JUN25
(167) IA: RESULTS OF INTERVIEW OF ENS JACOB MANKO, USN/10JUN25
(168) IA: RESULTS OF INTERVIEW OF LT JOSEPH MCCLELLAND, USN/10JUN25



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **22JUL25**

(169) IA: RESULTS OF CONTACT WITH CSSN GLADIS GARCIABARRERA, USN/10JUN25
(170) IA: RESULTS OF IDENTIFICATION AND CONTACT WITH TERRELL GREEN, CIV/10JUN25
(171) IA: RESULTS OF CONTACT WITH LTJG SEAN JAMES, USN/10JUN25
(172) SCENCE OBSERVATION DOCUMENT FOR THE BERTHING OF S/COPELAND ABOARD DDG-95/10JUN25
(173) SCENE OBSERVATION DOCUMENT FOR S/COPELANDS BARRACKS ROOM/10JUN25
(174) DOCUMENTATION OF COLLECTION OF EVIDENCE FROM ROOM 335/22JUL25
(175) COLLECTION FARO 3D LASER SCAN DATA OF 2856 CARY AVENUE/22JUL25
(176) COLLECTION FARO 3D LASER SCAN DATA OF WILLIS MANOR/22JUL25

EXECUTIVE SUMMARY

1. On 31MAY25, NCIS received a report of a missing person, CSSN [redacted], USN, USS JAMES E. WILLIAMS (DDG-95), who was marked as Unauthorized Absent (UA) by DDG-95 along with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95. On 01JUN25, base security was able to locate S/COPELAND; however, V/[redacted] remained missing. NCIS responded to Naval Station Norfolk and began conducting field interviews of friends and family members of V[redacted] NCIS spoke with S/COPELAND who stated he, along with one of his roommates, dropped V[redacted] off on the morning on 29MAY25 at her barracks located at Miller Hall aboard Naval Station Norfolk and had not seen her since. Throughout the course of the investigation, NCIS conducted exhaustive efforts yielding S/COPELAND was the last person to see V[redacted] and he was not truthful about her whereabouts or his actions from 29MAY25 through 01JUN25. These efforts included submission and execution of legal process, interviews, foot canvasses, collaborative search efforts, and the utilization of digital forensics. NCIS seized the cellular device of S/COPELAND and conducted a forensic review, which led NCIS to a neighborhood where V/[redacted] body was located inside a black duffel bag. After the discovery, NCIS detained S/COPELAND and attempted to conduct an interview; however, he requested counsel and the interview was terminated. Subsequently, S/COPELAND was placed into pre-trial confinement pending charges. This investigation is pending evidence analysis, interviews, cellular data findings, and any additional investigative steps deemed appropriate.

NARRATIVE

1. This reactive investigation pertains to the suspected violations of Article 107 (False Official Statements), Article 118 (Murder) and Article 131b (Obstructing Justice) of the Uniform Code of Military Justice (UCMJ). NCIS maintains primary jurisdiction.



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2. References (A-C) document additional NCIS cases wherein CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95) was identified as the subject of the investigations.

3. Reference (D-E) documents all previous investigative activity to date.

4. On 06JUN25, NCIS submitted a subpoena to Navy Federal Credit Union for S/COPELAND's financial records; Exhibit (76) pertains.

5. On 06JUN25, NCIS submitted a subpoena to Cox Communications for V/[redacted] IP address information; Exhibit (77) pertains.

6. On 06JUN25, NCIS submitted a second subpoena to Cox Communications for V/[redacted] account for additional IP address information; Exhibit (78) pertains.

7. On 06JUN25, NCIS conducted a landfill site survey; Exhibit (79) pertains.

8. On 06JUN25, NCIS executed a Permissive Authorization for Search and Seizure (PASS) for the DNA of YN3 Sean MONGHAN, USN, HELICOPTER MINE COUNTERMEASURES SQUADRON 12 (HM-12); Exhibit (80) pertains.

9. On 06JUN25, NCIS executed a PASS for the DNA of PSSN Irbin GORDILLOCRUZ, USN, AIRBORN COMMAND AND CONTROL SQUADRON 124 (VAW-124) and ARSN John CALISSE, USN, VAW-124; Exhibit (81) pertains.

10. On 06JUN25, NCIS was provided with DDG-95's duty roster and recall roster, along with the leave chit of ET3 Daniel RICH, USN, DDG-95, from LTJG David DEMAZURE; Exhibit (82) pertains.

11. On 06JUN25, NCIS interviewed Victoria ALEJOS, CIV, a cousin of V/[redacted]; Exhibit (83) pertains.

12. On 06JUN25, NCIS interviewed CSSA Deontae WILLIAMS, USN, USS HARRY S TRUMAN (CVN-75). CSSA WILLIAMS was identified as the owner of a 2015 black Dodge Challenger, a vehicle S/COPELAND was known to drive; Exhibit (84) pertains.

13. On 06JUN25, NCIS executed a PASS for the vehicle belonging to CSSA WILLIAMS; Exhibit (85) pertains.

14. On 06JUN25, NCIS interviewed Alexis VANCE, CIV, who was identified as being a high school friend of V[redacted]; Exhibit (86) pertains.

15. On 06JUN25, NCIS, interviewed OSSN Isabella AGUILAR, USN, DDG-95, who



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contacted NCIS stating she had information pertaining to V/[redacted] Exhibit (87) pertains.

16. On 06JUN25, NCIS attempted to interview George MORORS, CIV, no response was received; Exhibit (88) pertains.

17. On 06JUN25, NCIS interviewed Mary BENSON, CIV, who was identified as being the X2 barracks manager and CSSN Carmesah SAUNDERS, USN, who works at the front desk of building X2; Exhibit (89) pertains.

18. On 06JUN25, NCIS initiated screening questionnaire's to DDG-95; Exhibit (90) pertains.

19. On 06JUN25, NCIS interviewed CS1 Drevon THOMPSON, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (91) pertains.

20. On 06JUN25, NCIS interviewed FCC Cameron SVEDARSKY, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (92) pertains.

21. On 06JUN25, NCIS interviewed ETC Michael SCHIANO, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (93) pertains.

22. On 06JUN25, NCIS interviewed CS2 Rezan TAYLOR, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (94) pertains.

23. On 06JUN25, NCIS interviewed GSEC Amber SANTOS, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (95) pertains.

24. On 06JUN25, NCIS interviewed QMSA Jariel ALVAREZBAUTISTA, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (96) pertains.

25. On 06JUN25, NCIS interviewed LT Yan LIANG, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (97) pertains.

26. On 06JUN25, NCIS interviewed LS1 Jeffrey MILLER, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (98) pertains.

27. On 06JUN25, NCIS interviewed LSSN Vivian GUADALUPERIVERA, subsequent to screening questionnaire's onboard DDG-95, USN, DDG-95; Exhibit (99) pertains.

28. On 06JUN25, NCIS interviewed GMC Johnathan WYTAS, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (100)



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pertains.

29. On 06JUN25, NCIS interviewed STGSN John BOAMAH, USN, DDG-95, subsequent to screening questionnaire's onboard DDG-95; Exhibit (101) pertains.

30. On 06JUN25, NCIS interviewed S/COPELAND wherein he relayed his whereabouts from 28MAY25-01JUN25 stated he last saw V[redacted]on 29MAY25, after she left his barracks room; Exhibit (102) pertains.

31. On 06JUN25, NCIS conducted a PASS for the DNA of S/COPELAND; Exhibit (103) pertains.

32. On 07JUN25, NCIS contacted the Virginia's Office of the Chief Medical Examiner; Exhibit (104) pertains.

33. On 07JUN25, NCIS received the firearm results for HT3 Michael GILLESPIE, USN, DDG-95; Exhibit (105) pertains.

34. On 07JUN25, NCIS received the results from V/[redacted] Snapchat search warrant; Exhibit (106) pertains.

35. On 07JUN25, NCIS interviewed Sara SEAGREN, CIV, who was identified as being a friend of V[redacted] Exhibit (107) pertains.

36. On 07JUN25, NCIS interviewed IS3 Natalia SANTIAGO, USN, GEOINWARACT, who was identified as a friend of V/[redacted] Exhibit (108) pertains.

37. On 07JUN25, NCIS contacted the Harlingen Police Department to conduct a welfare check at V,[redacted] known address in Texas; Exhibit (109) pertains.

38. On 07JUN25, NCIS conducted canvassing of local mental health facilities to attempt to locate V[redacted] Exhibit (110) pertains.

39. On 07JUN25, NCIS interviewed ET3 Daniel RICH, USN, DDG-95; Exhibit (111) pertains.

40. On 07JUN25, NCIS executed a PASS for the vehicle of ET3 RICH; Exhibit (112) pertains.

41. On 07JUN25, NCIS executed a PASS for the barracks room of ET3 RICH; Exhibit (113) pertains.

43. On 07JUN25, NCIS along with Virginia Search and Rescue conducted a foot search of Naval Station Norfolk; Exhibit (115) pertains.

44. On 08JUN25, NCIS made contact with Naval Station Norfolk base Police;



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Exhibit (116) pertains.

45. On 08JUN25, NCIS made contact with X-2 Building Manager Hailey CUMMINGS, CIV; Exhibit (117) pertains.

46. On 08JUN25, NCIS interviewed ET3 Armani LIMAS, USN, NAVAL COMPUTER AND TELECOMMUNICATIONS STATION (NCTMS), who stated she had information related to V[redacted] Exhibit (118) pertains.

47. On 08JUN25, NCIS served a 2703(d) Court Order to Verizon for HT3 GILLESPIE's account; Exhibit (119) pertains.

48. On 08JUN25, NCIS served a 2703(d) Court Order to Verizon for ET3 RICH's account; Exhibit (120) pertains.

49. On 08JUN25, NCIS interviewed CS1 Daryl HOWELLEL, USN, DDG-95, subsequent to screening questionnaires onboard DDG-95; Exhibit (121) pertains.

50. On 08JUN25, NCIS reviewed V[redacted] medical records; Exhibit (122) pertains.

51. On 08JUN25, NCIS interviewed HT3 GILLESPIE; Exhibit (123) pertains.

52. On 08JUN25, NCIS executed a PASS for the motorcycle belonging to HT3 GILLESPIE; Exhibit (124) pertains.

53. On 08JUN25, NCIS executed a PASS for a 2004 Ford Mustang belonging to HT3 GILLESPIE; Exhibit (125) pertains.

54. On 09JUN25, NCIS received confirmation the cameras in building X-2 are not operational; Exhibit (126) pertains.

55. On 09JUN25, NCIS received the results of a subpoena to Equifax for V[redacted] Exhibit (127) pertains.

56. On 09JUN25, NCIS served a subpoena to Navy Federal Credit Union for the financial records for V[redacted] Exhibit (128) pertains.

57. On 09JUN25, NCIS conducted DBIDS inquiries; Exhibit (129) pertains.

58. On 09JUN25, NCIS conducted a search at Naval Medical Center Portsmouth; Exhibit (130) pertains.

59. On 09JUN25, NCIS conducted a canvass in the area of Fort Monroe, VA; Exhibit (131) pertains.



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60. On 09JUN25, NCIS made contact with Naval Station Norfolk Dental Clinic to confirm HT3 GILLESPIE's whereabouts; Exhibit (132) pertains.

61. On 09JUN25, NCIS conducted an interview of YN3 Sean MONAGHAN, USN, HELICOPTER MINE COUNTERMEASURES SQUADRON (HM-12); Exhibit (133) pertains.

62. On 09JUN25, NCIS executed a PASS for a 2011 Toyota Camry belonging to YN3 MONAGHAN; Exhibit (134) pertains.

63. On 09JUN25, NCIS executed a PASS for YN3 MONAGHAN's bathmat; Exhibit (135) pertains.

64. On 09JUN25, NCIS conducted an interview of MA2 Joel RASH, USN, NAVAL STATION NORFOLK SECURITY DETACHMENT; Exhibit (136) pertains.

65. On 09JUN25, NCIS conducted an interview of MA2 Gabriel MCMILLIAN, USN, NAVAL STATION NORFOLK SECURITY DETACHMENT; Exhibit (137) pertains.

66. On 09JUN25, NCIS received Defense Finance and Accounting Services (DFAS) for both S/COPELAND and V[redacted] Exhibit (138) pertains.

67. On 09JUN25, NCIS received additional DBIDS information; Exhibit (139) pertains.

68. On 09JUN25, NCIS identified ET3 LIMAS, as she was associated with a P3 Tip received; Exhibit (140) pertains.

69. On 09JUN25, NCIS and Isle of Wight Detective Sean LACY, CIV conducted a canvass of building X-2 with Electronic Storage Detection K9 Pixel; Exhibit (141) pertains.

70. On 09JUN25, NCIS, Hampton Police Division (HPD) Master Patrol Officer (MPO) Evan WILLIAMS, CIV, and bloodhound K9 Sherlock conducted a canvass around building X2 and the surrounding buildings; Exhibit (142) pertains.

71. On 09JUN25, NCIS made contact and telephonically interviewed Bradley CASTLE, CIV and Erik CASTLE, CIV; Exhibit (143) pertains.

72. On 09JUN25, NCIS received security footage from Operational Test and Evaluation Force; Exhibit (144) pertains.

73. On 09JUN25, NCIS located a duffel bag with unidentified remains inside near the 2800 block of Cary Avenue, Norfolk, VA. Norfolk Police Department (NPD) was contacted for assistance in crowd control and canvassing



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interviews. At 2019, the remains were removed from the location and taken into the custody of the Office of the Chief Medical Examiner (OCME); Exhibit (145) pertains.

74. On 09JUN25, NCIS conducted canvassing interviews with Norfolk Police Department (NPD) Detective David TODD; Exhibit (146) pertains.

75. On 09JUN25, NCIS conducted canvassing interviews with NPD Detective Kyle AUSTIN; Exhibit (147) pertains.

76. On 09JUN25, NCIS conducted canvassing interviews in the Cary Ave and Godfrey Ave neighborhoods, Norfolk, VA; Exhibit (148) pertains.

77. On 09JUN25, NCIS conducted canvassing interviews in the 2800 block of Cary Ave, Norfolk, VA; Exhibit (149) pertains.

78. On 09JUN25, NCIS conducted canvassing interviews in the neighborhood of Cary Ave and East Princess Anne Road, Norfolk, VA; Exhibit (150) pertains.

79. On 09JUN25, NCIS interviewed Brittany MYRICK, CIV, a potential witness identified while canvassing in the 2800 block of Cary Ave, Norfolk, VA; Exhibit (151) pertains.

80. On 09JUN25, NCIS apprehended S/COPELAND; Exhibit (152) pertains.

81. On 09JUN25, NCIS attempted to interview S/COPELAND, however S/COPELAND elected to invoke his right to counsel. S/COPELAND was taken into Pre-trial Confinement; Exhibit (153) pertains.

82. On 09JUN25, NCIS obtained a verbal Command Authorized Search and Seizure (CASS) to photograph S/COPELAND for injuries; Exhibit (154) pertains.

83. On 09JUN25, NCIS conducted an examination and documentation of S/COPELAND to ascertain if there were any injuries; Exhibit (155) pertains.

84. On 10JUN25, NCIS attended the autopsy of the remains, which was identified as belonging to V, [redacted] based off of fingerprints taken; Exhibit (156) pertains.

85. On 10JUN25, NCIS made contact with HT3 GILLESPIE to issue a Victim Witness Assistance Program (VWAP) pamphlet; Exhibit (157) pertains.

86. On 10JUN25, NCIS continued to execute screening questionnaires aboard DDG-95; Exhibit (158) pertains.



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87. On 10JUN25, NCIS interviewed LSC Robert JANSON, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (159) pertains.

88. On 10JUN25, NCIS interviewed LTJG Geoffrey SCHMID, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (160) pertains.

89. On 10JUN25, NCIS interviewed OS3 Aaliyah JORDAN, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (161) pertains.

90. On 10JUN25, NCIS interviewed ET3 Joseph TOMLINSON, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (162) pertains.

91. On 10JUN25, NCIS interviewed OS2 Gannon BIUTCH, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (163) pertains.

92. On 10JUN25, NCIS interviewed QMSA Jariel ALVAREZ BAUTISTA, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (164) pertains.

93. On 10JUN25, NCIS interviewed LSSN Vincent STALLONE, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (165) pertains.

94. On 10JUN25, NCIS interviewed LT Alia CARTWRIGHT, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (166) pertains.

95. On 10JUN25, NCIS interviewed ENS Jacob MANKO, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (167) pertains.

96. On 10JUN25, NCIS interviewed LT Joseph MCCLELLAND, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (168) pertains.

97. On 10JUN25, NCIS interviewed CSSN Gladis GARCIABARRERA, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (169) pertains.

98. On 10JUN25, NCIS interviewed CSSN Terrell GREEN, CIV, who was identified as the person who was harassing ET3 RICH online and a friend of V[redacted] Exhibit (170) pertains.



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99. On 10JUN25, NCIS interviewed LTJG Sean JAMES, USN, DDG-95, subsequent to screening questionnaires conducted onboard DDG-95; Exhibit (171) pertains.

100. On 10JUN25, NCIS executed a CASS for the berthing aboard DDG-95 and their associated barge for the personnel belonging of S/COPELAND; Exhibit (172) pertains.

101. On 10JUN25, NCIS executed a CASS for the barracks room belonging to S/COPELAND; Exhibit (173) pertains.

102. On 22JUL25, NCIS completed the Documentation and Collection of Evidence report for 03JUN25 of S/COPELAND's barracks room; Exhibit (174) pertains.

103. On 22JUL25, NCIS completed the report for the Collection FARO 3D Laser Scan Data of 2856 Cary Avenue, Norfolk, VA, conducted on 09JUN25; Exhibit (175) pertains.

104. On 22JUL25, NCIS completed the Collection FARO 3D Laser Scan Data of Willis Manor, conducted on 10JUN25; Exhibit (176) pertains.

105. Between 06-10JUN25, CDR Lauren MAYO, JAGC, USN, Chief, Office of Special Trial Counsel (OSTC), LT Christopher DEMPSEY, JAGC, USN, Region Legal Service Office Mid-Atlantic (RLSO-MA), and LT Patricia CANNADAY, JAGC, USN, OSTC, were provided updates.

106. This ROI (INTERIM) documents the completed investigative actions through 06JUN25-10JUN25 and documents up to the location of V[redacted] and her autopsy. The remaining IA's will be documented routinely.

107. This investigation is pending evidence analysis, interviews, cellular data findings, and any additional investigative steps deemed appropriate.

ACTION
R.TSTF: Please provide video/audio clarification in support of this investigation.

DISTRIBUTION
NCISHQ:23B2
ACTION:TSTF



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13 Aug 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commander, Naval Surface Force Atlantic
Via: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS UNDER ARTICLE 138, UCMJ

Ref: (a) Article 138, UCMJ
(b) JAGINST 5800.7G, Chapter III.

Encl: (1) Emails with trial counsel and defense counsel
(2) Emails with defense counsel and the staff judge advocate advising the USS JAMES E. WILLIAMS
(3) CSSN Copeland's Request for Redress of 29 Jul 25
(4) Email from staff judge advocate advising the USS JAMES E. WILLIAMS notifying the defense that the request for redress was denied of 7 Aug 25
(5) Email with Brig Staff
(6) Email from staff judge advocate advising the USS JAMES E. WILLIAMS stating that formal response was not required of 11 Aug 25

1. This complaint of wrong under reference (a) is submitted on behalf of CSSN Jermiah Copeland by his defense counsel, LCDR Amanda Serfess, JAGC, USN and LCDR Clifton Morgan, JAGC, USN. It is submitted in compliance with reference (b).

2. Complainant information:

a. Current command: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

b. Command at time of alleged wrong: USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

c. EAOS: 12 July 2027

d. Current mailing and email address: CSSN Copeland is being held in pretrial confinement in Naval Consolidated Brig Chesapeake. He can be reached through his defense counsel.

3. Respondent information: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95), Norfolk, Virginia

4. Complaint:

a. Alleged wrong: CSSN Copeland has been held in pretrial confinement for 63 days without preferred charges. CSSN Copeland has been in a "maximum status" while at the brig. He remains in his cell 22 hours per day. He is not permitted to have "contact" visits with his defense

counsel. CSSN Copeland has requested to have a private, in-person, meeting with his defense counsel. However, this request was denied.

b. Details:

(1) For 63 days, CSSN Copeland has been held in confinement without preferral of charges.

(2) Per enclosure (1), on 16 June, CSSN Copeland requested through counsel to meet with his attorney's in-person in a private setting. The trial counsel stated that the government could not support this request. The trial counsel ignored the defense's request for more information.

(3) On 3 July 2025, the staff judge advocate advising the USS JAMES E. WILLIAMS reached out to defense counsel. In response, the defense counsel provided her additional information. Namely, that at least one trial court has found that the current policies and procedures in place at Naval Consolidated Brig Chesapeake for pretrial confinees in a "maximum" confinement status is illegal pretrial punishment.

(4) On 23 July 2025, the defense followed up with our original request. This follow up was ignored.

(5) On 29 July 2025, CSSN Copeland through counsel submitted a formal request for redress to the Commanding Officer, USS JAMES E. WILLIAMS to meet with his attorneys in a private, confidential in-person setting.

(6) On 7 August 2025, CSSN Copeland's request was denied. USS JAMES E. WILLIAMS provided no reasoning for the denial.[1]

c. Relief requested: CSSN Copeland respectfully requests to be able to meet with his attorneys in a private room to have a private conversation without the risk of being heard by people who are not members of his defense team. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig.[2] This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to

[1] Per enclosure (6), the staff judge advocate reads Section 0305.a of the JAGMAN to state that a response to a request for redress is not required. Section 0305.a of the JAGMAN states that

> The commanding officer must act upon a request for redress within 30 calendar days of receipt, and notify the complainant in writing of the action taken, if applicable. If the commanding officer does not respond to the request within 30 calendar days or denies the requested redress, then the complainant may submit an Article 138 complaint to the GCMCA via the commanding officer, as the respondent.

[2] See enclosure (5).

hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of the Sixth Amendment.

Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if they cannot meet and openly discuss the case. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

5. I certify the above information is true and correct to the best of my knowledge, and this complaint is submitted per the guidelines and procedural requirements in Chapter III, Manual of the Judge Advocate General.

6. Please contact me with any questions or concerns you may have at 850-452-5572 or via email Amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

| | |
|---|---|
| **From:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **To:** | Mayo, Lauren A CDR USN CNO (USA) |
| **Cc:** | Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | RE: Demand for Speedy Trial ICO CSSN Copeland |
| **Date:** | Monday, June 30, 2025 1:45:00 PM |

CDR Mayo,

Who has decided that CSSN Copeland cannot come to A-50? OSTC? The RLSO? Why can't the government support CSSN Copeland coming to A-50? We have confined clients from other command come to A-50.

Can you please provide me with the name and contact information of the lead agent in this case?

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
[redacted]

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Sent:** Monday, June 30, 2025 2:10 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

You are more than welcome to address your concerns with the brig or NCIS.

The government cannot support a 2 July meeting in A-50. I've asked the brig if you can use the IRO room - but the brig is unable to accommodate. I suggest you liaise directly with the brig regarding any future visits.

V/r,

LAM

Lauren Mayo
CDR, JAGC, USN
Chief Special Trial Counsel
Office of Special Trial Counsel Det Norfolk-Groton
[redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 30, 2025 1:44 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find LCDR Morgan and I's notice or representation attached.

Our understanding is the CSSN Copeland's cell was searched and his IRO package was taken from him because according to NCIS he cannot have that documentation. Is there a sealing or protection order in this case? Please let us know why CSSN Copeland cannot review and keep the documents associated with his case. Please let us know what the Government believes CSSN Copeland can have and review in his case. If NCIS has questions about how CSSN Copeland received documents, please have them reach out me and LCDR Morgan.

Please let me know if you need anything from me. Are we good for Wednesday? We have a couple of A/C spaces in the defense that we can use to meet with CSSN Copeland – the same spaces being used today with a client from the brig.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

[redacted]

[redacted]

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Sunday, June 29, 2025 2:33 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

I just wanted to follow up and see if we are good for 2 July.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

[redacted]

[redacted]

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 3:32 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

2 July at 1030 would be best for us.

Thank you

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

[redacted]

[redacted]

---

**From:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>

**Sent:** Tuesday, June 24, 2025 3:26 PM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Re: Demand for Speedy Trial ICO CSSN Copeland

LCDR Serfess,

Yes, received. I'll forward your request to the command IRT a meeting. When are you requesting the meeting?

v/r,

LAM

Lauren Mayo

CDR, JAGC, USN

Chief Special Trial Counsel

Office of Special Trial Counsel Det Norfolk-Groton

[redacted]

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---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Tuesday, June 24, 2025 2:59 PM
**To:** Mayo, Lauren A CDR USN CNO (USA)
**Cc:** Dempsey, Christopher B LT USN (USA); Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA)
**Subject:** RE: Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Did you receive our demand for a speedy trial? Can we arrange a time/place to have a confidential meeting with our client in person?

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

[redacted]

[redacted]

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 4:18 PM
**To:** Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>
**Cc:** Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister,

Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
**Subject:** Demand for Speedy Trial ICO CSSN Copeland

CDR Mayo,

Please find a demand for a speedy trial ICO CSSN Copeland attached.

Additionally, please let us know how we can schedule a time for CSSN Copeland to come to A-50 so that he can meet with his defense attorneys.

Let me know if you need anything from us.

V/r

Amanda Serfess

LCDR, JAGC, USN

Assistant Senior Defense Counsel

Defense Service Office Southeast

Norfolk, Virginia

[redacted]

[redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Subject:** RE: SN Copeland"s Initial Review Hearing
**Date:** Wednesday, July 23, 2025 1:16:00 PM

Elisabeth,

I just wanted to circle back to our request to meet with our client in the same room privately. I emailed the brig today and it will not allow us to visit our client in a contact room – we would only be able to meet with him through glass in non-private area. Is it possible for the command to bring him to A-50 or another location to allow us to meet with him? (Similar to how we will meet with him when he come to the court room for hearings).

Please and thank you

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
[redacted]

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Thursday, July 3, 2025 2:46 PM
**To:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
**Subject:** FW: SN Copeland's Initial Review Hearing

Elisabeth,

Please see attached. We presented these to the IRO at Copeland's hearing.

There are plenty of spaces at the brig where we could meet with the client and the staff could still see us. CDR Mayo asked them if we could use the IRO room (no windows, but a place we meet with other clients) but the brig said no. We would also agree to have more than one of the defense team in the room during any meeting if it is our safety they are concerned about. We are not concerned about our safety and haven't seen any indication that CSSN Copeland would do anything to harm his defense

team.

Let me know if you have questions or need anything else from me.

Have a Happy Independence Day!!!

V/r
Amanda

Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
[redacted]

---

**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)
**Sent:** Monday, June 16, 2025 6:37 AM
**To:** Pfeil, Jason A CDR USN NAVMARJUDIC DC (USA) <jason.a.pfeil.mil@us.navy.mil>
**Cc:** Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Mayo, Lauren A CDR USN CNO (USA) <lauren.a.mayo2.mil@us.navy.mil>; Cannaday, Patricia T LT USN NAVY JAG WASH DC (USA) <patricia.t.cannaday.mil@us.navy.mil>; Dempsey, Christopher B LT USN (USA) <christopher.b.dempsey2.mil@us.navy.mil>
**Subject:** SN Copeland's Initial Review Hearing

Your Honor,

The defense requests that you consider the attached two exhibits for today's seven day review hearing as they go to the severity of CSSN Copeland's confinement, and therefore, to whether less severe forms of restraint are adequate.

I will bring printed copies to the brig.

V/r
Amanda Serfess
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
Norfolk, Virginia
[redacted]

29 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Defense Counsel
To: Commanding Officer, USS JAMES E. WILLIAMS (DDG-95)

Subj: REQUEST FOR REDRESS ICO CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST. amend. VI
(b) R.C.M. 502
(c) Article 138, UCMJ

1. On behalf of CSSN Copeland, the defense respectfully requests to be able to meet with CSSN Copeland in a private room to have a private conversation where he can consult with his attorneys without the risk of being heard by people who are not members of his defense. CSSN Copeland has been in pretrial confinement since 9 June 2025. Based solely on the fact that CSSN Copeland has "Article 118" on his confinement order, he has been placed in a "maximum status." Because CSSN Copeland is in that status, he cannot have a "contact" visit with his attorneys at the brig. This means that his attorneys can only meet with him separated by a plexiglass wall. This room is not soundproof – the brig staff or anyone else can hear from outside the room. Further, because of the plexiglass, it is difficult for CSSN Copeland to hear his attorneys and even more difficult for his attorneys to hear him. This is inadequate to properly represent CSSN Copeland and does not meet the requirements of reference (a).

2. Understanding that you cannot order the brig to have a different policy, you do have the authority to transport CSSN Copeland to a different location so that he can meet with his attorneys. Defense counsel regularly meet with clients who are in pretrial confinement at building A-50 on Naval Station Norfolk. Commands transport pre-trial confinees, including other pretrial confinees who are accused of murder and attempted murder, to consult with their attorneys. A-50 is a secure building, it is the same building where CSSN Copeland will meet with his attorneys should charges in this case ever be pursued. CSSN Copeland simply requests to exercise his constitutional right to counsel, which must include the right to meet and openly discuss his case. The right to counsel includes the right to effective counsel. CSSN Copeland's attorneys cannot be effective if we cannot meet and openly discuss the case with our client. Despite twice demanding a speedy trial, CSSN Copeland has been in pretrial confinement for 50 days without being brought to trial or being able to meet with his attorneys in a private setting. Please allow CSSN Copeland to have a privileged, in-person meeting with his attorneys.

3. If you have any questions, need amplifying information, or need assistance in coordinating the release of CSSN Copeland's personal property, LCDR Amanda Serfess, detailed defense counsel, can be reached at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

## Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA)

**From:** Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)
**Sent:** Thursday, August 7, 2025 7:20 AM
**To:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA)
**Cc:** co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil
**Subject:** RE: Request for Redress CSSN Copeland
**Signed By:** elisabeth.c.maddrell@navy.mil

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
[redacted]

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CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth
Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
[redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess

| | |
|---|---|
| **From:** | Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) |
| **To:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Cc:** | Fejeran, Franklin J SSG USARMY 42 MP BDE (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); Green, Deonta J PO1 USN (USA) |
| **Subject:** | RE: CSSN Copeland |
| **Date:** | Wednesday, July 23, 2025 1:04:43 PM |

Good afternoon Ma'am,

His status was changed, however his classification remains the same and that is what requires visitation using the non-contact area.

Very Respectfully,
MA1 (AW) Christopher Eck
NAVCONBRIG Det Chesapeake
Corrections Counselor
[redacted]

Scheduling availability:
Legal calls Monday through Friday except holidays between 1230 and 1500. Please schedule calls at least 24 hours in advance to avoid scheduling conflicts.
Command and legal visitations can be conducted Monday through Friday 0800-1100 and 1200-1500. These typically do not require prior coordination, however prior notification is always appreciated. **All paperwork to be left for prisoners needs to be coordinated through the Prisoner Management Department and be free from staples and paperclips.**

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**From:** Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
**Sent:** Wednesday, July 23, 2025 12:16 PM
**To:** Eck, Christopher M PO1 USN NAVCONBRIG CHES VA (USA) <christopher.m.eck.mil@us.navy.mil>
**Cc:** Fejeran, Franklin J SSG USARMY 42 MP BDE (USA) <franklin.j.fejeran.mil@army.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; Green, Deonta J PO1 USN (USA) <deonta.j.green.mil@us.navy.mil>
**Subject:** RE: CSSN Copeland

MA1,

Now that CSSN Copeland's status has been upgraded, can he do contact visits with his attorneys?

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida

[redacted]

| | |
|---|---|
| **From:** | Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) |
| **To:** | Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA); Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Cc:** | co@ddg95.navy.mil; michelle.matthews; Demazure, David R LTJG USN (USA); xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA); HAFNER, Laquoston T (AM2) PO1 USN (USA) |
| **Subject:** | RE: Request for Redress CSSN Copeland |
| **Date:** | Wednesday, August 13, 2025 12:56:20 PM |

LCDR Morgan,

As it is not required, JWS CO does not wish to provide the additional response requested.

Very Respectfully,

Elisabeth Maddrell Hall
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
[redacted]

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CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
POC: LT Elisabeth Maddrell, elisabeth.m.hall6.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Wednesday, August 13, 2025 1:51 PM
To: Hall, Elisabeth M LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.m.hall6.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil; Hoffmeister, Cindy R CIV USN DEFSVCOFF SE NOR VA (USA) <cindy.r.hoffmeister.civ@us.navy.mil>; HAFNER, Laquoston T (AM2) PO1 USN (USA) <laquoston.t.hafner.mil@us.navy.mil>
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Okay. If the CO is not refusing, will he provide us the formal response like we requested, despite whether it's required or not. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
[redacted]

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Tuesday, August 12, 2025 2:39 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Apologies, no. I meant a formal letter, in addition to the denial notification below, with justification signed by the CO is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
[redacted]

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CUI Category: PRVCY, LEGAL, MIL
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POC: LT Elisabeth Maddrell, elisabeth.c.maddrell.mil@us.navy.mil, 757-341-4915

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>

Sent: Monday, August 11, 2025 3:47 PM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

For clarification, are you saying that the CO is refusing to provide us a formal response?

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
[redacted]

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Monday, August 11, 2025 3:21 PM
To: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LCDR Morgan,

Per JAGMAN 0305(a), a formal response is not required.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
[redacted]

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process, or other privileges. Additionally, the information contained in this message and any accompanying attachments may contain personally identifiable information, protected healthcare information, sensitive and pre-decisional information that is protected from mandatory disclosure under the Freedom of Information Act. Do not disseminate further without approval from the sender. If you have received this message in error, please immediately notify the sender and delete or destroy any copy of this message.

[redacted]

-----Original Message-----
From: Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 10:43 AM
To: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

LT Maddrell,

Good morning. Received. We request a formal response, signed by the CO. Additionally, in his response, we request the CO provide justification as to why he will not accommodate our request. Thank you.

Very Respectfully,

Clifton E. Morgan III
LCDR, JAGC, USN
Assistant Senior Defense Counsel
Defense Service Office Southeast
[redacted]

-----Original Message-----
From: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>
Sent: Thursday, August 7, 2025 8:20 AM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>
Cc: co@ddg95.navy.mil; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Defense Team,

I apologize for the delayed response. JWS CO has denied this request.

Very Respectfully,

Elisabeth Maddrell
LT, JAGC, USN
Surface Group Judge Advocate
Commander, Naval Surface Group Mid-Atlantic
[redacted]

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process, or other privileges. Additionally, the information contained in this message and any accompanying attachments may contain personally identifiable information, protected healthcare information, sensitive and pre-decisional information that is protected from mandatory disclosure under the Freedom of Information Act. Do not disseminate further without approval from the sender. If you have received this message in error, please immediately notify the sender and delete or destroy any copy of this message.

Controlled by: Department of the Navy
Controlled by: CNSG-ML N01L
CUI Category: PRVCY, LEGAL, MIL
Distribution/Dissemination Control: FEDCON
[redacted]

-----Original Message-----
From: Rogers, Cody LCDR USN, DDG95 <cody.rogers@ddg95.navy.mil>
Sent: Tuesday, July 29, 2025 9:11 PM
To: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>; co@ddg95.navy.mil
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA) <elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; michelle.matthews <michelle.matthews@ddg95.navy.mil>; Demazure, David R LTJG USN (USA) <david.demazure@ddg95.navy.mil>; xo@ddg95.navy.mil
Subject: RE: Request for Redress CSSN Copeland

Good evening,

This is LCDR Cody Rogers, I am acting XO on the JWS. We are in receipt of the below email and discussing with our JAG. We will provide a response in a few days once we are able to discuss. Please let me know if you have any questions. Thank you.

Very Respectfully,

LCDR Cody Rogers
Plans and Tactics Officer
Senior Watch Officer
USS James E Williams
[redacted]

-----Original Message-----
From: Serfess, Amanda M LCDR USN DEFSVCOFF SE NOR VA (USA) <amanda.m.serfess.mil@us.navy.mil>
Sent: Tuesday, July 29, 2025 1:30 PM
To: CO <co@ddg95.navy.mil>
Cc: Maddrell, Elisabeth C LT USN COMNAVSURFGRUMIDLANT (USA)

<elisabeth.c.maddrell.mil@us.navy.mil>; Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) <clifton.e.morgan4.mil@us.navy.mil>; Matthews, Michelle A CDR USN, DDG95 <michelle.matthews@ddg95.navy.mil>; Demazure, David LTJG USN, DDG95 <david.demazure@ddg95.navy.mil>; XO <xo@ddg95.navy.mil>
Subject: Request for Redress CSSN Copeland

CO,

Good afternoon. I, along LCDR Morgan (copied) represent CSSN Copeland. CSSN Copeland has the right to be represented by counsel. To effectuate that right, he needs to able to have a private conversation with his attorneys. We have made the request, but have not received a clear answer on why he cannot meet with his attorneys in-person in a private room. Please find a request for redress ICO CSSN Copeland attached.

I am available to answer any questions.

V/r
Amanda Serfess
LCDR, JAGC, USN
Officer in Charge
Defense Service Office Southeast
Detachment Pensacola, Florida
[redacted]

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION FOR APPROPRIATE RELIEF**<br><br>**(CHANGE VENUE)**<br><br>**26 November 2025** |

## MOTION

Pursuant to Rule for Courts-Martial (RCM) 906(b)(11), the defense moves this Court to change the venue of trial in this case to Jacksonville or Mayport, Florida or another location not affected by the media attention in this case.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 9 June 2025, CSSN Copeland was ordered into confinement. (Enclosure (A): Confinement Order of 9 Jun 25).

2. The reason for confinement was an allegation of a violation of Article 118 for the alleged premeditated murder of CS3 A.R. (*Id.*; Enclosure (B): 48/72 hour letter).

3. CSSN Copeland is confined at the Naval Consolidated Brig Charleston (NCBC) Detachment Chesapeake. He is classified as a maximum status prisoner.

4. On 16 June 2025, CSSN Copeland demanded a speedy trial (Enclosure (C): Demand for Speedy Trial of 16 Jun 25).

5. On 25 July 2025, CSSN Copeland again demanded a speedy trial. (Enclosure (D): Second Demand for Speedy Trial of 25 Jul 25).

6. There has been significant media attention regarding this case since CS3 A.R.'s disappearance.[1] These articles include CSSN Copeland's name and facts (some incorrect) regarding the case.

7. Articles were posted to social media where members of the public can make comments. Some of these comments have included calls for CSSN Copeland's death and pictures of CSSN Copeland. (Enclosure (K): Screenshots from social media comments).

8. The media released CSSN Copeland's name prior to charges being preferred in this case.[2]

9. On 22 August 2025, charges were preferred in this case. (Charge Sheet). Local news outlets reported this.[3]

10. In the days just prior to the Article 32 hearing, protesters were on Hampton Blvd right outside of Naval Station Norfolk with signs that read "Justice for A[]." (Enclosure (E): Affidavit in re Justice for CS3 A.R. protests).

11. On the day before the Article 32 preliminary hearing, an invitation to protest was posted on Facebook inviting people to Gate 5, Naval Station Norfolk from 1000-1300 on 18 September 2025, which was the day of the Article 32. The invitation stated that "[t]ogether, we demand answers, accountability, and justice." (Enclosure (F): Facebook invitation to protest).

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[1] E.g., Eugene Daniel and Taylor Brokesh, *Search Underway for Missing 21-year-old Sailor in Norfolk*, 13NEWSNOW (Jun. 3, 2025) https://www.13newsnow.com/article/news/local/mycity/norfolk/missing-alert-[redacted]-petra-rezendis-naval-station-norfolk/291-a97c9c70-5eb2-466c-a751-33dc2b7741f2; Madison Pearman and Jane Alvarez-Wertz, *A[redacted] R[redacted]'s Mother Speaks out after Memorial Service in Norfolk*, 10ONYOURSIDE WAVY.COM (Jul. 8, 2025), https://www.wavy.com/news/local-news/norfolk/[redacted]-[redacted]-mother-speaks-out-after-memorial-service-in-norfolk/; NEWS3 WTKR, TIMELINE: Everything we know about the Disappearance of Seaman [redacted] R[redacted] (Updated Jul. 10, 2025) https://www.wtkr.com/news/in-the-community/norfolk/timeline-everything-we-know-about-the-disappearance-of-seaman-[redacted]-[redacted] Kathleen Lundy and Hannah Eason Amado, *Norfolk Sailor A[redacted] [redacted] Cause of Death Rules as Undetermined, Medical Examiner Says*, 13NEWSNOW, (Aug. 26, 2025) https://www.13newsnow.com/article/news/national/military-news/norfolk-sailor-[redacted]-cause-manner-death-undetermined-virginia-medical-examiner/291-411f1c4d-21f1-4736-9a42-0779566161b8. https://www.13newsnow.com/article/news/national/military-news/norfolk-sailor-[redacted]-cause-manner-death-undetermined-virginia-medical-examiner/291-411f1c4d-21f1-4736-9a42-0779566161b8.

[2] E.g., Fox, Andy, *New Information on Norfolk Sailor's Death, Name of Suspect Revealed*, 10ONYOURSIDE WAVY.COM (Jun. 19, 2025), https://www.wavy.com/news/local-news/new-information-on-norfolk-sailors-death-name-of-suspect-revealed/.

[3] E.g., Christopher Collette and Madison Schlegel, *Prosecutors Say Jermiah Copeland Murdered [redacted] [redacted] in Naval Station Norfolk Barracks*, 13NEWSNOW (Sept. 18, 2015) https://www.13newsnow.com/article/news/national/military-news/[redacted]-[redacted]-death-suspect-court-appearance-virginia-navy-military/291-6073ab25-a3ba-4ab5-b4da-41ab4ef2eeb3.

12. On 18 September 2025, there was an Article 32 hearing in this case. Local news outlets reported on the preliminary hearing; even commenting on the defense's lack of response.[4]

13. On 18 September, this protest occurred as planned. Protesters stood and walked back and forth on the corner at Hampton Boulevard and Gate 5 holding and raising signs reading "Justice for A[]," "Her Life Mattered," "MST=Military Sexual Trauma [with statistics and mentioning CS3 A.R., Vanessa Guillen]," and others. (Enclosure (J): Affidavit from defense investigator of 18 Nov 25).

14. At the Article 32 hearing, there was an observer in the court room in their dress whites carrying an urn…. (Enclosure (G): Affidavit in re Article 32 hearing urn protest).

15. While there has been much local news interest in Hampton Roads and protests, news outlets in Jacksonville, Florida have not reported on this case. (Enclosure (H): Affidavit from Detachment Mayport Paralegal of 18 Nov 25; Enclosure (K)).

16. ). Additionally, there have not been any protests at or near NAS Jacksonville. (Enclosure (I): Email from NAS Jacksonville PAO of 1 Nov 25).

**LAW**

17. "Neither the Uniform Code of Military Justice nor the Manual for Courts-Martial establish the location at which a court-martial may, or must be conducted." [5] "The convening authority shall ensure that an appropriate location and facilities for courts-martial are provided."[6] "However, once he has referred charges to a court-martial, any motion for a change of venue, or of the situs of the trial, is properly addressed solely to the military judge as an interlocutory matter, and his ruling thereon is final and constitutes the ruling of the court."[7]

18. "The place of trial may be changed when necessary to prevent prejudice to the rights of the accused[.]"[8]A change of the place of trial may be necessary when there exists in the place where the court-martial is pending so great a prejudice against the accused that the accused cannot obtain a fair and impartial trial there, or to obtain compulsory process over an essential witness. When necessary to change the place of trial the choice of places to which the court-martial will be transferred will be left to the convening authority as long as the choice is not inconstant with the ruling of the military judge."[9]

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[4] E.g., NEWS3 WTKR, Web Staff (Sept. 18, 2025), https://www.wtkr.com/news/in-the-community/norfolk/first-hearing-held-for-sailor-accused-in-a[redacted]-r[redacted]-death.
[5] *Chenoweth*, 46 C.M.R. 183, 186 (C.M.A. 1973)(citing *United States v. Knudson*, 16 C.M.R. 161 (C.M.A. 1954)); *United States v. Fisher*, 15 C.M.R. 152 (C.M.A. 1954).
[6] R.C.M. 504(e)
[7] *United States v. McKeel*, 2005 CCA LEXIS 16 (citing *Chenoweth*, 46 C.M.R. at 186(quoting Art. 51(b), UCMJ 10 USC § 851(b)).
[8] R.C.M. 906(b)(11).
[9] RCM 906(b)(11), Discussion.

19. "Servicemembers are entitled to have their cases 'adjudged by fair and impartial court-martial panels whose evaluation is based solely upon the evidence,' not pretrial publicity."[10] The doctrine of unfair pretrial publicity is based upon the constitutional right to due process.[11] Pretrial publicity alone is insufficient to require a change of venue.[12] Rather, an accused is entitled to a change of venue only if "pretrial publicity creates 'so great a prejudice against the accused that the accused cannot obtain a fair and impartial trial."[13] An appellant bears the burden of demonstrating either presumed prejudice or actual prejudice.

20. Pretrial publicity can warrant a change of venue when that publicity has prejudiced the potential panel members.[14] Prejudice can be shown in two ways: actual prejudice or presumed prejudice.[15] Actual prejudice is present when panel members have developed such fixed opinions about the case that they cannot make an impartial decision with regard to guilt or innocence.[16] Presumed prejudice is established when the pretrial publicity surrounding the case is prejudicial, inflammatory, and has saturated the community.[17]

21. Prejudice may be presumed if the pretrial publicity is "(1) prejudicial, (2) inflammatory, and (3) has saturated the community."[18] "To establish saturation, there must be evidence of the amount of pretrial publicity and the number of individuals exposed to it."[19] A conviction will not be overturned for presumed prejudice if there is a manifest injustice.[20]

22. Depending on the circumstances of the case, the potential for prejudice may be ameliorated through measures such as a continuance, change of venue, sequestration, and regulation of public comment by counsel.[21]

23. In most instances a motion for a change of venue takes place after the *voir dire*.[22] But "where there is a reasonable likelihood that prejudicial news prior to trial will prevent a fair trial, the judge should continue the case until the threat abates, or transfer it to another county…."[23] However, a showing of actual prejudice is usually necessary before a change of

---

[10] *United States v. Akbar*, 74 M.J. 364, 398 (A.C.C.A. 2015)(quoting *United States v. Simpson*, 58 M.J. 368, 372 (C.A.A.F. 2003)).
[11] *See* U.S. CONST. amend. V; *Simpson*, 58 M.J. at 372.
[12] *Id.* (citing *United States v. Curtis*, 44 M.J. 106, 133 (C.A.A.F. 1996)).
[13] *Akbar*, 74 M.J. at 398 (quoting *United States v. Loving*, 41 M.J. 213, 254 (C.A.A.F. 1994) (citing R.C.M. 906(b)(11), Discussion)).
[14] *United States v. Curtis*, 44 M.J. 106, 124 (C.A.A.F. 1996).
[15] *United States v. Simpson*, 58 M.J. 368, 372 (C.A.A.F. 2003).
[16] *Curtis*, 44 M.J. at 124.
[17] *Id.* at 139 (citing *Neb. Press Ass'n v. Stuart*, 427 U.S. 539, 554 (1976)).
[18] *Simpson*, 58 M.J. at 372 (citing *Curtis*, 44 M.J. at 139) (citations omitted in original).
[19] *Curtis*, 44 M.J. at 139 (citing *United States v. Gray*, 37 M.J. 730, 747 (A.C.M.R. 1992)).
[20] *Id.* at 139 (citing *Mu'Min v. Virginia*, 500 U.S. 415 (1991)).
[21] *United States v. Simpson*, 58 M.J. 368, 372 (C.A.A.F. 2003) (citing *Sheppard v. Maxwell*, 384 U.S. 333 (1966)).
[22] *Curtis*, 44 M.J. at 124.
[23] *Id.* (quoting *Sheppard v. Maxwell*, 384 U.S. 333, 363 (1966)).

venue is granted.[24]

## ARGUMENT

24. **Having the trial at Naval Station Norfolk would create a manifest injustice and CSSN Copeland would be unable to receive a fair trial. Therefore, this court should order a change of venue to Jacksonville, Florida or another location with less media attention and protests.**

CSSN Copeland has the right to a fair and impartial jury. He will not be able to get that in Hampton Roads. Here, there is presumed prejudice as the pretrial publicity surrounding the case is prejudicial, inflammatory, and has saturated the community. Media attention in this case has been frequent. Additionally, much of the attention is on social media where members of the public are free to comment. Many of the comments are clear – without seeing a single piece of evidence, members of the community are ready to convict CSSN Copeland. All potential members, if procured from Hampton Roads, will be exposed, from news outlets, social media, and/or protests to this case. They are exposed to incorrect and inadmissible facts (some reports regarding CSSN Copeland's high school behavior), CSSN Copeland's photo, and calls for CSSN Copeland's death. Compare this case with *Simpson*, where the CAAF reasoned that pretrial publicity did not prejudice the accused because it was only for two weeks and the accused's name was rarely mentioned.[25] Here, it has been the exact opposite, there has been constant publicity throughout the investigation and proceedings, protests, and CSSN Copeland's name has been in the media on almost all the reporting since 20 June 2025. There is a far greater risk of prejudice in this case. The risk of actual or presumed prejudice would be mitigated by changing the venue to a location with less local interest such as Jacksonville, Florida.

While, the test for actual prejudice may have to wait until *voir dire*, that luxury is not available here. CSSN Copeland is in maximum confinement and any further delay would significantly prejudice him. If this Court does not find presumed prejudice based on the publicity and protests in the local media and social media, the defense alternatively requests to change the date of *voir dire* to the 5 March 2026 39(a) hearing. This would do three things: (1) determine if it is possible to get a fair and impartial jury in Hampton Roads, (2) if it is possible, instruct the members not to view any media early, and (3) if it is not possible, change the venue to another location in enough time that would allow the government time to change the witnesses travel and other logistics - protecting CSSN Copeland from extended pretrial confinement.

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[24] *Id.*
[25] *Simpson*, 58 M.J. at 372-73.

## RELIEF REQUESTED

25. Pursuant to Rule for Court-Martial (RCM) 906(b)(11), the defense moves this Court to change the venue of trial in this case to Jacksonville or Mayport, Florida or another location not affected by the media attention in this case.

26. Unless the government concedes the motion or this Court grants the relief on the basis of pleadings alone, the defense requests a hearing to present evidence and argument on this matter.

## EVIDENCE

27. The defense offers the following enclosures as evidence in support of this Motion:

A. Enclosure (A): Confinement Order of 9 Jun 25
B. Enclosure (B): 48/72 hour letter
C. Enclosure (C): Demand for Speedy Trial of 16 Jun 25
D. Enclosure (D): Second Demand for Speedy Trial of 25 Jul 25
E. Enclosure (E): Affidavit in re Justice for CS3 A.R. protests
F. Enclosure (F): Facebook invitation to protest
G. Enclosure (G): Affidavit in re Article 32 hearing urn protest
H. Enclosure (H): Affidavit from Detachment Mayport Paralegal of 18 Nov 25
I. Enclosure (I): Email from NAS Jacksonville PAO of 1 Nov 25
J. Enclosure (J): Affidavit from defense investigator of 18 Nov 25
K. Enclosure (K): Screenshots from social media comments

[redacted]
A. M. SERFESS
LCDR, JAGC, USN
Detailed Defense Counsel

## CERTIFICATE OF SERVICE

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]
LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION FOR APPROPRIATE RELIEF**<br><br>**(Change of Venue)**<br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure (A): Confinement Order of 9 Jun 25
b. Enclosure (B): 48/72 hour letter
c. Enclosure (C): Demand for Speedy Trial of 16 Jun 25
d. Enclosure (D): Second Demand for Speedy Trial of 25 Jul 25
e. Enclosure (E): Affidavit in re Justice for CS3 A.R. protests
f. Enclosure (F): Facebook invitation to protest
g. Enclosure (G): Affidavit in re Article 32 hearing urn protest
h. Enclosure (H): Affidavit from Detachment Mayport Paralegal of 18 Nov 25
i. Enclosure (I): Email from NAS Jacksonville PAO of 1 Nov 25
j. Enclosure (J): Affidavit from defense investigator of 18 Nov 25
k. Enclosure (K): Screenshots from social media comments

Prescribed by: DoDI 1325.07

CUI (when filled in)

# CONFINEMENT ORDER

## PRIVACY ADVISORY

Disclosure of this information is voluntary and will be used to record information about military member ordered into confinement pretrial, post-trial or as a result of nonjudicial punishment. For additional information, see System of Records Notice, A0190-47 DAPM-ACC, "Army Corrections System and Parole Board Records," NM01650-1, "Individual Confinement Records," and F031 AF SF A, "Correction and Rehabilitation Records" published at https://dpcld.defense.gov/Privacy/SORNs/. When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

**1. PERSON TO BE CONFINED**

| a. NAME (Last, First, Middle Initial) | b. SOCIAL SECURITY NUMBER | 2. DATE (YYYYMMDD) |
|---|---|---|
| COPELAND, JERMIAH TAYLOR | [redacted] | 20250609 |

| c. BRANCH | d. GRADE | e. UNIT/AGENCY (Parent unit) |
|---|---|---|
| USN | E-3 | USS JAMES E. WILLIAMS |

**3. TYPE OF CONFINEMENT**

| a. PRETRIAL | b. RESULT OF NJP | c. RESULT OF COURT-MARTIAL: |
|---|---|---|
| ☐ NO ☒ YES | ☒ NO ☐ YES | ☒ NO ☐ YES |

d. TYPE OF COURT-MARTIAL: ☐ SCM ☐ SPCM ☐ GCM ☐ VACATED SUSPENSION

**4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED** *(List all charge(s) if prisoner is pretrial. List guilty finding(s) only if prisoner is post-trial.)*

UCMJ ARTICLE 118- MURDER

| 5. SENTENCE ADJUDGED (Annotate sentence from the result of trial) | b. ADJUDGED DATE (YYYYMMDD): |
|---|---|
| | |

**6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED** *(YYYYMMDD)*: _____

**7. PERSON DIRECTING CONFINEMENT**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | b. SIGNATURE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|---|
| WINTERS, TIMOTHY M., CDR COMMANDING OFFICER | WINTERS.TIMOTHY.MAR.K.1006194172 Digitally signed by WINTERS.TIMOTHY.MARK.1006194172 Date: 2025.06.09 23:37:00 -04'00' | 20250609 | 2337 |

**8. LEGAL REVIEW AND APPROVAL REQUIRED** *(Review required by different name at 7.a and b:)*

a. INCIDENT # NFNF-00237-7MNA ORI _____

b. DNA PROCESSING COLLECTED: ☐ IS ☐ YES ☐ NO ☐ IS NOT REQUIRED PURSUANT TO DODI 5505.14. KIT# _____ Date DNA collected *(YYYYMMDD)* _____

c. SEX OFFENDER REGISTRATION ☐ IS ☐ IS NOT REQUIRED UNDER 42 U.S.C. 14071.

| d. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | e. SIGNATURE | f. DATE (YYYYMMDD) |
|---|---|---|
| | | |

**9. MEDICAL CERTIFICATE**

a. The above named prisoner was examined by me at 0154 *(Time)* on 20250610 *(YYYYMMDD)* and found to be ☒ Fit ☐ Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement ☐ will ☒ will not produce serious injury to the prisoner's health.

b. The following irregularities were noted during the examination: *(List only non-medical information. Refer to SF 600 for all medical information, including HIV, TB and pregnancy tests and results.)*

**10. EXAMINER**

| a. TYPED NAME (Last, First, Middle Initial), GRADE AND TITLE | c. DATE (YYYYMMDD) | d. TIME |
|---|---|---|
| KALODNER, LAUREN, B LCDR, MC | 20250610 | 0200 |

**11. RECEIPT FOR PRISONER** *(Completed by the correctional facility staff upon arrival of the prisoner)*

a. THE PRISONER NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT *(Facility Name and Location)*
NCBC DETACHMENT CHESAPEAKE
on 2025 06 10 *(YYYYMMDD)* AND TIME: 0247 *(Time)*

| b. PERSON RECEIPTING FOR PRISONER (Typed name (Last, First, Middle Initial), Grade and Title) | c. SIGNATURE | d. DATE (YYYYMMDD) | e. TIME |
|---|---|---|---|
| BASS, BRYANNA, C BM2 R+R SUP | [redacted] | 20250610 | 0247 |

5800
Ser DDG95
11 Jun 25

From: Commanding Officer, USS JAMES E. WILLIAMS (DDG 95)
To: Initial Review Officer

Subj: PRETRIAL CONFINEMENT IN CASE OF CSSN JERMIAH T. COPELAND, USN

Ref: (a) R.C.M. 305(h)(2)(B), Manual for Courts-Martial (2024 Ed.)
(b) SECNAVINST 1640.9D

Encl: (1) DD Form 2707, Confinement Order of 9 June 25
(2) SA Gokey Affidavit of 10 June 25
(3) Timeline of CSSN R[redacted]z's absence email of 3 June 2025
(4) Email regarding photos of blood in CSSN Copeland's room
(5) Summary of image and data found on CSSN Copeland's cellular phone
(6) Photo from CSSN Copeland's mother's Facebook page re: black duffel bag
(7) Photos of the recovery of CSSN R[redacted]'s body
(8) ROI of CSSN Copeland 23 July 24 sexual assault allegation dtd 22 Oct 24
(9) ROI of CSSN Copeland 4 November 24 sexual assault allegation dtd 19 Mar 25
(10) Summary of V/R[redacted] assault

1. Per references (a) and (b), the following information, as well as enclosures (1) and (2), are provided for the purpose of conducting a review of the pretrial confinement of CSSN JERMIAH T. COPELAND, USN:

a. Date, Time, and Place of Confinement: 10 June 2025, approximately 0247, at Naval Consolidated Brig Chesapeake, Virginia per enclosure (1).

b. Offenses: Probable cause and reasonable grounds exist to believe CSSN Copeland has committed the following offenses (not limited to):

(1) Violation of the UCMJ, Article 118 (Murder)

(2) Violation of the UCMJ, Article 120 (Sexual Assault) x 2 specifications

c. General Circumstances:

(1) On or about 29 May 2025, CSSN Jermiah T. Copeland, murdered CSSN A[redacted] R[redacted]. Per enclosure (2), on 28 May 2025, CSSN Re[redacted] was known to be in the barracks room located at X-2 room 335B. One of CSSN Copeland's roommates, PSSN Irbin Gordillocruz, noted that at approximately 0645 29 May 2025, he was leaving for work and saw CSSN Copeland with an unknown female with darker skin and black curly hair on the floor naked. PSSN Gordillocruz noted that he could tell the female was breathing by her chest moving up and down. CSSN Copeland was also due at work on 29 May 2025. A command

representative—FCC Brad Parker—was sent to CSSN Copeland's barracks to ascertain his status. According to FCC Parker, CSSN Copeland answered the door in shorts and no shirt. FCC Parker recognized CSSN R[redacted] in the barracks room and stated she waved at FCC Parker and rolled over into a blanket. FCC Parker ordered CSSN Copeland to report to work and left the barracks room.

(2) CSSN R[redacted]z's barracks room is at Miller Hall onboard Naval Station Norfolk. According to CSSN Copeland, on 29 May 2025 at approximately 1000, both members eventually dressed and one of CSSN Copeland's roommates drove CSSN Copeland and CSSN R[redacted] to Miller Hall. Neither of CSSN Copeland's roommates gave CSSN Copeland nor CSSN R[redacted] a ride the morning of 29 May 2025. CSSN [redacted] never checked into Miller Hall from 29 May 2025 onward. The last ping of her cellphone was the evening of 29 May 2025 with the location being the X-2 barracks, which was where CSSN Copeland's room is located. Per enclosure (3), the last use of her bank account was on 28 May 2025. According to the command, CSSN Copeland was marked as being in an unauthorized absence status from 29 to 31 May 2025 and on 1 June 2025.

(3) On 1 June 2025, CSSN Copeland went to dinner with PSSN Gordillocruz and another roommate, AR John Calisse, at approximately 1900. After eating, CSSN Copeland asked AR Calisse if he could use AR Calisse's vehicle to "go get something to eat" to which AR Calisse agreed. CSSN Copeland then mustered at the ship to terminate his unauthorized absence, and thereafter is unaccounted for until 0630, 2 June 2025.

(4) According to the command, CSSN [redacted] was scheduled to work during the day on Friday, 30 May 2025 to Sunday, 1 June 2025 with a report time of 0500-0530. CSSN [redacted] failed to report all three days.

(5) On 4 June 2025, NCIS searched CSSN Copeland's barracks room at X-2 and discovered a blood trail leading from inside the closet onto the carpet of the room. On 8 June 2025, NCIS received confirmation from USACIL that the swab taken from inside of CSSN Copeland's closet tested positive for human blood. Enclosure (4) pertains.

(6) On 9 June 2025, NCIS reviewed CSSN Copeland's cellular phone. NCIS extracted two image files, one of which appears to be a screenshot of a Google Maps application with the street name "Cary Avenue" visible. The device appeared to be in Airplane mode at the time the screenshot was taken, which was 2 June 2025 at 0515. NCIS also extracted data from the applications Apple Health Floors, Apple Health Steps, and Apple Health Distance. This data showed that on 2 June 2025 from 0345 to 0447, the cellular phone was in the approximate area of 2842 Cary Avenue, Norfolk, Virginia, 23504 and actively moved about in the vicinity of the area.

(7) On 9 June 2025, NCIS went to 2482 Cary Avenue, Norfolk, Virginia, 23504 and searched the area. A black duffel bag was found beneath a tree within the perimeter captured by CSSN Copeland's screenshot of the Google Maps. After partially opening the duffel bag, a pair of human legs was observed inside. NCIS found a photo on CSSN Copeland's mother's Facebook page from 23 September 2024, in which CSSN Copeland is seen using a similar black

duffle bag found at Cary Avenue. Enclosure (5) pertains.

(8) On 10 June 2025, NCIS attended the autopsy of the female found in the duffel bag. Within the duffle bag, there was an E3 uniform patch located in the hair of the female. The Office of the Chief Medical Examiner (OCME) identified the remains located in the duffel bag to be those of CSSN [redacted] Although the body was in an extreme state of decomposition, the red cross tattoo on her back was still identifiable. Enclosure (6) pertains.

(9) Per enclosure (8), while at his previous command, on or about 26 July 2024, CSSN Copeland allegedly sexually assaulted ABHAN C[redacted] R[redacted] by grabbing her vulva, breasts, and buttocks over her clothing while applying pressure to her neck so that it was difficult for her to breathe. Immediately after the assault, ABHAN [redacted] reported CSSN Copeland to her boyfriend, CSSN Fernando Cuestabravo. CSSN Cuestabravo personally witnessed pressure marks on her neck consistent with ABHAN [redacted]s' report, though those marks had faded by the time of NCIS involvement. Shortly after ABHAN [redacted]s' report to CSSN Cuestabravo, CSSN Cuestabravo reported the matter to CSC Gregory Simmons, the command's security department, and ultimately, NCIS for investigation.

(10) Per enclosure (9), while at his previous command, on or about 4 November 2024, CSSN Copeland allegedly sexually assaulted CSSN S[redacted] S[redacted] in a bathroom of a bar in Oslo, Norway. CSSN Copeland had taken a video recording of the assault and showed the video to multiple Sailors. CSSN Si[redacted] underwent a Sexual Assault Forensic Examination (SAFE), but CSSN Copeland reported her level of intoxication made it so she could not remember a sexual encounter and that she had vomited on herself, as evidenced by the clothing she provided during the SAFE exam. She was approached by multiple Sailors whom CSSN Copeland had shown the video of the sexual assault. CSSN Copeland admitted to NCIS that the sexual penetration took place, though he maintained it was consensual. He further admitted to making the video recording and showing it to at least two other Sailors, but was no longer in possession of the phone used to make the recording or the recording itself.

(11) Per enclosure (10) on 11 April 2025, Base Security responded to a complaint of domestic violence involving CSSN Copeland. Allegedly, CSSN Copeland was in his barracks room with his then girlfriend, CS2 S[redacted] Ri[redacted](USS JAMES E. WILLIAMS). CS2 Williams received a phone call from another woman who purported to be CSSN Copeland's girlfriend. CS2 Williams confronted CSSN Copeland regarding the other woman, but CSSN Copeland denied being in a relationship with the woman who had called. The two continued to argue. According to CS2 Williams, CSSN Copeland got up and "choked" her. CSSN Copeland then laughed and stated that he was just playing with CS2 Williams. CS2 Williams, upset, left the barracks room and returned home. While home she continued to engage via phone with the other woman who purported to be CSSN Copeland's girlfriend. CS2 Williams then returned to CSSN Copeland's barracks room to confront him again about his other girlfriend. While arguing, CSSN Copeland grabbed CS2 William's phone from her hand. CS2 Williams then punched CSSN Williams in the chest and slammed his PS5 to the ground and left. CSSN Copeland's roommate alleged to law enforcement that CS2 Williams waived a knife around while arguing with CSSN Copeland. No weapon was found.

2. Previous Disciplinary Action: NJP awarded for violation of UCMJ Article 86, Unauthorized

Absence on 6 June 2025.

3. Extenuating or mitigating circumstances: None.

4. The requirement to review probable cause within 48 hours of the initiation of confinement was satisfied because I, complying with R.C.M. 305(d), personally ordered CSSN Copeland into confinement. I am neutral and detached in this matter and personally reviewed the existence of probable cause to continue the confinement. Due to the aforementioned information, continued pretrial confinement is appropriate in this case and there is probable cause to conclude that:

a. The offenses set forth above in paragraph 1.b. have been committed and are triable by court-martial.

b. CSSN Copeland did commit the offenses specified in paragraph 1.b.

c. Confinement of CSSN Copeland is necessary because it is foreseeable that he will not appear at further hearings, will commit further serious misconduct, and less severe forms of restraint are inadequate.

(1) Continued pretrial confinement is necessary and appropriate in this case. Charges involving allegations that CSSN Copeland murdered CSSN R[redacted] will be preferred to trial by court-martial, and no unusual delays are expected. There is probable cause to support the allegation. Given that CSSN Copeland has already been dishonest in claiming that one of his roommates had driven CSSN R[redacted] and CSSN Copeland back to CSSN R[redacted]z's barracks room the morning of 29 May—which was false—it is foreseeable that CSSN Copeland may attempt to evade future hearings in this matter.

(2) Given the horrendous nature of the crime and CSSN Copeland's direct involvement with that crime, I have grave concerns for the safety of both military and civilian personnel in the public tied to the foreseeable further serious misconduct of CSSN Copeland. The previous allegations of sexual assault from his previous command show that CSSN Copeland has an escalating pattern of violence towards females. Furthermore, his second sexual assault allegation and his involvement in a domestic violence encounter—let alone this murder—while he was already on notice that he was being investigated for serious criminal behavior indicates the extreme risk of further serious misconduct if the accused is not retained in confinement.

(3) Less severe forms of restraint are inadequate. The fact that this alleged grave misconduct even occurred demonstrates that lesser forms of moral restraint would be inadequate as the military environment provides no inherent mitigation to the risk posed by CSSN Copeland. The alleged offense was targeted to directly harm—to murder—a specific Sailor, which is so depraved that no form of lesser restraint, although available, is appropriate. Due to CSSN Copeland's foreseeable serious misconduct and the fact that less severe forms of restraint are not adequate in this case, I conclude that continued pretrial confinement is most appropriate for this Sailor.

Subj: PRETRIAL CONFINEMENT IN CASE OF CSSN JERMIAH T. COPELAND, USN

WINTERS.TIMOTHY.MARK[redacted] Digitally signed by WINTERS.TIMOTHY.MARK[redacted] Date: 2025.06.11 18:14:49 -04'00'

T. M. WINTERS

Copy to:
CNSL Legal
Office of Special Trial Counsel, Norfolk

16 Jun 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. As of today, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately.

2. Please contact me with any questions or concerns you may have at 757-341-4559 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

Enclosure C

25 Jul 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JACG, USN, Trial Counsel

Subj: DEMAND FOR SPEEDY TRIAL ICO UNITED STATES V. CSSN JERMIAH COPELAND, USN

Ref: (a) U.S. CONST., Amend. VI
(b) Barker v. Wingo, 407 U.S. 514 (1972)
(c) Article 10, U.C.M.J.
(d) R.C.M. 707
(e) My ltr of 16 Jun 25
(f) CDR Mayo ltr of 1 Jul 25
(g) CNRMA ltr of 9 Jul 25

1. Per references (a) through (d), CSSN Copeland, USN, through counsel, demands a speedy trial or immediate release from pre-trial confinement. On 9 June 2025, CSSN Copeland was placed in pre-trial confinement. On 1 July 2025, the detailed special trial counsel requested excludable delay until 25 July 2025 and Commander, Navy Region Mid-Atlantic approved the request. As of today, 25 July 2025, no charges have been preferred. Based solely on the fact that the offense of violating Article 118 appears on the confinement order, CSSN Copeland has been placed in "Maximum" status in the Naval Consolidated Brig Charleston, Detachment Chesapeake. CSSN Copeland spends 22 hours per day in his cell with no other human contact. He is not permitted to have contact visits with his attorneys. As such, CSSN Copeland demands a speedy trial and requests to be brought to trial immediately. Additionally, CSSN Copeland requests to have a private meeting with his attorneys.

2. Please contact me with any questions or concerns you may have at 850-452-5572 or via email at amanda.m.serfess.mil@us.navy.mil.

[redacted]
A. M. SERFESS

Enclosure D

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**in re**<br><br>**PROTESTORS**<br><br>**19 November 25** |

I, CDR Bryan Barletto, JAGC, USN, witnessed the following:

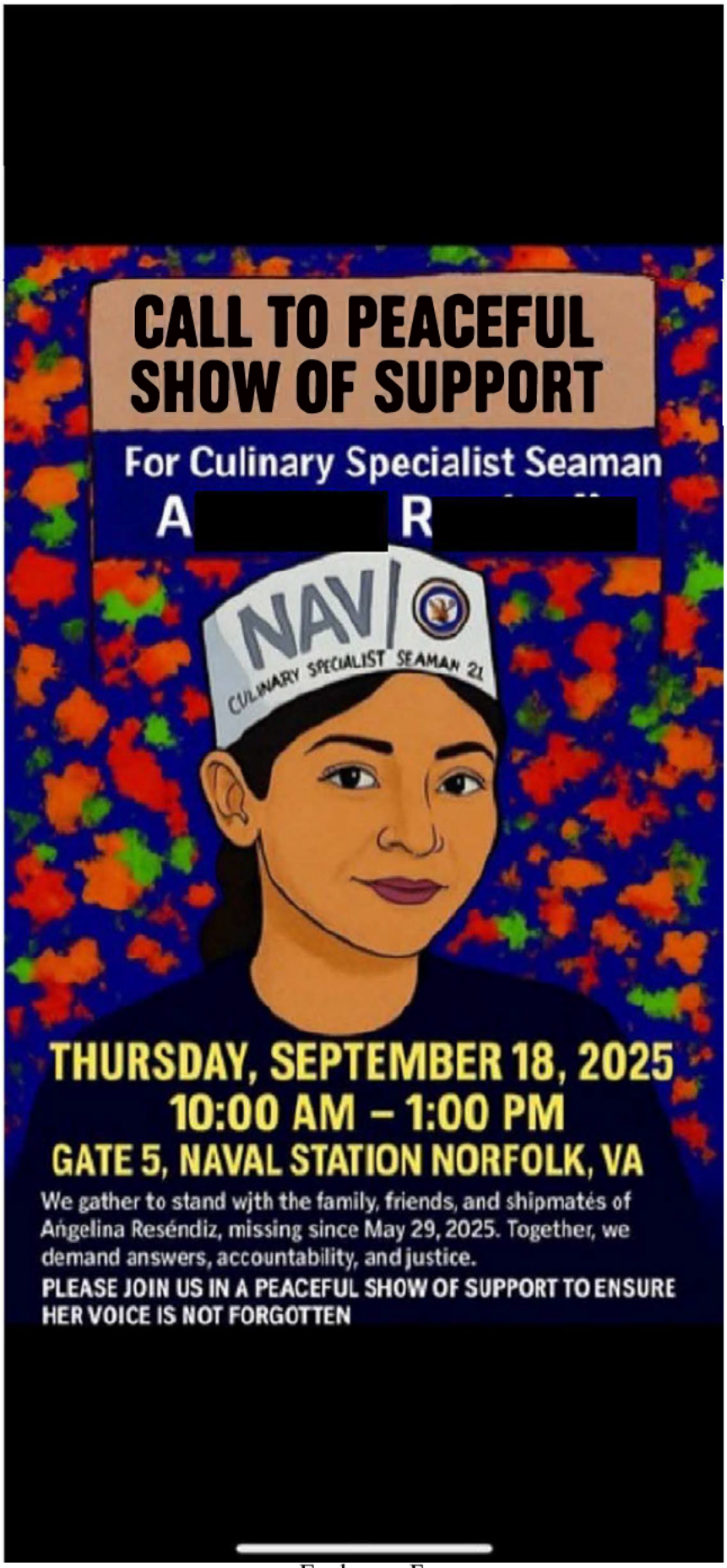
1. In the days immediately prior to the Article 32 hearing ICO CSSN Jermiah Copeland, I was driving southbound on Hampton Boulevard in the late afternoon/early evening. I observed protestors on Hampton Boulevard near the Wawa gas station, holding signs in the direction of Hampton Boulevard traffic. The signs held by the protestors said "Justice for A[redacted]."

2. The Wawa gas station is just over a mile from Naval Station Norfolk where CSSN Copeland's court proceedings took place.

I certify and affirm that that the foregoing statements are true and accurate to the best of my knowledge and recollection.

Signed today, 19 November 2025.

[redacted]
B. C. BARLETTO


CALL TO PEACEFUL SHOW OF SUPPORT
For Culinary Specialist Seaman
A [redacted] R [redacted]
NAVY
CULINARY SPECIALIST SEAMAN 21
THURSDAY, SEPTEMBER 18, 2025
10:00 AM – 1:00 PM
GATE 5, NAVAL STATION NORFOLK, VA
We gather to stand wjth the family, friends, and shipmatés of Ańgelina Reséndiz, missing since May 29, 2025. Together, we demand answers, accountability, and justice.
PLEASE JOIN US IN A PEACEFUL SHOW OF SUPPORT TO ENSURE HER VOICE IS NOT FORGOTTEN

Enclosure F

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT**<br>**in re**<br><br>**URN PROTEST**<br><br>**20 November 25** |

I, LN1 Hafner, USN, witnessed the following:

1. On the day of the Article 32 hearing ICO CSSN Jermiah Copeland, I witnessed a Sailor in Dress Whites carrying what appeared to be a small silver urn. The urn was embellished with an American flag.

2. After the Article 32 proceeding, I saw the Sailor standing in the quarterdeck of building A-50, holding the urn. He was standing with the entourage of Ms. Castle, the mother of CS3 A.R.

Signed today, 20 November 2025.

[redacted]

L. H. HAFNER

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **U N I T E D  S T A T E S**<br><br>**v.**<br><br>**Copeland, Jermiah T.**<br>**CSSN/E-3**<br>**U.S. NAVY** | **AFFIDAVIT OF**<br>**LN1 MONTRENESE G. JAMES, USN**<br><br>**18 NOVEMBER 2025** |

1. I, Legalman First Class (LN1) Montrenese G. James, currently assigned to Defense Service Office Southeast, Detachment Mayport, declare under penalty of perjury that to the best of my personal knowledge and recollection the information contained herein is true, correct, and complete.

2. Based on my personal knowledge and lack of conversations with acquaintances that I have in the Jacksonville, FL area about this specific case, I believe there has been very little to no local news coverage or public discussion of this case within the Jacksonville area. Since the national news about this case broke in June, there has been no protests or public demonstrations outside of either Naval Station Mayport or NAS Jacksonville, indicating the case has not generated significant local unrest or attention in the Jacksonville area.

3. I have friends stationed at Naval Station Norfolk who have reached out to me via phone calls and text messages regarding news articles they have seen related to this case and CS3 A.R.'s body being found. Because of their interest in what has happened, they have shared articles and updates about the case with me and generally asked if I have heard about any developments. I have informed them that I only know of the information published in the news articles that I have seen in the past that they have sent me. These communications I've had with my Norfolk friends compared to my friends in Jacksonville appears to suggest that the facts of this case is more widely reported or discussed in Norfolk than it is in the Jacksonville area.

5. The brig is located on the Naval Station Jacksonville base, and the courtroom is situated no more than 5 minutes away from the brig on the same base. This proximity ensures the security and convenience of having both the detention and trial facilities on the same base.

[redacted]
M. G. JAMES
LN1, USN

| | |
|---|---|
| **From:** | Mihill, Todd M LCDR USCG (USA) |
| **To:** | Larocque, Kaylee A CIV USN NAS JACKSONVILLE FL (USA) |
| **Cc:** | Serfess, Amanda M LCDR USN DEFSVCOFF SE PNS FL (USA); Morgan, Clifton E III LCDR USN DEFSVCOFF SE NOR VA (USA) |
| **Subject:** | RE: Defense Inquiry |
| **Date:** | Monday, November 3, 2025 9:44:08 AM |

Kaylee,

Thank you very much for your response. Have a great week.

VR

Todd

---

**From:** Larocque, Kaylee A CIV USN NAS JACKSONVILLE FL (USA) <kaylee.a.larocque.civ@us.navy.mil>
**Sent:** Saturday, November 1, 2025 12:06 AM
**To:** Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>
**Subject:** FW: Defense Inquiry

Good evening,

My MC1 asked me about this email so I'm responding. To my knowledge we have not had any demonstrations or incidents at NAS Jacksonville regarding this case. I am unaware if there were any off base.

V/r
Kaylee LaRocque
NAS Jacksonville Public Affairs Officer
(904) 542-5588

---

**From:** Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>
**Sent:** Thursday, October 30, 2025 12:43 PM
**To:** Stueven, Aubrey L PO1 USN (USA) <aubrey.l.stueven.mil@us.navy.mil>
**Subject:** FW: Defense Inquiry

Good Afternoon MC1 Stueven,

I am a defense attorney in Norfolk, and along with two other attorneys we represent CSSN Jermiah Copeland. I understand the PAO folks may be furloughed and that you are currently acting PAO. I got your name from the base SJA and wanted to reach out to you with a question regarding this upcoming court martial (see below for my discussion with LT Morris about the

same topic).

To your knowledge, has NAS Jax has any issues with demonstrations, protests, incidents, either on or immediately off base, regarding CSSN A[redacted] R[redacted] or the court case developing in Norfolk?

I am happy to discuss further if you'd like. Thanks in advance!

Very Respectfully,

Todd M. Mihill
LCDR, USCG
Assistant Director, Defense Counsel Assistance Program
1254 Charles Morris Street SE
Washington Navy Yard, DC 20374
(BROFF Norfolk, VA)

TEL (571) 369 8409
todd.m.mihill.mil@us.navy.mil

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Distribution/Dissemination Control: FEDCON

---

**From:** Morris, M Ryan LT USN RLSO SE JAX FL (USA) <michael.r.morris186.mil@us.navy.mil>
**Sent:** Thursday, October 30, 2025 12:32 PM
**To:** Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>
**Cc:** Macaluso, Matteo P LT USN RLSO SE JAX FL (USA) <matteo.p.macaluso.mil@us.navy.mil>
**Subject:** RE: Defense Inquiry

LCDR Mihill,

Most of our Department Heads are furloughed unfortunately, including our PAO and her deputy. Our acting PAO is MC1 Aubrey Stueven who can be reached at 904-542-0932 or aubrey.l.stueven.mil@us.navy.mil. As it pertains your second question, the base has no

incidents or records pertaining to demonstrations, disruptions, or the like for a SN A[redacted] R[redacted] I have also cc'd my relief who will be taking over the office for any future legal questions/needs from NAS Jax.

V/r,

M. Ryan Morris
LT, JAGC, USN
Staff Judge Advocate
Naval Air Station Jacksonville
Office: 904-542-3368

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POC: LT M. Ryan Morris, Michael.r.morris186.mil@us.navy.mil 904-542-3368

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---

**From:** Mihill, Todd M LCDR USCG (USA) <todd.m.mihill.mil@us.navy.mil>
**Sent:** Thursday, October 30, 2025 11:57 AM
**To:** Morris, M Ryan LT USN RLSO SE JAX FL (USA) <michael.r.morris186.mil@us.navy.mil>
**Subject:** Defense Inquiry

Good Morning LT Morris,

Myself and two other attorneys currently represent CSSN Jermiah Copeland. I am emailing today for two reasons 1) do you have a contact in the PAO office who I can reach out to (they are not answering phones and I suspect there may be a furlough issue) and 2) has the base or local area had any demonstrations, incidents, disruptions, or the like related to a sailor named SN A[redacted] R[redacted], either on base or off?

Feel free to give me a call to discuss further. Thanks for your help.

Very Respectfully,

Todd M. Mihill
LCDR, USCG
Assistant Director, Defense Counsel Assistance Program

1254 Charles Morris Street SE
Washington Navy Yard, DC 20374
(BROFF Norfolk, VA)

TEL (571) 369 8409
todd.m.mihill.mil@us.navy.mil

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20:12

WAVY TV 10
6h ·

Most relevant

Author
**WAVY TV 10**
https://www.wavy.com/news/local-news/norfolk/cause-and-manner-of-death-for-r[redacted]-undetermined-medical-examiners-office/



**Cause and manner of death for R[redacted] 'undetermined:' Medical Ex...**
wavy.com

6h Like Reply

**Jules Leguria**
We need Justice for her and her family 💙

5h Like Reply 27

View 1 reply...

**Sean Wireman**
Cause of death Jeremiah Copeland murdered her

5h Like Reply 36

View 4 replies...

**James Parson**
His job is to find out HOW smell a cover-up

3h Like Reply 1

View 1 reply...

**David Karlson**
It is possible to not be able to determine a cause of death. Happens alot. Maybe you all should become medical examiners.

6h Like Reply 12

Comment as Amanda Serfess

WAVY TV 10
5h ·

Marrisa Butt

4h Like Reply 1

**Cait Alexa**
Save yourself a click: it's Jermiah Taylor Copeland.

4h Like Reply 22

**Kim Gibson Cockrell**
Cait Alexa I would love to see what he looks like

3h Like Reply

**Laurin Abreu**
Kim Gibson Cockrell



3h Like Reply 4

Most Relevant is selected, so some replies may have been filtered out.

Write a reply...

Write a reply...

Cassie Greer

Comment as Amanda Serfess

17:43

13News Now - WVEC
1d ·

anonymity.

1d Like Reply



**Kristy Elliott**
Yall lied and said the name was gonna be released today

1d Like Reply 4



**Craig Spruill**
Kristy Elliott Actually, Andy Fox said last Thursday that it would be Monday, at the latest.

1d Like Reply

**Janelle Geroche**
Craig Spruill so that former JAG officer lied, it's Tuesday

1d Like Reply



**Craig Spruill**
Yep!

18h Like Reply



Write a reply...



Write a reply...



**Jamie Graves**
So sad. Whoever is responsible deserves death penalty. But, Virginia did away with that .

1d Like Reply

Most relevant is selected, so some comments may have been filtered out.

Comment as Amanda Serfess

**NAVY AND MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**

| | |
|---|---|
| **UNITED STATES**<br>**v.**<br>**COPELAND, JERMIAH**<br>**CSSN/E-3**<br>**USN** | **AFFIDAVIT OF**<br>**L. JEANINE BADANES**<br><br>**21 NOVEMBER 2025** |

1. I, Jeanine Badanes, have been employed as a Defense Litigation Support Specialist (Defense Investigator) with Defense Service Office Southeast in Norfolk, Virginia, since October 2015. Prior to my current position, I worked as a litigation attorney for 19 years and practiced both civil and criminal law, in State and Federal Courts, most recently as a State prosecutor. Over the past ten (10) years as the defense investigator, I have searched for, identified, and reviewed thousands of news outlets and social media accounts related to cases filed in the Central Judicial Circuit.

2. As part of my duties in the defense of the charges made against CSSN Jermiah Copeland, I monitored news outlets and social media sites for articles, posts, comments, etc., since our office was advised that CSSN Copeland was placed in custody in June 2025.

3. On November 18-19, 2025, I searched local news and social media accounts for stories and posts mentioning A.R. and/or CSSN Copeland. I searched for both Hampton Roads and Jacksonville, Florida area accounts. On each site, I searched for A.R.'s last name as well as CSSN Copeland's first name and, in some instances, his last name. If a result was clearly about or related to the instant case, I copied and pasted the link to a Word document with the date the article/story/video/post was published. I attempted to cover all of the major media in both local areas as well as Facebook pages some Navy entities. The sites/pages searched and the number of confirmed results for each site were:

**Hampton Roads**

Print Newspapers:

*Virginian-Pilot*: 4 articles

*Daily Press (sister paper to Virginian-Pilot)*: 4 articles (same articles as Virginian-Pilot)

News Stations: Many of the outlets posted the same stories on their station websites, on station social media pages (X, Facebook, Instagram, TikTok, and YouTube, at least) and typically by the reporter on their work and/or personal social media pages.

*13 News Now (Website for WVEC)*: 71 total written articles and online videos from WVEC

*WAVY 10 (TV) / Fox 43 (TV)* (different web pages, same results): 19

*WHRO (TV PBS)*: 0 per internet search

*WHRV (PBS Radio) (Radio arm of WHRO)*: No search option for radio, only for WHRO.

*WNIS* (Radio): Can't search within programs (not indexed for content).

*WSKY (TV - NE N. Carolina and SE Virginia)*: Not news. Off-air TV, shows old TV programs.

*WTKR (TV)*: 42

*WTVZ*: Not news. Broadcasts some national news, mostly regular TV programming. Results: 0

*WVBT (Now Fox43 TV) (Sister station to WAVY)*: See WAVY 10 results.

*WVEC (TV ABC)*: Links directly to 13NewsNow website.

**Navy - Hampton Roads**

Military Times: 7 (6 are duplicates of Navy Times)

Naval Station Norfolk FB: 1 post. Over 3,600 shares and 3,600 interactions (likes, etc.) on June 7 missing poster. Comments were limited by the owner of the page. NSN Facebook page has 125,000 followers.

Navy Times: R[redacted]: 6.

NCIS FB: 2 posts. Over 16,500 shares, 7,800 interactions, and 2,000 comments on the June 6 missing poster post. NCIS Facebook page has 38,000 followers.

Stars & Stripes: 7

The Flagship (produced by Navy Region Mid-Atlantic staff) (print and online): R[redacted]: 0. Jermiah: 0; Jermiah Copeland: 0 (Copeland had 185 results, none were him).

**Florida**

Print Newspapers:

*Florida Times Union*: 0

News Stations:

*WJAX Channel 47 (CBS)*: Not searchable. No posts on their FB page with R[redacted] or Jermiah.

*WTLV (NBC 12) (First Coast News)*: 1 (re: R[redacted] mother running for office)

*WTLV Facebook Page*: 2 (one with 62 reactions, 6 comments, 2 shares, the other with 268 reactions, 38 comments, 23 shares)

*WJXT (Channel 4 - Independent) (News4JAX brand) and Facebook Page*: 0

*WCWJ (CW - Channel 17)*: Same as WJXT

*WJCT (PBS Jax)*: Not searchable

Radio:

104.5 WOKV Talk Radio (website has news stories): Not searchable (says it is, but there's no search buttons)

4. Links to the resulting articles listed in paragraph 3 are attached hereto as Enclosures A (Hampton Roads) and B (Florida).

5. On September 18, 2025, during CSSN Copeland's Article 32 Hearing, I observed a "Show of Support" that was held outside of Gate 5 of Naval Station Norfolk. The event had been advertised on several Facebook groups, including Sisters in Service and Circle of Arms, to take place between 10:00 am and 1:00 pm. At the event, individuals stood and walked back and forth on the corner at Hampton Boulevard and Gate 5 holding and raising signs reading "Justice for A[redacted]," "Her Life Mattered," "MST=Military Sexual Trauma [with statistics and mentioning A.R. and Vanessa Guillen]," and others.

**UNDER PENALTY OF PERJURY, I SWEAR THAT THE FORGOING STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, ON THIS 21st DAY OF NOVEMBER 2025.**

BADANES.LORI.J[redacted] Digitally signed by BADANES.LORI.J[redacted] Date: 2025.11.21 13:37:53 -05'00'

L. Jeanine Badanes

**Local News Stories (Hampton Roads) from searching for "R[redacted]" and "Jermiah"**

**The Virginian-Pilot and Daily Press**

6.10.2025: https://www.pilotonline.com/2025/06/10/norfolk-ncis-investigation/

8.9.2025: https://www.pilotonline.com/2025/08/09/a[redacted]-re[redacted]-remembered/

9.9.2025: https://www.pilotonline.com/2025/09/09/r[redacted]-suspect-hearing/

9.22.2025: https://www.pilotonline.com/2025/09/18/sailor-a[redacted]-r[redacted]-was-killed-in-navy-station-barracks-prosecutors-allege/

**Navy Times**

6.9.2025: https://www.navytimes.com/news/your-navy/2025/06/09/authorities-searching-for-missing-naval-station-norfolk-sailor/

6.10.2025: https://www.navytimes.com/news/your-navy/2025/06/10/missing-norfolk-sailor-found-dead-sailor-in-pretrial-confinement/

6.18.2025: https://www.navytimes.com/news/your-navy/2025/06/18/ncis-finds-sailor-nearly-two-weeks-after-disappearance/

6.27.2025: https://www.13newsnow.com/video/news/local/new-details-about-the-condition-of-navy-sailor-a[redacted]-r[redacted]-body/291-b84cea87-1d97-4f22-b49b-839bf9dc35f7

6.27.2025: https://www.navytimes.com/news/your-navy/2025/06/27/body-of-fallen-sailor-returned-home-in-terrible-condition-mother-says/

7.17.2025: https://www.navytimes.com/news/your-navy/2025/07/17/navy-responds-to-congressional-inquiry-into-sailors-death/

9.19.2025: https://www.navytimes.com/news/your-navy/2025/09/19/sailor-charged-in-a[redacted]-r[redacted]-murder-linked-to-other-assaults/

**Military Times**

Same six articles as in Navy Times plus:

6.18.2025: https://www.militarytimes.com/news/your-navy/2025/06/18/ncis-finds-sailor-nearly-two-weeks-after-disappearance/ (Re[redacted] mentioned in article about a different missing sailor)

**Stars & Stripes**

6.6.2025: https://www.stripes.com/branches/navy/2025-06-06/navy-sailor-missing-virginia-18032165.html

6.10.2025: https://www.stripes.com/branches/navy/2025-06-10/navy-sailor-missing-body-found-18076333.html

6.10.2025: https://www.stripes.com/theaters/us/2025-06-10/navy-sailor-missing-dead-18080989.html

6.25.2025: https://www.stripes.com/branches/navy/2025-06-25/navy-sailor-death-family-advocates-18241240.html

8.27.2025: https://www.stripes.com/branches/navy/2025-08-27/a[redacted]-re[redacted]-death-norfolk-navy-18895037.html

9.11.2025: https://www.stripes.com/branches/navy/2025-09-11/r[redacted]-copeland-death-murder-charges-navy-19054677.html

9.18.2025: https://www.stripes.com/branches/navy/2025-09-18/a[redacted]-r[redacted]-norfolk-navy-barracks-19140323.html

**NCIS Facebook**

6.6.2025:
https://www.facebook.com/NCIS.Official/posts/pfbid02Dhk1qELQQHRwUNYTaPZHPjHPirwtdhHmUpESxr8QrnkB95PbUGuaLUoLip3AExuol

6.10.2025:
https://www.facebook.com/NCIS.Official/posts/pfbid0Gnr96pzxMqFtq2TQ5ffoG2sujKJP5qfxJaGmNjizechHWrYSRuReefAGAPJ2W5Fal

**Naval Station Norfolk Facebook**

6.7.2025:
https://www.facebook.com/NavalStationNorfolk/posts/pfbid0224c6maCm4PdLBkU2PsBonEDP6RaeY16tuo7mbZ2CcdEAaBQSEwj9AAKGP1yL88Bcl

**13NewsNow**

6.3.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/missing-alert-a[redacted]petra-r[redacted]-naval-station-norfolk/291-a97c9c70-5eb2-466c-a751-33dc2b7741f2

6.4.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/mother-of-missing-sailor-this-isnt-like-angie-i-just-want-to-find-her/291-28ff8a75-03e3-4764-9958-183f2b979d1d

6.5.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/what-we-know-about-the-missing-21-year-old-sailor-from-naval-station-norfolk/291-461a20d5-7ae9-4495-b6e6-065df07d31b1

6.5.2025: https://www.13newsnow.com/video/news/national/military-news/search-underway-for-missing-21-year-old-sailor-in-norfolk/291-c9d76b70-1d68-40dd-a4b9-e1ca981dd8b3

6.7.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/missing-norfolk-sailor-a[redacted]-r[redacted]/291-5b5143b6-97d4-49ee-9fa1-7d7f7b662184

6.7.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/mother-of-missing-norfolk-sailor-desperate-for-answers/291-075711d9-fdd4-45b4-9a9b-94612d160537

6.8.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/texas-mother-seeks-answers-in-norfolk-amid-sailors-mysterious-absence/291-6cc30166-13cd-4067-b7e0-ff857c7e88c6

6.9.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/21-year-old-sailor-still-missing-from-naval-station-norfolk/291-e58c5bc9-e98b-4323-a693-373a3b6af8fb

6.9.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/search-continues-for-missing-norfolk-sailor-6p/291-f3bf591a-973d-428b-8e6d-fdda7b919fbe

6.9.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/ncis-norfolk-police-on-scene-in-broad-creek-neighborhood/291-cd4f722c-7889-47f2-85ea-80d59e506efd

6.10.2025: https://www.13newsnow.com/video/news/crime/missing-sailor-a[redacted]-re[redacted]-found-dead-in-norfolk-sailor-in-custody/291-15330ced-5faf-482a-84f3-b29c62793818

6.10.2025: https://www.13newsnow.com/video/news/crime/ncis-confirms-body-of-missing-sailor-has-been-found-5p/291-78a30ecc-8458-423f-8a9e-ff04b93c7804

6.10.2025: https://www.13newsnow.com/video/news/national/military-news/missing-sailor-a[redacted]-r[redacted]found-dead-in-norfolk-sailor-in-custody/291-e6caf6a3-34a4-4d4e-a696-a817d920a3dc

6.10.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/a[redacted]-r[redacted]-mother-calls-for-accountability-from-navy-congress-and-president-trump/291-ff45cde2-2a50-4a6e-bf39-7acdb85c95af

6.10.2025: https://www.13newsnow.com/article/news/crime/missing-sailor-a[redacted]-re[redacted]-found-dead-norfolk-family/291-c6bbecf9-eead-42ac-bce0-eaa284c2ab72

6.10.2025: https://www.13newsnow.com/gallery/news/local/mycity/norfolk/photos-from-a-neighbor-of-ncis-investigating-a-dead-body-in-broadcreek/291-b35d4761-888e-42ae-899a-8aa6bf6537c1

6.11.2025: https://www.13newsnow.com/video/news/crime/family-of-an[redacted]-re[redacted]-begin-their-journey-to-seek-justice/291-f21058a9-262a-4b09-8ec0-c77e7b757d07

6.11.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/how-do-military-criminal-proceedings-differ-from-civilian-criminal-proceedings/291-f4f8070b-ee4f-4d3d-b5e1-4755defddfbd

6.11.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/a[redacted]-re[redacted]investigation-norfolk-sailor-death/291-8c1ddd13-040a-4c72-b27b-8e166f2376fc

6.11.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/missing-sailor-a[redacted]-r[redacted]-found-dead-another-sailor-in-custody/291-bcfcaa45-5dfc-477d-9c85-a1da0164d1e3

6.12.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/family-of-a[redacted]a-r[redacted]-begin-their-journey-to-seek-justice/291-b7b1c04b-824b-4d9d-af22-5414bc81a97f

6.12.2025: https://www.13newsnow.com/video/news/crime/family-of-a[redacted]-r[redacted]-begin-their-journey-to-seek-justice/291-045afe92-8013-4947-82dc-7b54107dc1a2

6.12.2025: https://www.13newsnow.com/article/news/national/military-news/timeline-of-missing-sailor-a[redacted]-r[redacted]-disappearance/291-0c85f89a-767e-488b-bab9-e29abce76eea

6.16.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/mother-of-a[redacted]-r[redacted]appears-in-court-by-phone-in-initial-hearing/291-83fb62fd-1a47-4c63-960a-7e68953996ef

6.17.2025: https://www.13newsnow.com/video/news/crime/navy-sailor-expected-to-stay-in-confinement-in-connection-to-a[redacted]-re[redacted]s-death/291-fc7c98cb-3b16-469b-bccd-6ce340cb7aac

6.19.2025: https://www.13newsnow.com/video/news/crime/new-details-in-a[redacted]-r[redacted]z-murder-case-lin/291-6e08eb57-630b-4c30-89e0-0d49e70f2c0b

6.19.2025: https://www.13newsnow.com/article/news/national/military-news/fallen-sailor-with-to-be-honored-with-full-military-tribute/291-4ccb2b29-95b0-4f0c-941c-e691d988ce11

6.20.2025: https://www.13newsnow.com/video/news/national/military-news/norfolk-sailor-a[redacted]-r[redacted]-to-be-honored-with-full-military-tribute/291-6f575eb0-324b-4a38-86e2-3015b05419e7

6.20.2025: https://www.13newsnow.com/video/news/national/military-news/body-of-fallen-norfolk-sailor-a[redacted]-r[redacted]-arrives-in-harlingen-texas/291-66eddd2d-86c6-4348-a475-91cbb10e0053

6.25.2025: https://www.13newsnow.com/article/news/national/military-news/ar[redacted]-r[redacted]-dc-press-conference/291-b7fc9255-e6f1-48d0-b61c-a4de6d217c6d

6.25.2025: https://www.13newsnow.com/video/news/national/military-news/family-of-norfolk-sailor-a[redacted]-re[redacted]-civil-rights-group-demand-answers-at-dc-news-conference-following-her-death/291-e3a24989-4047-49e3-a135-1297910ac70c

6.25.2025: https://www.13newsnow.com/video/news/national/military-news/family-of-missing-norfolk-sailor-speaks-out/291-d4befa58-5701-4c25-844c-3720b55d7e7a

6.25.2025: https://www.13newsnow.com/video/news/national/military-news/united-latin-american-citizens-declares-call-to-action-after-norfolk-sailors-death/291-cf0548f1-5c38-466e-bf28-15d5e44904a1

6.26.2025: https://www.13newsnow.com/article/news/national/military-news/a[redacted]-r[redacted]family-attorney-seeks-answers-from-navy-body-condition/291-657f6950-f838-46ee-b447-9823e356777e

6.27.2025: https://www.13newsnow.com/video/news/national/military-news/funeral-and-vigil-held-for-sailor-a[redacted]-re[redacted]-11p/291-92adc8b2-e2a0-4651-9f0c-ec4f4a603915

6.27.2025: https://www.13newsnow.com/article/news/national/military-news/funeral-service-honoring-norfolk-sailor-a[redacted]-re[redacted]-to-be-held-in-texas/291-3986858b-caf2-4d64-a375-0f7cd721c86d

7.1.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/vigil-honors-navy-sailor-a[redacted]re[redacted]-amid-calls-for-justice/291-f2faaabf-9095-46a4-8e24-f6d449a43e88

7.1.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/a[redacted]-re[redacted]-candlelight-vigil-hometown/291-07442f91-da2e-4a38-afb0-a5ffbd3fd5b0

7.8.2025: https://www.13newsnow.com/video/news/local/private-memorial-for-sailor-a[redacted]a-r[redacted]/291-ed3dd8d0-5fe6-4f86-bfba-dc39fc102f93

7.8.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/a[redacted]-re[redacted]-mother-returns-to-norfolk-for-private-memorial-and-to-search-for-answers/291-ea831b04-3c03-4949-b1a3-e05927419341

7.30.2025: https://www.13newsnow.com/article/news/national/military-news/virginia-kaine-warner-question-sec-of-navy-regarding-death-norfolk-sailor-an[redacted]-re[redacted]/291-4f630231-8e4c-43e5-abd2-160706593396

7.30.2025: https://www.13newsnow.com/video/news/local/mycity/norfolk/virginia-senators-question-secretary-of-navy-regarding-death-of-norfolk-sailor-a[redacted]-re[redacted]/291-fddb9fc9-2cbb-4e4c-822b-75daa9b72346

8.26.2025: https://www.13newsnow.com/video/news/national/military-news/norfolk-sailor-a[redacted]a-re[redacted]-cause-of-death-ruled-as-undetermined-medical-examiner-says/291-e7914e60-1971-45f9-ba07-18d29352f66d

8.26.2025: https://www.13newsnow.com/article/news/national/military-news/norfolk-sailor-re[redacted]cause-manner-death-undetermined-virginia-medical-examiner/291-411f1c4d-21f1-4736-9a42-0779566161b8

8.26.2025: https://www.13newsnow.com/video/news/national/military-news/norfolk-sailor-a[redacted]re[redacted]-cause-of-death-ruled-as-undetermined/291-81e3a4b8-4fd9-4e23-8d10-a6217e8f3e8c

8.27.2025: https://www.13newsnow.com/video/news/national/military-news/norfolk-sailor-a[redacted]-re[redacted]-cause-of-death-ruled-as-undetermined-medical-examiner-says/291-518bd663-d6b8-497a-b774-18a0885b30cd

9.3.2025: https://www.13newsnow.com/article/news/national/military-news/sen-mark-warner-seeks-answers-in-the-death-of-sailor-a[redacted]-r[redacted]/291-76fa6553-ee4b-4c75-97ee-474c5c9d1bfd

9.5.2025: https://www.13newsnow.com/article/news/national/military-news/navy-denies-wrongdoing-in-the-death-of-a[redacted]-r[redacted]/291-716734ba-eb34-4506-a1e8-07a6697fcc2f

9.8.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/navy-sailor-facing-murder-charge-in-connection-with-may-29-disappearance-of-fellow-sailor/291-ed3a62b8-3ba4-4e9d-a781-ea095c6f76b2

9.10.2025: https://www.13newsnow.com/article/news/local/mycity/norfolk/congressional-measure-honors-a[redacted]-r[redacted]/291-24437978-1b61-4515-9bbf-7d1f4d022e6b

9.16.2025: https://www.13newsnow.com/video/news/national/military-news/a[redacted]-r[redacted]-death-hearing-set-thursday-for-sailor-charged/291-c65d18c8-e727-4707-9d62-eaf12e1b2c0c

9.16.2025: https://www.13newsnow.com/article/news/national/military-news/a[redacted]-r[redacted]-death-sailor-charged-hearing-jermiah-copeland/291-dc662a89-61e2-4e2f-b1dd-d3abf6e0fa31

9.18.2025: https://www.13newsnow.com/video/news/crime/sailor-accused-in-death-of-[redacted]-re[redacted]-faces-charges-of-murder-multiple-counts-of-sexual-assault/291-7bc9f215-1c2b-40dd-9689-0dcd2220508b

9.18.2025: https://www.13newsnow.com/video/news/crime/prosecutors-say-a[redacted]-re[redacted]-was-murdered-in-naval-station-norfolk-barracks/291-69d237dd-db22-4475-a077-e7d411f5c17a

9.18.2025: https://www.13newsnow.com/article/news/national/military-news/a[redacted]-r[redacted]-death-suspect-court-appearance-virginia-navy-military/291-6073ab25-a3ba-4ab5-b4da-41ab4ef2eeb3

9.18.2025: https://www.13newsnow.com/video/news/national/military-news/prosecutors-lay-out-arguments-in-an[redacted]r[redacted]-murder-case-5p/291-f87a2e44-3c65-4bcd-8442-fba6210b507c

9.18.2025: https://www.13newsnow.com/video/news/sailor-charged-in-a[redacted]-re[redacted]-death/291-62eb471e-cbf4-4da4-ac79-9aef9ab167e1

9.18.2025: https://www.13newsnow.com/video/news/national/military-news/sailor-accused-in-death-of-a[redacted]-r[redacted]-to-appear-in-court-today/291-c96b9098-6d8e-49e7-80d3-6e79df3928fa

9.18.2025: https://www.13newsnow.com/video/news/crime/mother-of-murdered-sailor-speaks-out-after-suspects-court-hearing/291-f485633b-6e8a-4f5d-8b6b-b45211c03b1e

9.19.2025: https://www.13newsnow.com/article/news/national/military-news/advocacy-groups-speak-out-after-first-hearing-of-suspect-accused-of-a[redacted]-re[redacted]-murder/291-06d553a8-74ae-4e98-b482-c6fd02f6b0f8

9.19.2025: https://www.13newsnow.com/article/news/national/military-news/advocacy-groups-speak-out-after-first-hearing-of-suspect-accused-of-an[redacted]-re[redacted]-murder/291-06d553a8-74ae-4e98-b482-c6fd02f6b0f8

9.29.2025: https://www.13newsnow.com/video/news/politics/national-politics/family-of-a[redacted]r[redacted]-lulac-demand-accountability-in-sailors-death/291-0f645874-ce05-444b-a5fa-74844a764bfa

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6.4.2025: https://www.wtkr.com/missing-persons/woman-desperate-to-find-missing-daughter-last-seen-at-naval-station-norfolk

6.7.2025: https://www.wtkr.com/news/in-the-community/chesapeake/norfolk-based-sailor-is-still-missing-mother-seeks-answers-in-a[redacted]-case

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10.5.2025: https://www.wtkr.com/news/in-the-community/norfolk/naval-court-recommends-trial-in-a[redacted]-r[redacted]-murder-case

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10.14.2025: https://www.wtkr.com/news/in-the-community/norfolk/esmeralda-castle-mother-of-murdered-norfolk-sailor-a[redacted]-r[redacted]z-running-for-office-in-texas

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**Local News Stories (Jacksonville, FL area) from searching for "R[redacted]" and "Jermiah"**

**Florida**

**WTLV (NBC 12) (First Coast News)**

10.15.2025: https://www.firstcoastnews.com/article/news/nation-world/mother-of-slain-navy-sailor-runs-texas-office-a[redacted]-r[redacted]/507-00cf539b-b11b-4e7a-a26f-91eab5ab55bf

**WTLV (NBC 12) (First Coast News) Facebook Page**

9.19.2025, 3:45 pm: https://www.firstcoastnews.com/article/news/national/military-news/an[redacted]r[redacted]-death-suspect-court-appearance-virginia-navy-military/291-6073ab25-a3ba-4ab5-b4da-41ab4ef2eeb3?fbclid=IwY2xjawOJePFleHRuA2FlbQIxMABicmlkETFISmtreVROS0Z0cVhHaU5Cc3J0YwZhcHBfaWQQMjIyMDM5MTc4ODIwMDg5MgABHquBMnBTvhpp9wqdEgIxrqeY26l6Y1YaeAq9FvhugBZrUc5C7aGQrb-NKaz-_aem_7jnsAyR2KyZLHAXslPI_Vw 62 reactions, 6 comments, 2 shares

9.19.2025, 1:29 pm:
https://www.facebook.com/FirstCoastNews/posts/pfbid02KPSwxKX6zRTi3CSsEnv5xGrfvjZwMC1P7CZVsGcZ9endXzyhCfkDDX99ktGxx2nxl 268 reactions, 38 comments, 23 shares

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH COPELAND**<br>**CSSN, E-3**<br>**USN** | **DEFENSE MOTION TO COMPEL**<br><br>**(Expert Consultant in Memory and Human Reaction)**<br><br>**26 November 2025** |

## MOTION

Pursuant to R.C.M. 906(b)(7) and R.C.M. 703(d), the Defense moves the Court to compel the production of forensic psychologist, Dr. Reagan Wetherill, as an expert consultant for the Defense for both pre-trial preparations and trial participation.

## SUMMARY

CSSN Jermiah Copeland is charged with sexually assaulting CSSN S.S., an individual who purports to have been "blacked out" at the time of the alleged offense, among various other violations of the UCMJ. The Defense submitted the appropriate requests for expert funding in accordance with the Trial Management Order. The Government negatively endorsed the request for Dr. Wetherill and funding was denied. Participation of Dr. Reagan Wetherill is relevant and necessary to the Defense's ability to present a full and fair defense to the alleged misconduct. The defense asks the Court to compel the appointment of this expert witness for pre-trial and trial participation.

## FACTS

1. On 1 October 2025, charges were referred in *United States v. CSSN Jermiah Copeland*, USN. Included within those charges are alleged violations of Article 120 (Sexual Assault) against CSSN S.S. and Article 118 (Premediated Murder) of CS3 A.R.

2. Charge I, Specification 3 reads as follows:

> *Specification 3 (Sexual Assault -Incapable of Consenting): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Oslo, Norway, on or about 4 November 2024, commit a sexual act upon CSSN S.S., U.S. Navy, by penetrating CSSN S.S.'s vulva with his penis, when CSSN S.S. was incapable of consenting to the sexual act because she was impaired by an intoxicant, to wit: alcohol, and the accused reasonably should have known of that condition.*

3. Charge VII and its sole specification reads as follows:

> *Specification (Premeditated Murder): In that Culinary Specialist Seaman Jermiah T. Copeland, U.S. Navy, USS JAMES E. WILLIAMS (DDG 95), on active duty, did, at or near Norfolk, Virginia, on or about 29 May 2025, with premeditation, murder CS3 A.R., U.S. Navy, by means of an act of the Accused.*

4. CSSN Copeland and CSSN S.S. were both assigned to the USS JAMES E. WILLIAMS and were on a port call in Oslo, Norway on 4 November 2024.[1]

5. CSSN Copeland and CSSN were at an establishment, Heidi's Bier Bar, where each had consumed alcohol.[2]

6. There are differing accounts from sailors regarding CSSN S.S.'s level of intoxication, as well as the amount of alcohol consumed by CSSN S.S. Some relay that she seemed very drunk, while others did not believe she appeared overly intoxicated.[3]

7. CSSN J. K. relayed to investigators that she had seen a video of sexual interactions between CSSN Copeland and CSSN S.S. on the night it occurred, yet later in the same night CSSN S.S. and CSSN Copeland had continued to drink and hang out together before returning to the ship.[4]

8. Multiple witnesses and CSSN Copeland himself attest that he and CSSN S.S. were engaged in flirtatious behavior to include touching and kissing during the evening leading up to the alleged incident of sexual assault.[5]

9. CSSN S.S. alleged that CSSN Copeland followed her into a bathroom and proceeded to penetrate her vagina with his penis. She did not remember these events, however, other witnesses recalled CSSN S.S. leading CSSN Copeland to the bathroom.[6]

10. CSSN S.S. alleges that her friends informed her the following day CSSN Copeland had shown them a video of himself and CSSN S.S. having sexual intercourse in the bathroom of Heidi's Bier Bar.[7]

11. CSSN S.S. claimed to have no recollection of the incident or allowing CSSN Copeland to record such an encounter.[8]

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[1] Encl D of Def MIL M.R.E. 412 Motion: ROI of 19Mar25, at 1-2.
[2] *Id* at 5; *Id.* at 18-19.
[3] *Id.* at 8-9; Encl G of Def MIL M.R.E. 412 Motion: Results of Interview of CSSN Shamel Eaddy [29-30]; Encl A: Results of Interview of CSSN A.R. of 8Nov24; Encl B: Results of Interview of CSSN Jada Knight of 18Nov24; Encl F of Def MIL M.R.E. 412 Motion: Results of Interview of CSSN Kaylee Parks.
[4] Encl B.
[5] Encl C: Results of Interview of CSSN Jermiah Copeland of 18Nov24; Encl F of Def MIL M.R.E. 412 Motion; Encl E of Def MIL M.R.E. 412 Motion: Results of Interview of CS2 Kirsten Click.
[6] Encl D of Def MIL M.R.E. 412 Motion, at 18-19; Encl E of Def MIL M.R.E. 412 Motion.
[7] Encl D of Def MIL M.R.E. 412 Motion, at 18-19.
[8] *Id*.

12. One witness informed NCIS agents investigating the allegations that she had seen CSSN S.S. in the same restroom after the incident and she was applying lip gloss and did not exhibit symptoms of being overly intoxicated.[9]

13. CSSN S.S. acknowledged, when interviewed by NCIS, that she had taken 3 shots of tequila and did not recall what happened on the night of the alleged assault.[10]

14. CSSN S.S. informed investigators that she did not remember the sexual intercourse, but the following morning she felt "cramps" and her vagina was "swollen."[11]

15. CSSN S.S. was dating CSSN S.E. another member of the ship's crew at the time of the alleged assault, and she is currently engaged to CSSN S.E. and they are expecting their first child together.[12]

16. CSSN Copeland cooperated with investigators and participated in their investigation into the incident, providing a formal interview to NCIS.[13]

17. Upon investigation into the unauthorized absence of CS3 A.R. in May and June of 2025, NCIS determined that CS3 A.R. was seen with CSSN Copeland on the last morning anyone saw her.[14]

18. FCC Brad Parker saw CS3 A.R. with CSSN Copeland on the morning of 29 May 2025.[15]

19. Witnesses saw CS3 A.R. with CSSN Copeland around 0600 on the morning of 29 May 2025.[16]

20. On 9 June 2025, the remains of CS3 A.R. were located by investigators.[17]

21. An autopsy was performed by Dr. Lameira of the Office of Chief Medical Examiner – Norfolk, which resulted in an "undetermined" cause of death.[18] Despite subsequent investigation, the manner of death remains "undetermined" as of this filing.

22. A second private autopsy was performed by Dr. Nemanja Rodic on 28 June 2025. This autopsy concludes the manner of death is "deferred."[19] Importantly, Dr. Rodic did not see any

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[9] Encl D: Results of Interview of CSSA McKenzie Sanders of 19Nov24.
[10] Encl D of Def MIL M.R.E. 412 Motion: ROI of 19Mar25, at 18-19.
[11] *Id.*
[12] *Id.*; Encl H of Def MIL M.R.E. 412 Motion: CSSN Shamel Eaddy Interview Affidavit.
[13] Encl C.
[14] Encl E: Portion of ROI Executive Summary of 17Jun25.
[15] Encl F: Results of Initial contact with FCC Brad Parker of 1Jun25.
[16] Encl G: Results of Interview of PSSN Irbin Gordillocruz of 3Jun25; Encl H: Results of Interview of AR John Calisse of 3Jun25.
[17] Encl I: Portion of ROI Executive Summary of 17Jul25.
[18] Encl J: Autopsy Summary of 10Jun25.
[19] Encl C of Def MTD (Failure to State an Offense) Motion: Autopsy Report of 28Jun25.

evidence of foul play, nor did he note any signs commonly associated with strangulation, he "considered it formally ruled [ ] out."[20]

23. On 24 October 2025, the Defense requested, in accordance with the Trial Management Order, the assistance of Dr. Reagan Wetherill as an expert consultant in forensic psychology.[21]

24. The Defense request articulated each of the factors necessary to support the appointment of Dr. Wetherill as an expert consultant for the Defense.[22]

25. On 7 November 2025, the Government responded to the Defense request denying the request for three reasons: a failure to assert relevancy as it pertains to the charged offenses, the Defense had already been appointed a forensic psychologist to assist,[23] and the Defense had failed to proffer why Independent Defense Funding could not be used to secure Dr. Wetherill's participation.[24]

**BURDEN**

26. As the moving party, the defense bears the burden of proof by a preponderance of the evidence.[25]

**LAW**

27. The right to be represented by counsel who is reasonably effective in investigating, preparing and presenting a defense is a fundamental pillar of American jurisprudence. The Supreme Court has recognized that the Sixth Amendment right to counsel mandates the provision of adequate resources, to include experts, in order to present an effective defense. As a matter of military due process, service members are entitled to expert assistance when necessary for an adequate defense, without regard to indigency.[26] The right to supplement the defense team with expert assistance and witnesses is based on Article 46, UCMJ, Military Rule of Evidence 706, and R.C.M. 703(d). Because the military accused does not have available to him the relatively unlimited assets of the military justice machine, courts have placed the resources of the Federal Government at his or her disposal in order to pay for expert assistance and guarantee an effective defense team.

28. The right to expert assistance attaches when the defense demonstrates that such assistance is

[20] Encl D of Def MTD (Failure to State an Offense) Motion: Voice Note Transcript provided with Autopsy Report.
[21] Encl K: Defense Request for Dr. Wetherill w/ encls.
[22] *Id.*
[23] Dr. Nameeta Sahni was granted as an expert consultant on 7 November 2025. However, her assistance was premised, as articulated in the Defense request, on assisting the Defense with "psychosexual evaluation, sex offender rehabilitation, and recidivism." Encl M: Def Request for Dr. Sahni.
[24] Encl L: Government Response to Defense request for Dr. Wetherill
[25] R.C.M. 905(c).
[26] *See, e.g.*, *United States v. Kelly*, 39 M.J. 235, 237 (CMA 1994); *United States v. Burnette,* 29 M.J. 473 (CMA 1990); *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986), *cert. denied*, 479 U.S. 985 (1986); *see also* Art. 46, UCMJ, 10 U.S.C. § 846 (establishing "equal opportunity to obtain witnesses and other evidence" for the defense); Rules for Courts-Martial 703(d).

necessary.[27] "An accused is entitled to expert assistance provided by the Government if he can demonstrate necessity."[28] The "mere possibility of assistance from a requested expert" is not sufficient to prevail on the request for expert assistance.[29] Instead, "[t]he accused has the burden of establishing that a reasonable probability exists that (1) an expert would be of assistance to the defense and (2) that denial of expert assistance would result in a fundamentally unfair trial."[30] To satisfy the first prong of this test, the Defense must show, "(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop."[31]

29. In *United States v. Warner*, the Court of Criminal Appeals for the Armed Forces (CAAF) commented that "Article 46 is a clear statement of congressional intent against government exploitation of its opportunity to obtain an expert vastly superior to the defense's."[32] The playing field at trial is rendered even more uneven when the government benefits from scientific evidence and expert testimony while the defense is wholly denied a necessary expert to prepare for and respond to the government's expert.[33]

30. An accused may request any particular expert, including a government expert. If [the accused] is entitled to an expert, the government must provide the named expert or a suitable substitute.[34]

31. Section 0145 paragraph (7) of the Manual of the Judge Advocate General states action on requests for funding in support of courts-martial should be taken "pursuant to the applicable standard for necessity*, regardless of potential independent Defense Services funding*."[35]

## ARGUMENT

**Dr. Wetherill's participation is necessary for an adequate defense.**

Dr. Wetherill's participation is essential to presenting a full and fair defense for CSSN Copeland against the alleged misconduct, most notably, the two charges referenced above. Dr. Wetherill has years of training, education, and experience related to the effects of alcohol on the ability to create and retain memories, blackout states generally, and the impact of alcohol on a person's ability to perform executive and motor functioning. The allegations made by CSSN S.S. state that she was "blacked out" and does not recall the events underlying the charged offense.

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[27] *United States v. Ndanyi,* 45 M.J. 315, 319 (CAAF 1996); *United States v. Gonzalez*, 39 M.J. 459, 461 (CAAF 1994).
[28] *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (quoting *United States v. Gunkle*, 55 M.J. 26, 31 (C.A.A.F. 2001)).
[29] *Id.*
[30] *Id.* (quoting *United States v. Freeman*, 65 M.J. 451, 458 (C.A.A.F. 2008)).
[31] *Id.* (quoting *United States v. Gonzalez*, 39 M.J. 459, 461 (C.M.A. 1994)).
[32] 62 M.J. 114, 120 (C.A.A.F. 2005).
[33] *United States v. Lee*, 64 M.J. 213, 218 (C.A.A.F. 2006).
[34] *United States v. Reyes,* 80 M.J. 218, 227(C.A.A.F. 2020)(citing *United States v Short*, 50 M.J. 370, 372 (C.A.A.F. 1999).
[35] JAGINST 5800.7G, CH 2 (JAGMAN) at §0145(7).

Dr. Wetherill's assistance will be necessary to refute her claims and produce an effective and thorough cross examination of the complaining witness. The Defense counsel, while experienced and educated, do not possess the same level of education, training, or experience that Dr. Wetherill can employ when reviewing evidence and interpreting witness testimony.

As it relates to "fight or flight," Dr. Wetherill will help the Defense understand if there are alternate theories of death and the subsequent response that CSSN Copeland may have had when he awoke next to a deceased person. The impact on the psyche and the subsequent actions that may have been undertaken by CSSN Copeland may need to be explained fully to the members.[36] Dr. Wetherill is qualified to help the Defense understand these impacts and can help explain any attendant extenuating circumstances.

Dr. Wetherill's assistance is necessary for the Defense to adequately meet and test the Government's evidence and witnesses.

**Dr. Wetherill would help to accomplish effective cross examinations of Government witnesses and testing the Government's evidence.**

As outlined above, these very serious charges require the Defense to test and meet every piece of evidence and witness offered against CSSN Copeland. While the Defense is capable of effective cross examination, the substance of the testimony in the arenas of alcohol induced blackouts and "fight or flight" response, is a highly technical area that requires the assistance of Dr. Wetherill to fully understand and appreciate.

Dr. Wetherill will provide both pretrial assistance to help form the theory of Defense, and at-trial assistance is necessary to meaningfully confront the witnesses against CSSN Copeland. The Defense is not aware of any adequate substitute with similar education, training, experience, and expertise to that of Dr. Wetherill.

**The Defense counsel cannot achieve the level of knowledge or expertise necessary to defend CSSN Copeland without the assistance of Dr. Wetherill.**

Dr. Wetherill has spent decades studying and working in these areas. She has specialized expertise and skill in the requisite areas, and she has been recognized several times over as an expert in these areas for other courts martial. While Defense counsel will diligently work to achieve the highest level of knowledge they can in order to defend CSSN Copeland, the highly technical nature of the material makes it essential for Dr. Wetherill to assist in his defense. An adequate defense to the charged misconduct can only be achieved with the assistance of this expert.

[36] *See generally* K. Kozlowska, et al. Fear and the Defense Cascade: Clinical Implications and Management. *Harvard Review of Psychiatry*. 2015; J. Livermore, et al. Approach-Avoidance Decisions Under Threat: The Role of Autonomic Psychophysiological States. *Frontiers in Neuroscience*. March 2021.

**The denial of Dr. Wetherill's participation would result in a fundamentally unfair trial.**

For the reasons articulated above, Dr. Wetherill's participation is absolutely essential to CSSN Copeland receiving a fair trial. The charges discussed herein are the most serious on the charge sheet and carry the most severe punishment available under the UCMJ. If Dr. Wetherill cannot participate, the Defense will not be able to adequately meet and test the Government's evidence and witnesses.

**The Government's concerns regarding the utilization of Independent Defense Funding (IDF) for this expert are misplaced and should not factor into the Court's determination regarding production.**

The availability of IDF is not contemplated with R.C.M. 703 which discusses the production of relevant and necessary experts to aid in the accused's defense. While these funds exist, the Defense is not required under rule to articulate if, when or how those funds are utilized.

**The Government's decision to endorse Dr. Sahni's participation in the sentencing phase has no bearing on Dr. Wetherill's participation in this case.**

Dr. Sahni's expertise and assistance was sought specifically with an eye towards mitigation, extenuation, rehabilitation, and sentencing. This is clear from the Defense request. In order for her to complete those steps she will necessarily engage with witnesses, evidence, and CSSN Copeland in a way that is fundamentally different than Dr. Wetherill. For example, if Dr. Sahni interviews CSSN Copeland, and the Defense ultimately chooses not to utilize or present her findings, the Defense would effectively be precluded from using her testimony. At that point the Defense would be limited in the ability to present an adequate defense. By employing Dr. Wetherill with regards to these specific areas and charges, her expertise and findings will NOT overlap with Dr. Sahni and the Defense will still be able to avail itself of all available defenses and angles of attack on the Government's evidence and witnesses.

The availability of IDF and the previous grant of funding for Dr. Sahni's participation in sentencing should not play a factor in determining whether Dr. Wetherill's participation is necessary for an adequate defense for CSSN Copeland.

## RELIEF REQUESTED

32. The Defense moves this Court to order the Government to produce Dr. Reagan Wetherill as an expert consultant for the Defense for both pretrial matters and consultation and at trial.

33. If this motion is opposed by the government, and pursuant to R.C.M. 905(h), the defense requests an Article 39(a), UCMJ, hearing to present additional evidence and argument on this motion. The defense is available 22-24 April 2024 for an Article 39(a) motions hearing.

**EVIDENCE AND HEARING**

34. The defense offers the following enclosures as evidence in support of this motion:

a. Enclosure (A): Results of Interview of CSSN A.R. of 8Nov24
b. Enclosure (B): Results of Interview of CSSN Jada Knight of 18Nov24
c. Enclosure (C): Results of Interview of CSSN Jermiah Copeland of 18Nov24
d. Enclosure (D): Results of Interview of CSSA McKenzie Sanders of 19Nov24
e. Enclosure (E): Portion of ROI Executive Summary of 17Jun25
f. Enclosure (F): Results of Initial contact with FCC Brad Parker of 1Jun25
g. Enclosure (G): Results of Interview of PSSN Irbin Gordillocruz of 3Jun25
h. Enclosure (H): Results of Interview of AR John Calisse of 3Jun25
i. Enclosure (I): Portion of ROI Executive Summary of 17Jul25
j. Enclosure (J): Autopsy Summary of 10Jun25
k. Enclosure (K): Defense Request for Dr. Wetherill (w/ Encls)
l. Enclosure (L): Government Response to Defense Request for Dr. Wetherill
m. Enclosure (M): Defense Request for Dr. Sahni

Respectfully submitted,

MIHILL.TODD.MICHAEL.[redacted]
Digitally signed by MIHILL.TODD.MICHAEL.[redacted]
Date: 2025.11.25 12:42:49 -05'00'

T. M. MIHILL
LCDR, USCG
Defense Counsel

35. I certify that I have served a true copy (via e-mail) of the above on this Court and the trial counsel on 26 November 2025.

MIHILL.TODD.MICHAEL.[redacted]
Digitally signed by MIHILL.TODD.MICHAEL.[redacted]
Date: 2025.11.25 12:43:08 -05'00'

T. M. MIHILL
LCDR, USCG
Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**COPELAND, JERMIAH**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE SUPPORTING EVIDENTIARY PACKAGE – MOTION TO COMPEL**<br><br>**(Expert Consultant in Memory and Human Reaction)**<br><br>**26 November 2025** |

The Defense respectfully submits the following evidentiary enclosures in support of the above titled motion:

a. Enclosure (A): Results of Interview of CSSN A.R. of 8Nov24
b. Enclosure (B): Results of Interview of CSSN Jada Knight of 18Nov24
c. Enclosure (C): Results of Interview of CSSN Jermiah Copeland of 18Nov24
d. Enclosure (D): Results of Interview of CSSA McKenzie Sanders of 19Nov24
e. Enclosure (E): Portion of ROI Executive Summary of 17Jun25
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j. Enclosure (J): Autopsy Summary of 10Jun25
k. Enclosure (K): Defense Request for Dr. Wetherill (w/ Encls)
l. Enclosure (L): Government Response to Defense Request for Dr. Wetherill
m. Enclosure (M): Defense Request for Dr. Sahni

The Defense cites the following enclosures from other defense motions:

a. Enclosure D of Def MIL M.R.E. (412): ROI of 19Mar25
b. Enclosure E of Def MIL M.R.E. (412): Results of Interview of CSSN Kirsten Click
c. Enclosure F of Def MIL M.R.E. (412): Results of Interview of CSSN Kaylee Parks
d. Enclosure G of Def MIL M.R.E. (412): Results of Interview of CSSN Shamel Eaddy
e. Enclosure H of Def MIL M.R.E. (412): CSSN Shamel Eaddy Interview Affidavit
f. Enclosure C of Def MTD (Failure to State an Offense): Autopsy Report of 28Jun25
g. Enclosure D of Def MTD (Failure to State an Offense): Voice Note Transcript provided with Autopsy Report

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 08NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSN ALEXIS RODGERS, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN S[redacted] S[redacted] (V/[redacted] USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Alexis RODGERS, USN, CVN 75, was indicated as having information in reference to the offense.

2. On 08Nov24 at approximately 1630 hours, CSSN RODGERS was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN RODGERS stated she was liberty buddies with V/[redacted] on 04Nov24. CSSN RODGERS explained she and V/[redacted] were coworkers but not particularly close. CSSN RODGERS recalled she and a group of other sailors including V/[redacted] left the ship at approximately 2000 hours and went to a bar called Heidi's. CSSN RODGERS recalled V/[redacted] began drinking alcohol; CSSN RODGERS recalled she had approximately three (3) shots of liquor and stated V/[redacted] had more than that. CSSN RODGERS related she did not know exactly how much V/[redacted] drank but recalled she was drunk.

4. CSSN RODGERS recalled seeing S/COPELAND arrive with another group of sailors but could not recall what time. CSSN RODGERS stated she did not see any interaction between S/COPELAND and V/[redacted] CSSN RODGERS recalled when it was time to leave the bar before liberty expiration, she and SR Jada KNIGHT, USN, CVN 75, and CSSA Jacqueline BITA, USN, CVN 75, had to assist V/[redacted] back to the ship due to her level of intoxication. CSSN RODGERS stated V/[redacted] did not seem to recall where she was.

5. CSSN RODGERS stated she did not hear about a video concerning V/[redacted] and S/COPELAND, but V/[redacted] told CSSN RODGERS the next day she did not have sex with S/COPELAND. CSSN RODGERS stated the group took an Uber to Fleet Landing, but could not recall who had paid for it.



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF CSSN JADA KNIGHT, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN S[redacted] S[redacted] (V/[redacted] USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSN Jada KNIGHT, USN, VAW 126, was indicated as having information in reference to the offense.

2. On 18Nov24 at approximately 2100 hours, CSSN KNIGHT was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSN KNIGHT stated on the evening of 04Nov24, her liberty buddy was CSSA Jacqueline BITA, USN, CVN 75. CSSN KNIGHT stated she and CSSA BITA went to a different bar before eventually ending up at Heidi's. CSSN KNIGHT related V/[redacted] was already present at the bar and observed her dancing. CSSN KNIGHT observed V/[redacted] did not appear to be "that drunk."

4. Approximately thirty (30) minutes after arriving at the bar, CSSN KNIGHT recalled she was approached by S/COPELAND who told her not to tell anyone about what he was going to show her. CSSN KNIGHT recalled S/COPELAND showed her a video of him having sexual intercourse with V/[redacted] in a bathroom stall. CSSN KNIGHT stated V/[redacted] face was not present in the video but S/COPELAND indicated she was depicted. CSSN KNIGHT opined she would have been able to identify V/[redacted] regardless due to V/[redacted] "big butt." CSSN KNIGHT recalled the video depicted S/COPELAND's smiling face in the camera before panning to V/[redacted] buttocks and back while his penis thrusted in and out of her vagina. CSSN KNIGHT also recognized the gray sweatpants and sweatshirt V/[redacted] was wearing.

5. The next day, CSSN KNIGHT stated V/[redacted] brought the video up to CSSN KNIGHT and she stated she had seen it. CSSN KNIGHT stated she did not tell V/[redacted] about the video earlier because she assumed V/[redacted] remembered having sexual intercourse with S/COPELAND. CSSN KNIGHT stated V/[redacted] did not appear to be drunk enough to have not remembered the incident, and CSSN KNIGHT related she would have said something earlier if she had known V/[redacted] did not remember.

6. CSSN KNIGHT related she had photographs and videos from the night of the



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

incident that depicted S/COPELAND and V/[redacted] CSSN KNIGHT showed RA a video of V/[redacted] taking a shot with CSSN KNIGHT and some other female sailors present. CSSN KNIGHT indicated the video was taken after S/COPELAND showed CSSN KNIGHT the video of him having sex in the bathroom with V/[redacted] CSSN KNIGHT agreed to provide the video and photographs to RA via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her intentions; Enclosure (A) pertains. Three (3) live photographs and one (1) video were subsequently transferred to a CD-R for inclusion into the case file; Enclosure (B) pertains.

ENCLOSURE(S)
(A) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY CSSN KNIGHT/18NOV24
(B) CD-R CONTAINING THREE (3) PHOTOGRAPHS AND ONE (1) VIDEO/18NOV24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 2 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 18NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF S/COPELAND

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, Uniformed Victim Advocate (UVA), CVN 75, of a sexual assault wherein CSSN S[redacted] S[redacted] (V/S[redacted]), USN, CVN 75, reported she was sexually assaulted by CSSN Jermiah COPELAND (S/COPELAND), USN, CVN 75, in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours.

2. On 18Nov24 at approximately 2230 hours, S/COPELAND was interviewed by Reporting Agent (RA) aboard the USS HARRY S TRUMAN (CVN 75), while at sea in compartment 02-88-4-Q.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. Prior to being interviewed, S/COPELAND was advised of, and waived, his Article 31b Rights utilizing a Military Rights Waiver form; Enclosure (B) pertains.

5. S/COPELAND related on 04Nov24 while in port in Oslo, Norway, he went to an unknown bar with other Culinary Specialists in the evening hours before liberty expiration. S/COPELAND stated approximately an hour in to the evening, he had approximately two (2) drinks and would not consider himself intoxicated when V/[redacted] came up to him at a table he was sitting at and kissed his ear and his neck. S/COPELAND opined V/[redacted] was acting completely normal though he could not estimate how drunk she was. S/COPELAND recalled he was sitting at the table with CSSR Deontae WILLIAMS, USN, CVN 75, and CSSN Kaulise COUSINS, USN, CVN 75. S/COPELAND recalled V/[redacted] took S/COPELAND by the hand and requested he accompany her to the bathroom. S/COPELAND stated he walked to the bathroom with her and attempted to wait outside, but V/[redacted] took him by the hand and pulled him into a bathroom stall in the women's restroom.

6. S/COPELAND stated V/[redacted] faced away from him in the stall and pulled her pants down before bending over. S/COPELAND stated he pushed his penis into her vagina and opined V/[redacted] was consenting to the contact. S/COPELAND stated he took his phone out and began to record a video of the sexual interaction. S/COPELAND stated he did not know if V/[redacted] was aware



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **18NOV24**

of him recording as she was facing away from him. S/COPELAND stated the intercourse lasted approximately twenty (20) minutes and that he did not ejaculate because the interaction seemed to be "too good to be true." When asked to explain, S/COPELAND stated he viewed V/[redacted] as a sister and that she had never shown any interest in him sexually. S/COPELAND stated he did not use a condom. Following the interaction, S/COPELAND stated he and V/[redacted] exited the bathroom and everything was "normal" between the two.

7. S/COPELAND recalled showing the video to CSSN COUSINS and CSSN Jada KNIGHT, USN, USS HARRY S TRUMAN (CVN 75), without V/[redacted] knowledge. S/COPELAND stated he showed the video to others because he was excited. After the group left the bar, S/COPELAND recalled V/[redacted] threw up on the liberty boat on the way back to the ship.

8. The day following the sexual intercourse, S/COPELAND stated he was out in Oslo, Norway, with CSSN COUSINS when he received a phone call and text messages from V/[redacted] S/COPELAND related V/[redacted] told him "if you want to run your mouth I'm going to put you on report." S/COPELAND opined CSSN Shamel EADDY, USN, CVN 75, found out about the sexual encounter and became upset which spurred V/[redacted] to report the sexual encounter as a sexual assault. S/COPELAND recalled this made him very upset and he told CSSN COUSINS he would not return to the ship. S/COPELAND initially denied efforts to harm himself, but then admitted to walking in front of motor vehicles intentionally.

9. S/COPELAND stated he gave his cellular telephone to CSSN COUSINS and did not know what CSSN COUSINS did with it. S/COPELAND denied throwing it away on purpose and stated it was lost after his phone fell out of his pocket and the screen shattered. S/COPELAND stated he lost his Air Pod during the same incident and showed RA his Air Pod case with one Air Pod to verify the story.

10. S/COPELAND agreed to provide a sample of his DNA via a Permissive Authorization for Search and Seizure (PASS); Enclosure (C) pertains. RA swabbed the inside of S/COPELAND's mouth and placed the swabs into the NCISRU USS HARRY S TRUMAN (CVN 75) evidence locker under log number 0012-24.

11. At the conclusion of the interview, S/COPELAND was turned over to command representative CSC Shayquan JONES, USN, CVN 75, at approximately 2342 hours.

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 19NOV24

CONTROL: 06NOV24-NFXQ-00029-8SNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[redacted] PII

RESULTS OF INTERVIEW OF CSSA MCKENZIE SANDERS, USN

1. As background, on 06Nov24, NCISRU USS HARRY S TRUMAN (CVN 75), was notified by ET2 Courtney EFF, USN, UVA, (Uniformed Victim Advocate), USS HARRY S TRUMAN (CVN 75), of a sexual assault wherein CSSN S[redacted] S[redacted], USN, USS HARRY S TRUMAN (CVN 75), (V/[redacted] reported she was sexually assaulted by CSSN Jermiah COPELAND, USN, USS HARRY S TRUMAN (CVN 75), (S/COPELAND), in a bathroom at a bar in Oslo, Norway, during a port call on 04Nov24 at approximately 2200 hours. During the course of the investigation, CSSA McKenzie SANDERS, USN, USS HARRY S TRUMAN (CVN 75) was indicated as having information in reference to the offense.

2. On 19Nov24 at approximately 1500 hours, CSSA SANDERS was interviewed by Reporting Agent (RA) in the NCIS Office aboard the ship located at 02-88-4-Q. The interview was not recorded.

3. CSSA SANDERS stated she went out with a group of sailors on from Supply on 04Nov24 in Oslo, Norway. CSSA SANDERS stated V/[redacted] was present with a group of others at Heidi's bar in Oslo. CSSA SANDERS observed V/[redacted] arrive a short time after she did and recalled V/[redacted] was wearing a gray sweatshirt and pants. CSSA SANDERS recalled she did not drink alcohol at all that evening.

4. CSSA SANDERS recalled seeing V/[redacted] throughout the night and specifically recalled V/[redacted] appeared to be flirting with S/COPELAND. CSSA SANDERS explained V/[redacted] laughed at S/COPELAND's jokes even when they were not particularly funny.

5. Towards the end of the night and liberty expiration, CSSA SANDERS stated she was attempting to herd the drunk sailors out the door at approximately 2145 hours. CSSA SANDERS stated she went to check the bathroom and was wearing a ski mask from the dance floor when she walked in and observed V/[redacted] applying lip gloss in the mirror. CSSA SANDERS stated V/[redacted] did not appear to be heavily intoxicated and she (CSSA SANDERS) lifted up her ski mask to wash her hands. CSSA SANDERS stated when she lifted her ski mask, V/[redacted] saw her and asked her if she would take her (V/[redacted] to her liberty buddy. CSSA SANDERS agreed and left the bathroom with V/[redacted] CSSA SANDERS stated V/[redacted] fell onto CSSA SANDERS and needed to be supported to the door of the bar. CSSA SANDERS opined this was very strange as during her interaction in the bathroom with V/[redacted] V/[redacted] did not appear to be that drunk.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:06NOV24-NFXQ-00029-8SNA** **19NOV24**

6. CSSA SANDERS stated she arrived to Fleet Landing and was on a different liberty boat back to the ship than V/[redacted] The next day, CSSN Shamel EADDY, USN, USS HARRY S TRUMAN (CVN 75), approached CSSA SANDERS and she told him about her encounter with V/[redacted] in the bathroom of the bar. Later, CSSA SANDERS stated V/[redacted] came to the galley and began yelling at CSSA SANDERS for implying V/[redacted] was not intoxicated and V/[redacted] asserted she was blacked out. CSSA SANDERS told V/[redacted] she only had four (4) shots and V/[redacted] told CSSA SANDERS not to discuss the situation with others and asserted she had been blacked out drunk.

7. CSSA SANDERS stated she was friendly with both S/COPELAND and V/[redacted] prior to the incident. CSSA SANDERS recalled approximately two (2) months prior, CSSN EADDY caught V/[redacted] cheating and V/[redacted] reported it as a sexual assault. CSSA SANDERS opined V/[redacted] was upset there was a video of S/COPELAND and herself having sexual intercourse and theorized V/[redacted] did not want to be caught cheating and was embarrassed. CSSA SANDERS stated V/[redacted] appeared to be acting normally following the incident and opined that was inconsistent with how she has seen other sexual assault victims act, though she acknowledged everyone reacts to scenarios differently.

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)

*PAGE 2 LAST JL V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **17JUN25**

(18) IA: RESULTS OF INTERVIEW OF AR JOHN CALISSE, USN/03JUN25
(19) IA: RESULTS OF CONTACT WITH EMERGENCY ROOM RECORDS CUSTODIAN/03JUN25
(20) IA: RESULTS OF INTERVIEW OF PSSN IRBIN GORDILLOCRUZ, USN/03JUN25
(21) IA: RESULTS OF INTERVIEW OF CSSN EDDYSON JEAN JACQUES, USN/03JUN25
(22) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FROM CSSN EDDYSSON JEAN JACQUES, USN/03JUN25
(23) IA: RESULTS OF INTERVIEW OF HT3 MICHAEL GILLESPIE, USN/03JUN25
(24) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE REGARDING HT3 MICHAEL GILLESPIE'S IPHONE/03JUN25
(25) IA: RESULTS OF INTERVIEW OF CSSN JUNROGEL MIGUEL, USN/03JUN25
(26) IA: RESULTS OF SOCIAL MEDIA CHECKS/03JUN25
(27) IA: RESULTS OF CONTACT OF YN3 SEAN MONAGHAN, USN/03JUN25
(28) IA: RESULTS OF INTERVIEW OF FCC BRAD PARKER, USN/03JUN25
(29) IA: RESULTS OF PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE FROM FCC BRAD PARKER, USN/03JUN25
(30) IA: RESULTS OF CONTACT OF CSSN SARAH COOK, USN/03JUN25
(31) SCENE OBSERVATION DOCUMENT/03JUN25
(32) IA: RESULTS OF INTERVIEW OF CSSN JERMIAH COPELAND, USN /03JUN25
(33) IA: RESULTS OF NCIS ENTRY AND CRITICAL MISSING ALERT ISSUANCE FOR V/[redacted]/03JUN25

EXECUTIVE SUMMARY
1. On 31MAY25, NCIS received a report of a missing person, CSSN A[redacted] R[redacted] (V/[redacted] USN, USS JAMES E. WILLIAMS (DDG-95), who was marked as Unauthorized Absent by DDG-95 along with CSSN Jermiah COPELAND (S/COPELAND), USN, DDG-95. On 01JUN25, base security was able to locate S/COPELAND, however, V/[redacted] was still missing. NCIS responded to Naval Station Norfolk and began conducting field interviews of friends and family members of V/[redacted] NCIS also spoke with S/COPELAND who stated, he along with one of his roommates dropped V/[redacted] off at her barracks, Miller Hall, on the morning on 29MAY25, and he had not seen or spoken to V/[redacted] since. Throughout the course of the investigation, it was determined S/COPELAND was the last person to see V/[redacted] and he had not been truthful about V/[redacted] whereabouts nor his actions through 29MAY25 until 01JUN25. NCIS was able to seize S/COPELAND's cellphone and conducted a forensic review of the cellphone, which lead NCIS to a neighborhood in Norfolk, VA where V/[redacted] body was located inside a black duffel bag. After the discovery, NCIS detained S/COPELAND and attempted to interview him. S/COPELAND requested a lawyer be present for the interview and the interview was terminated. S/COPELAND was then remanded to Pre-Trial Confinement, pending charges. This investigation continues pending



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 01JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INITIAL CONTACT WITH FCC BRAD PARKER, USN

1. On 01un25, Reporting Agent (RA) made contact with FCC Brad PARKER, USN, USS JAMES E WILLIAMS (DDG 95), to glean information pertaining to both CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95 and CSSN A[redacted] R[redacted]s (V/[redacted] USN, DDG 95 Unauthorized Absence (UA) status. As background, V/[redacted] USN, DDG 95 and S/COPELAND, were placed into an UA status subsequent to 29May25, after failing to report to work. On 01Jun25, after speaking with S/COPELAND's mother, Rochell BROWN, CIV, NCIS and BROWN contacted Naval Station Norfolk (NOB) Base Police to conduct a follow-up health and welfare check on both S/COPELAND and V/[redacted] The Naval Station Norfolk Watch Commander advised NOB Security Forces located S/COPELAND in his barracks rooms on NOB, Willis Manor, Room 335. NCIS was advised that Security Forces received no answer at V/[redacted] door when they knocked on her barracks room located on NOB, Miller Hall, Room 1083.

2. FCC PARKER was identified as being V/[redacted] and S/COPELAND's supervisor on DDG 95 and making positive contact with both S/COPELAND and V/[redacted] on Thursday, 29May25 at approximately 0900 hours.

3. FCC PARKER recalled that on 29May25, he went to S/COPELAND's barracks room, Naval Station Norfolk, Willis Manor, and woke him up because he did not show for work in the morning. FCC PARKER recalled it was obvious he had woke S/COPELAND and V/[redacted] up due to their grogginess. FCC PARKER stated he physically observed V/[redacted] in S/COPELAND's barracks, she acknowledged his presence, rolled over, and appeared to go back to sleep. FCC PARKER said he instructed S/COPELAND to report to work after he tended to V/[redacted] and took her home. FCC PARKER said S/COPELAND told him V/[redacted] was having some personal issues and came to his barracks room Wednesday, 28May25 to discuss.

4. FCC PARKER said S/COPELAND was supposed to only work Thursday and have the weekend off.

REPORTED BY: MATTHEW FRANK MILLER, Supervisory Special Agent



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Enclosure F

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/S/[redacted] PII

RESULTS OF INTERVIEW OF PSSN IRBIN GORDILLOCRUZ, USN

1. On 03JUN25, Reporting Agent (RA) and Participating Agent (RA) Fritzner PHILEMON conducted an interview of PSSN Irbin GORDILLOCRUZ, USN, Airborne Command and Control Squadron 124 (VAW-124) in regards to his knowledge of this investigation. PSSN GORDILLOCRUZ is one of 4 roommates of CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E. WILLIAMS (DDG-95).

2. This interview was audio and video recorded utilizing Case Cracker. A copy of the recording was subsequently saved to an optical disc and maintained with the case file. This report should not be treated as a verbatim or comprehensive representation of the interview; Enclosure (A) pertains.

3. PSSN GORDILLOCRUZ stated he returned to his barracks room at approximately 0400 on 28JUN25. PSSN GORDILLOCRUZ had been on leave and flew back to Norfolk at approximately 0300. PSSN GORDILLOCRUZ stated upon his return he walked into the common area of the room and noticed all the lights were off. PSSN GORDILLOCRUZ stated he did not see or notice anyone on the couch or the floor of the common room area. PSSN GORDILLOCRUZ admitted he was exhausted and was really only focused on going to sleep.

4. PSSN GORDILLOCRUZ stated he woke up for work at approximately 0620 and exited his room at approximately 0645 with his roommate, AR John CALISSE, and they both noticed two individuals laying on the ground near the couch opposite their room. PSSN GORDILLOCRUZ stated the female was laying on her back with her breasts exposed and her chest was rising and falling. PSSN GORDILLOCRUZ further described the female as dark skin and having curly hair. PSSN GORDILLOCRUZ stated he had never seen this female but did believe she was in the Navy. PSSN GORDILLOCRUZ described his roommate, S/COPELAND, was naked and was laying with his head on the females stomach. PSSN GORDILLOCRUZ stated he and CALISSE had to maneuver around the two laying on the ground to get to the front door.

5. PSSN GORDILLOCRUZ stated on Saturday, 31MAY25, and Sunday, 01JUN25, he had been woken up in the morning by base security trying to locate S/COPELAND. PSSN GORDILLOCRUZ stated on 01JUN25, base security had arrived and told S/COPELAND he had to check in with his Command due to him being UA. PSSN GORDILLOCRUZ stated S/COPELAND, CALISSE, and himself went to DDG-95, utilizing CALISSE's vehicle. PSSN GORDILLOCRUZ continued saying, S/COPELAND had to check into the Command and do a urinalysis test. Afterwards, they all went to Chipotle for food and returned to the barracks. PSSN GORDILLOCRUZ



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

stated it was around sunset when they all went to DDG-95.

6. PSSN GORDILLOCRUZ stated after returning from Chipotle, S/COPELAND asked to borrow CALISSE's vehicle to "go get food". PSSN GORDILLOCRUZ stated that was strange because they had all just eaten. PSSN GORDILLOCRUZ stated he did not see S/COPELAND again until approximately 0630 on 02JUN25, when he and CALISSE were attempting to go to work and S/COPELAND had not come back with the vehicle.

7. No further information was obtained.

ENCLOSURE(S)
(A) OPTICAL DISC CONTAINING INTERVIEW/03JUN25

REPORTED BY: JESSICA R GOKEY, Special Agent
OFFICE: RESIDENT AGENCY NORFOLK

*PAGE 2 LAST EU V2 LNN*

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 03JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
M/B/NEE3/[redacted] PII

RESULTS OF INTERVIEW OF AR JOHN CALISSE, USN

1. On 03Jun25, Reporting Agent (RA) and Participating Investigator (PI) John KOWALSKI conducted an interview of AR John CALISSE, USN, Airborne Command & Control Squadron (VAW) 124 regarding his knowledge related to the whereabouts of CSSN A[redacted] R[redacted] (V/[redacted] USN, USS JAMES E. WILLIAMS (DDG 95).

2. The interview of AR CALISSE was recorded using an audio/visual recording system, and a digital copy was downloaded onto a Digital Video Disc-Recordable (DVD-R). This document is a summary of the interview and not a verbatim transcription. For full details of the interview, refer to the working copy of the original DVD-R; Enclosure (A) pertains.

3. AR CALISSE reported on 29May25, while at his barracks Willis Manor, Building X-2, Room 335, on Naval Station Norfolk, at approximately 0200, he heard his suitemate CSSN Jermiah COPELAND (S/COPELAND), USN, DDG 95, and an unknown female singing karaoke in S/COPELAND's room. AR CALISSE stated he always heard loud music coming from S/COPELAND's room at all times of the night. AR CALISSE did not recall seeing any signs that S/COPELAND was consuming alcohol in the common area. AR CALISSE stated at approximately 1900 on 28May25, S/COPELAND requested to use his white 2014 Jeep Compass to which he obliged. AR CALISSE reported S/COPELAND returned at approximately 2000, knocked on his barracks door, and when he opened the door to obtain the keys, he observed a female in the kitchen area cooking, who he later identified as V/[redacted]

4. AR CALISSE recalled waking up the morning of 29May25, at approximately 0500, to report to work on time. At approximately 0530, AR CALISSE stated he exited his room and upon walking into the common area observed S/COPELAND and an unknown female laying naked in the middle of the common room floor. AR CALISSE stated he observed them on their backs, face up, with their eyes closed. AR CALISSE stated he observed S/COPELAND laying on the thigh of the unknown female. AR CALISSE stated he did not see any clothing belonging to S/COPELAND. AR CALISSE stated he observed the female wearing red pajama pants with flowers, with one pant leg slightly on at the ankle, and her bra pulled down exposing her breast. AR CALISSE reported walking past them in order to leave the room and believed both S/COPELAND and the female to be breathing. AR CALISSE stated when he returned from work at approximately 1700, S/COPELAND and the female were not in the barracks room.

5. AR CALISSE described the female as brown skinned, long brown hair, and



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **03JUN25**

with what he believed to be a possible nose piercing. AR CALISSE stated this was his first time seeing the female; however, confirmed it was V/[redacted] when showed a photograph.

6. AR CALISSE stated he did not see S/COPELAND again until Sunday 01Jun25, at approximately 1400, when he asked him for a ride to report to DDG 95. AR CALISSE agreed to provide transportation to S/COPELAND after returning from Walmart. AR CALISSE stated he transported S/COPELAND along with ISSA Irbin GORDILLOCRUZ, USN, VAW 124, at approximately 1700. AR CALISSE stated S/COPELAND was on DDG 95 for approximately one hour while ISSA GORDILLACRUZ and AR CALISSE waited in the parking lot for him to return. AR CALISSE stated when S/COPELAND returned to the vehicle he informed him he was required to do a urinalysis for not reporting to work on 30May25. AR CALISSE stated while driving from DDG 95 back to the barracks they stopped at Chipotle located at 4712 Hampton Blvd, Norfolk, VA 23508, at approximately 1900.

7. AR CALISSE stated when they returned to the barracks, S/COPELAND asked if he could use his car to get something to eat. AR CALISSE allowed S/COPELAND to use his vehicle giving him the key at approximately 2000. AR CALISSE stated when he woke up the next morning and proceeded to go to work, he noticed his car key was not on the kitchen counter where S/COPELAND normally leaves it after borrowing his car. AR CALISSE stated he called S/COPELAND to find out his location and was angry because he caused him to be late for work. AR CALISSE reported meeting S/COPELAND in the X-2 parking lot at approximately 0630 and watched him drive the vehicle into the parking lot. AR CALISSE stated he was unaware of the locations S/COPELAND traveled to while he had his vehicle.

8. During his interview, AR CALISSE signed a Permissive Authorization for Search and Seizure (PASS) for his Jeep Compass which will be documented under separate cover.

9. At the conclusion of the interview, while returning AR CALISSE to VAW-124, he located EZ Pass transactions and provided screenshots of the charges from 27May25 to 02Jun25 without being requested; Enclosure (B) pertains. AR CALISSE stated the charge on 01Jun25 was his return from the ship; however, all other charges were believed to be accrued by S/COPELAND.

ENCLOSURE(S)
(A) DVD-R: INTERVIEW OF AR JOHN CALISSE, USN/03JUN25
(B) PHOTO TEMPLATE: SCREENSHOTS OF EZPASS LOCATIONS/03JUN25



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **22JUL25**

60. On 09JUN25, NCIS made contact with Naval Station Norfolk Dental Clinic to confirm HT3 GILLESPIE's whereabouts; Exhibit (132) pertains.

61. On 09JUN25, NCIS conducted an interview of YN3 Sean MONAGHAN, USN, HELICOPTER MINE COUNTERMEASURES SQUADRON (HM-12); Exhibit (133) pertains.

62. On 09JUN25, NCIS executed a PASS for a 2011 Toyota Camry belonging to YN3 MONAGHAN; Exhibit (134) pertains.

63. On 09JUN25, NCIS executed a PASS for YN3 MONAGHAN's bathmat; Exhibit (135) pertains.

64. On 09JUN25, NCIS conducted an interview of MA2 Joel RASH, USN, NAVAL STATION NORFOLK SECURITY DETACHMENT; Exhibit (136) pertains.

65. On 09JUN25, NCIS conducted an interview of MA2 Gabriel MCMILLIAN, USN, NAVAL STATION NORFOLK SECURITY DETACHMENT; Exhibit (137) pertains.

66. On 09JUN25, NCIS received Defense Finance and Accounting Services (DFAS) for both S/COPELAND and V/[redacted] Exhibit (138) pertains.

67. On 09JUN25, NCIS received additional DBIDS information; Exhibit (139) pertains.

68. On 09JUN25, NCIS identified ET3 LIMAS, as she was associated with a P3 Tip received; Exhibit (140) pertains.

69. On 09JUN25, NCIS and Isle of Wight Detective Sean LACY, CIV conducted a canvass of building X-2 with Electronic Storage Detection K9 Pixel; Exhibit (141) pertains.

70. On 09JUN25, NCIS, Hampton Police Division (HPD) Master Patrol Officer (MPO) Evan WILLIAMS, CIV, and bloodhound K9 Sherlock conducted a canvass around building X2 and the surrounding buildings; Exhibit (142) pertains.

71. On 09JUN25, NCIS made contact and telephonically interviewed Bradley CASTLE, CIV and Erik CASTLE, CIV; Exhibit (143) pertains.

72. On 09JUN25, NCIS received security footage from Operational Test and Evaluation Force; Exhibit (144) pertains.

73. On 09JUN25, NCIS located a duffel bag with unidentified remains inside near the 2800 block of Cary Avenue, Norfolk, VA. Norfolk Police Department (NPD) was contacted for assistance in crowd control and canvassing



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:01JUN25-NFNF-00237-7HNA** **22JUL25**

interviews. At 2019, the remains were removed from the location and taken into the custody of the Office of the Chief Medical Examiner (OCME); Exhibit (145) pertains.

74. On 09JUN25, NCIS conducted canvassing interviews with Norfolk Police Department (NPD) Detective David TODD; Exhibit (146) pertains.

75. On 09JUN25, NCIS conducted canvassing interviews with NPD Detective Kyle AUSTIN; Exhibit (147) pertains.

76. On 09JUN25, NCIS conducted canvassing interviews in the Cary Ave and Godfrey Ave neighborhoods, Norfolk, VA; Exhibit (148) pertains.

77. On 09JUN25, NCIS conducted canvassing interviews in the 2800 block of Cary Ave, Norfolk, VA; Exhibit (149) pertains.

78. On 09JUN25, NCIS conducted canvassing interviews in the neighborhood of Cary Ave and East Princess Anne Road, Norfolk, VA; Exhibit (150) pertains.

79. On 09JUN25, NCIS interviewed Brittany MYRICK, CIV, a potential witness identified while canvassing in the 2800 block of Cary Ave, Norfolk, VA; Exhibit (151) pertains.

80. On 09JUN25, NCIS apprehended S/COPELAND; Exhibit (152) pertains.

81. On 09JUN25, NCIS attempted to interview S/COPELAND, however S/COPELAND elected to invoke his right to counsel. S/COPELAND was taken into Pre-trial Confinement; Exhibit (153) pertains.

82. On 09JUN25, NCIS obtained a verbal Command Authorized Search and Seizure (CASS) to photograph S/COPELAND for injuries; Exhibit (154) pertains.

83. On 09JUN25, NCIS conducted an examination and documentation of S/COPELAND to ascertain if there were any injuries; Exhibit (155) pertains.

84. On 10JUN25, NCIS attended the autopsy of the remains, which was identified as belonging to V/[redacted] based off of fingerprints taken; Exhibit (156) pertains.

85. On 10JUN25, NCIS made contact with HT3 GILLESPIE to issue a Victim Witness Assistance Program (VWAP) pamphlet; Exhibit (157) pertains.

86. On 10JUN25, NCIS continued to execute screening questionnaires aboard DDG-95; Exhibit (158) pertains.



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| Name: A[redacted]a Re[redacted]<br>Case Number: T2025-00840 | POSTMORTEM EXAMINATION REPORT<br>OFFICE OF THE CHIEF MEDICAL EXAMINER<br>COMMONWEALTH OF VIRGINIA | PAGE<br>1 |
|---|---|---|

**DEPARTMENT OF HEALTH**
**OFFICE OF THE CHIEF MEDICAL EXAMINER**
**830 SOUTHAMPTON AVENUE, SUITE 100**
**NORFOLK, VIRGINIA 23510**
**(757) 683-8366**

**AUTOPSY NO:** T- 246-25
**DATE/DAY/TIME:** Tuesday, June 10, 2025, 0830
**DECEDENT:** A[redacted] R[redacted]
**AUTOPSY AUTHORIZED BY:** Dr. Lameira, acting Medical Examiner for Norfolk

**Body Identified by:** Tags on the body bag and suitcase. Definitive ID by fingerprint comparison.
**Persons present at autopsy:** Ms. Lacombe, Ms. Magruder, Ms. Sloulin, NCIS Danielle Ortiz, Morgan Currie, NPD John Murphy

**Rigor:** Absent **Livor:** Undetermined
**Age:** 21 **Race:** White **Sex:** F **Length:** 58" **Weight:**72 lbs. **Eyes:** No eyes
**Hair:** Black **Body Heat:** Refrigerated

**GENERAL EXTERNAL EXAMINATION:** [redacted]

**CLOTHING AND PERSONAL EFFECTS:** [redacted]

**EXTERNAL WOUNDS:** Examination limited by decomposition changes.

**SCARS, TATTOOS:** Tattoos on left arm and upper back,

**MARKS OF THERAPY:** None.

**HISTORY:** [redacted]

**PATHOLOGICAL DIAGNOSES:**

1. [redacted]

2. Additional findings: decomposition, advanced stage.

**EXHIBIT 243**

**Cause of Death:** Undetermined

The facts stated herein are true and correct to the best of my knowledge and belief.

8/18/2025
**Date Signed**

OCME Norfolk, VA
**Place of Autopsy**

[redacted]
**Signature of Pathologist**
Fernanda Lameira, M.D

001610 COPELAND

**GROSS DESCRIPTION:** *Note: exam limited by decomposition changes.*

**SKIN:** Tattoos. Partially skeletonized.

**SEROUS CAVITIES:** No adhesions or fluid accumulation. The diaphragm is intact. The organs are in normal anatomic position.

**NECK ORGANS:** Layered dissection reveals unremarkable soft tissue of the anterior neck. The larynx and hyoid are intact. The thyroid gland has a normal size and shape.

**HEART**: 77 g. The coronary arteries arise normally and have a right dominant posterior circulation. There is no significant atherosclerosis. The valves are normally formed. The foramen ovale is closed. The great vessels are unremarkable and free of obvious injury.

**AORTA:** The aorta and its major branches are normally distributed, with no significant atherosclerosis.

**LUNGS:** Left 155 g, right 181 g. The pleural surfaces are unremarkable and cover red-purple, mildly edematous pulmonary parenchyma.

**LIVER:** 299 g. The liver capsule is smooth and glistening, covering red-purple congested parenchyma.

**GALLBLADDER:** No bile. No stones were identified.

**SPLEEN:** 80 g. The splenic capsule is smooth, glistening, and intact. There is unremarkable underlying red-purple parenchyma.

**LYMPH NODES:** No lymphadenopathy is appreciated.

**PANCREAS:** Unremarkable.

**ADRENALS:** Examination limited due to decomposition changes; no evident lesions present.

**GI TRACT:** [redacted]

**KIDNEYS:** Left 155 g, right 181 g. Smooth cortical surfaces. Well-circumscribed cortico-medullary junctions. No dilatation of the collecting system or ureters.

**BLADDER:** Contains no urine. Unremarkable mucosa and wall.

**GENITALIA:** Unremarkable uterus, fallopian tubes, and ovaries.

**BRAIN AND MENINGES:** 784 g. Complete loss of normal architecture. The brain is a brow/gray soft tissue.

**SKULL:** Intact.

**MUSCULOSKELETAL:** Aside from the postmortem changes, the bony framework, supporting musculature, and soft tissues are grossly unremarkable. The cervical spinal column is removed, visualized, and it is intact.

[redacted]

**MICROSCOPIC DESCRIPTION:**
Liver (Slide 2): Interpretation is limited due to postmortem artifact. No evidence of inflammation, steatosis, or necrosis.

Kidney (Slide 2): Interpretation is limited due to postmortem artifact. Well-distributed tubules and glomeruli with no histopathological abnormalities.

Lungs (Slide 1): Interpretation is limited due to postmortem artifact. Edema and no other significant histopathological changes were observed.

**TOXICOLOGY:**
Samples were submitted for toxicological analysis. See Certificate of Analysis.
Waiting for another toxicology analysis. Still pending.

**DNA AND FINGERPRINTS:**
Samples of blood and fingerprints were taken and retained.

**POSTMORTEM PHOTOGRAPHY:**
Postmortem photographs were taken and retained.

**EVIDENCE:**
Suitcase, personal effects, DNA card x2, patch from inside the suitcase, PERK kit (219M00468), round disk from inside the suitcase, possible string from inside the suitcase, paper from inside the suitcase, fingernails, CD with exam photos to law enforcement. Second CD with exam photos to law enforcement (Norfolk PD).

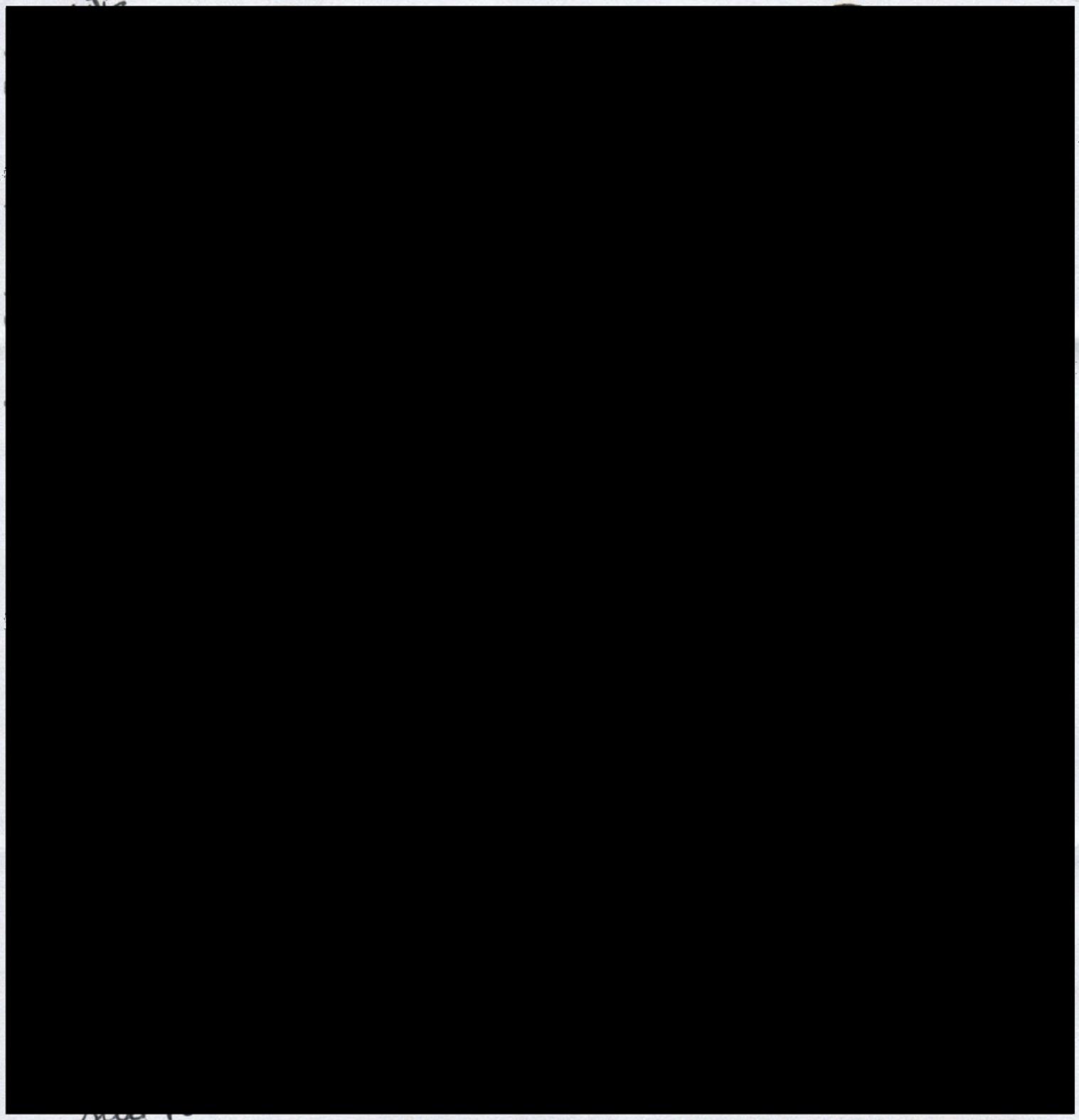
[redacted]

**CAUSE OF DEATH:** Undetermined

**MANNER OF DEATH:** Undetermined

[redacted]

## BODY DIAGRAM



DECED Name: T-246-25 T2025-00840 BTB A[redacted] R[redacted]
Height: 6-10-2025
Weight: DR. LAMEIRA

MEDICAL EXAMINER:
Name: _____
Date: _____
Autopsy #: _____

001613 COPELAND

COMMONWEALTH OF VIRGINIA
OFFICE OF THE CHIEF MEDICAL EXAMINER

Enclosure 1
Page 4 of 7

Rev. 11/21/03

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

June 10, 2025

TO: G. V. ROBINSON
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

RECEIVED
JUN 11 2025
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

Your Case #: T2025-00840

Victim(s):
Alias: A[redacted]a R[redacted]

Suspect(s): ---

Evidence Submitted By: G. V. Robinson

Date Received: 06/10/2025

Item 999 Copy of a fingerprint card bearing the name A[redacted] P[redacted]
Item 1000 Postmortem Tape Lift From OCME Case Number T2025-00840

RESULTS AND INTERPRETATIONS:

**COMPARISON RESULTS OVERVIEW:**

| Name | Identification(s) (Total / Item) | Exclusion(s) (Total / Item) | Inconclusive(s) (Total / Item) |
|---|---|---|---|
| A[redacted] R[redacted] | 1 / Item 1000 | --- | --- |

**PROCESSING AND EXAMINATION:**

Item 1000 was visually examined. One fingerprint was digitally preserved and designated as 1000P1.

**ANALYSIS:**

Fingerprint 1000P1 was analyzed and determined to be of value for comparison.

**EXEMPLARS:**

The following exemplar, bearing the listed name, was visually examined, digitally preserved, and used for comparison:

| Name | Obtained From | DOB | SID / FBI | Exemplar Type |
|---|---|---|---|---|
| A[redacted] R[redacted] | Submitted - Item 999 | --- | 95HPF5D5W | Fingerprint Card |

[redacted]



001614_COPELAND
Rev. 7/05

EXHIBIT 244

APPELLATE EXHIBIT XXV
21 of 72

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Office of the Chief Medical Examiner
FS Lab # T25-3510
Your Case # T2025-00840
June 10, 2025

**COMPARISON RESULTS:**

IDENTIFICATION(S):
Fingerprint 1000P1 was identified to the exemplar bearing the name A[redacted] R[redacted].

**TERMINUS STATEMENTS:**

The only fingerprint of value for comparison has been identified.

Date(s) of Testing: 06/10/2025.

Supporting examination documentation is maintained in the case file.

The above listed methods are those approved for use at the time of analysis. Current methods can be found in the Latent Print Procedures Manual, which can be found at www.dfs.virginia.gov/documentation-publications/manuals/.

The evidence is being retained for personal pickup.

Attest:

I certify that I performed the above analysis or examination as an employee of the Department of Forensic Science and that the above is an accurate record of the results and interpretations of that analysis or examination.

[redacted]

Emily Vocu
Forensic Scientist

**ABBREVIATION/DEFINITION KEY:**
**AFIS:** Automated Fingerprint Identification System; generic term; applies to VA-AFIS and NGI at DFS.
**DOB:** Date of Birth
**CCRE:** Central Criminal Records Exchange
**FBI:** Federal Bureau of Investigation
**Federal Database:** Next Generation Identification (NGI) database
**SID:** State Identification Number
**State Database:** VA-AFIS database
**Identification:** Conclusion reached when an examiner determines there is sufficient observed data in agreement to conclude that the friction ridge prints originated from the same source.
**Exclusion:** Conclusion reached when an examiner determines that there is sufficient observed data in disagreement to conclude that the friction ridge prints did not originate from the same source.
**Inconclusive:** Conclusion reached when an examiner determines there is insufficient observed data in agreement or disagreement to conclude that the friction ridge prints did or did not originate from the same source. The insufficient observed data could be the result of absent or unreliable areas of the friction ridge print, the exemplars or both.

EV

CAC 06-10-2025



001615_COPELAND
Rev. 7/05

Commonwealth of Virginia

ORIGINAL

# DEPARTMENT OF FORENSIC SCIENCE

## CERTIFICATE OF ANALYSIS

Eastern Laboratory
830 Southampton Avenue
Suite 400
Norfolk, VA 23510

Tel. No.: (757) 683-8327
Fax: (757) 683-8830

July 14, 2025

TO: FERNANDA LAMEIRA, M.D.
OFFICE OF THE CHIEF MEDICAL EXAMINER
830 SOUTHAMPTON AVENUE
SUITE 100
NORFOLK, VA 23510-1046

FS Lab # T25-3510

Your Case #: T2025-00840

Victim(s): R[redacted], A[redacted]
Alias: BTB R[redacted], An[redacted]

Suspect(s): - - -

Evidence Submitted By: Leena Sloulin

Date Received: 06/11/2025

| | |
|---|---|
| Item TX1 | One container of liver |
| Item TX2 | One container of muscle |
| Item TX3 | One container of spleen |

RECEIVED
JUL 22 2025
[redacted]
OFFICE OF CHIEF MEDICAL EXAMINER - TIDEWATER

RESULTS AND INTERPRETATIONS:

Item TX1 Liver:
Ethanol 0.083 ± 0.004 % by weight by weight
Method: Alcohols by Headspace Gas Chromatography

No other drugs and/or drug classes were detected.

Item TX1 was screened for the following drugs, drug classes, and/or substances:
Ethanol, methanol, acetone, isopropanol, cocaine/benzoylecgonine, opiates, oxycodone/oxymorphone, methamphetamine/methylenedioxymethamphetamine (MDMA), phencyclidine, fentanyl, methadone, benzodiazepines.

Item TX2 Muscle:
Not Analyzed

Item TX3 Spleen:
Not Analyzed

Date(s) of Testing: 06/24/2025 - 07/11/2025

Supporting examination documentation is maintained in the case file. The above-listed methods are those approved for use at the time of analysis. Current methods can be found in the Toxicology Procedures Manual which can be found at www.dfs.virginia.gov/documentation-publications/manuals/. Measurement uncertainty is reported at a 95.45% level of confidence for all toxicological analyses except blood alcohol which is reported at a 99.73% level of confidence.

24 Oct 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: Office of the Special Trial Counsel
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: EXPERT CONSULTANT REQUEST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN – FIGHT OR FLIGHT

Ref: (a) U.S. CONST. amend. VI
(b) Article 46, Uniform Code of Military Justice
(c) Rule for Courts-Martial 703, M.C.M. (2019 ed.)
(d) Military Rule of Evidence 502, M.C.M. (2019 ed.)
(e) *Ake v. Oklahoma,* 470 U.S. 68 (1985)
(f) *United States v. Freeman*, 65 M.J. 451 (C.A.A.F. 2008)
(g) *United States v. Gonzalez,* 39 M.J. 459 (C.A.A.F. 1994)
(h) *United States v. Allen*, 31 M.J. 572 (N.M.C.C.A. 1990)

Encl: (1) CV of Dr. Reagan Wetherill
(2) Fee Schedule of Dr. Reagan Wetherill

1. Pursuant to references (a) through (h), the defense counsel for CSSN Copeland respectfully requests government funding for an expert consultant in the field of forensic psychology, specifically the psychology surrounding a person's fight or flight response and the effect of alcohol consumption on memory. Specifically, CSSN Copeland requests that you appoint Dr. Wetherill as a representative of the defense so that any communications between her, CSSN Copeland, and defense counsel will be privileged pursuant to reference (d) and other applicable federal laws and regulations.

2. CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

3. A military accused is entitled to expert assistance in the form of expert consultation "to aid in the preparation of his Defense upon a demonstration of necessity…and that denial of an expert would result in a fundamentality unfair trial." *United States v. Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005); R.C.M. 703(d). Under Article 46, UCMJ, the Defense may request expert consultants to assist the Defense in "evaluating, identifying, and developing evidence," as well as to "test and challenge the Government's case." *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F 2005). The right to present evidence guaranteed by the Sixth Amendment, Article 46, UCMJ, and R.C.M. 703 "necessarily includes the right to prepare." *United States v. Allen*, 31

M.J. 572, 623 (N-M.CM.R. 1990). Consequently, a military member is entitle[d]…to the assistance of an expert when necessary to the preparation of an adequate defense." *Id.* (quoting *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986). The right to an "adequate defense" includes "preparation for cross-examination" of Government witnesses well "as presentation of an expert defense witness." *Id.* (quoting *United States v. Durant*, 545 F.2d 823, 827 (2d Cir. 1976)). Thus, a Defense expert's assistance as a consultant before trial and during trial may in part be justified by the consultant's ability to provide assistance in preparing the Defense for the presentation of expert testimony. *Id.*

4. To demonstrate "necessity" as required by R.C.M. 703, the Defense must show "more than the 'mere possibility of assistance from a requested expert' . . . " *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). "The accused must show that a reasonable probability exists 'both that an expert would be of assistance to the defense and that denial of expert assistance would result in a fundamentally unfair trial.'" *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). In order to demonstrate the first prong of that test—that a reasonable probability exists that an expert would be of assistance to the Defense—the Defense must explain: "'(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop.'" *United States v. Hennis*, 79 M.J. 370, 382-83 (C.A.A.F. 2020) (quoting *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (emphasis in original).

5. As delineated in enclosure (1), Dr. Wetherill is a board-certified clinical psychologist with an expertise in clinical and experimental research involving alcohol and the physiological effects on the brain and memory. The evidence in this case raises significant questions that may likely be explained by a comprehensive understanding of the body's immediate "fight or flight" response to any given situation or startling event. Moreover, the allegations involving CSSN S.S. contain the alleged victim having blackouts. Dr. Wetherill's extensive education and experience in forensic psychology makes her participation indispensable to CSSN Copeland's defense and perfecting a case on the merits. The defense is aware of no government substitute that could address the specific nature of the defense's need to the level of knowledge and expertise as Dr. Wetherill.

6. Additionally, based on how defense anticipates the evidence will be presented at trial, defense counsel effectiveness and ability to present a logical defense, through cross and direct examination, will be limited without assistance of Dr. Wetherill. The defense is not an expert in this subject matter. Defense counsel has not received any formal training in psychology. Nor does defense counsel have the necessary time or ability to develop such and expertise prior to trial. This type of evidence requires a level of knowledge the defense does not possess, and cannot gain in a few weeks or even months of study. Furthermore, defense is unable to present this evidence to members without the assistance of an expert witness.

7. Based on the fee schedule in enclosure (2), defense requests twenty (20) hours for pre-trial consultancy at a cost of $8,000.00. Additionally, the Defense requests Dr. Wetherill's presence at

trial (21 days), and one day of trial preparation, for a total of 22 days ($4,000/day x 22 days) at a cost of $88,000.00. **The total amount requested by defense is approximately $96,000.00**, in addition to travel expenses in accordance with Joint Travel Regulations. The defense will submit an additional request if more time is needed.

8. The defense requests that this expert be assigned as a consulting member of CSSN Copeland's defense team, such that all communication between the accused, defense counsel, and the expert are privileged and confidential pursuant to Mil. R. Evid. 502. The defense further requests that the government refrain from any substantive contact with this expert. It is understood that this limitation may be removed if the defense ultimately desires to have Dr. Wetherill testify as an expert witness in this case.

9. Thank you for your careful consideration of this request. If I may provide any additional information, I am available at (757) 341-4486 or clifton.e.morgan4.mil@us.navy.mil to answer any questions about this request.

[redacted]

C. E. MORGAN III

# Reagan R. Wetherill, Ph.D., Licensed Clinical Psychologist

## BIOGRAPHICAL

**Business address:**

Reagan Wetherill, Ph.D.
Department of Psychiatry
Perelman School of Medicine
University of Pennsylvania
3535 Market Street, Suite 500
Philadelphia, PA 19104
Email: rweth@pennmedicine.upenn.edu
Office: 215-746-3953

## EDUCATION

**Graduate:** University of Texas at Austin, Ph.D. in Clinical Psychology (APA approved), August 2010
Dissertation: Alcohol-Induced Blackouts: Associated Memory Processes and Neural Correlates
Mentors: Kim Fromme, Ph.D. and David M. Schnyer, Ph.D.

University of Texas at Austin, Ph.D. in Clinical Psychology (APA approved), June 2006
Mentor: Kim Fromme, Ph.D.

**Undergraduate:** Vanderbilt University
B.S. Neuroscience, May 2002

## PROFESSIONAL LICENSURE

2012 – present Licensed Clinical Psychologist, Pennsylvania State Board of Psychology

## ACADEMIC APPOINTMENTS

| | |
|---|---|
| 2020 – present | Director, Molecular Imaging and Neuroimaging Division of the Center for Studies of Addiction, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry |
| 2019 – present | Assistant Director, PennPACE Clinical Core, Perelman School of Medicine, University of Pennsylvania, Departments of Psychiatry & Radiology |
| 2023 – present | Associate Professor, Perelman School of Medicine, University of Pennsylvania |
| 2013 – 2023 | Assistant Professor, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry |
| 2012 – 2013 | Postdoctoral Researcher, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry |
| 2010 – 2012 | Postdoctoral Fellow, University of California, San Diego School of Medicine, Department of Psychiatry |
| 2009 – 2010 | Clinical Psychology Intern, Veterans Affairs San Diego Healthcare System/University of California, San Diego School of Medicine |

**CONSULTING AND EXPERT WITNESS EXPERIENCE (does not include cases that were settled, dismissed, or alternate dispositions)**

2023 US v Bulcao (General Court-Martial, Army Fort Knox, KY)
2023 US v Gjergo (General Court-Martial, Army Fort Sill, OK)
2023 Horocofsky v. City of Lawrence, Kansas (Civilian Case, Lawrence, KS)
2023 US v. Lanham (General Court-Martial, Fort Drum Army Base, NY)
2023 US v. Reyes (General Court-Martial, Norfolk Naval Base, VA)
2023 US v. Fink (General Court-Martial, Norfolk Coast Guard, VA)
2023 State of Washington v. Jadin Ramirez (Civilian Case, Ephrata, WA)
2023 US v. Harrington (General Court-Martial, Fort Polk Army Base, LA)
2023 US v. Nenni (General Court-Martial, Alameda Coast Guard Island, CA
2022 US v. Valle (General Court-Martial, Grand Forks Air Force Base, ND)
2022 US v. Castro (General Court-Martial, Army Fort Sill, OK)
2022 US v. Cummings (General Court-Martial, Norfolk Naval Base, VA)
2022 US v. Mertens (General Court-Martial, Naval Base Guam)
2022 US v. Alfaro (General Court-Martial, Army Camp Humphreys, South Korea)
2022 US v. Winton (Special Court-Martial, Washington DC Navy Yard)
2022 Cass County v. Smith (Civilian Case, Fargo, ND)
2022 University of Indiana Urbana-Champaign Title IX case (Civilian Case, Champaign, IN)
2021 US v. Taylor (General Court-Martial, MacDill AFB, Tampa, FL)
2021 US v Mendoza (General Court-Martial, Army Fort Riley, Kansas)
2021 Conduct Investigation – CDT Gordon (United States Military Academy, West Point, NY)
2021 US v Jobes (General Court-Martial, Army Fort Bragg, Fayetteville, NC)
2021 US v Jones (General Court-Martial, Naval Station Bremerton, WA)
2021 US v Metcalf (General Court-Martial, United States Coast Guard Station Boston, MA)
2021 US v Swisher (General Court-Martial, Marine Corps Recruit Depot Parris Island, SC)
2021 US Naval Academy Administrative Separation – Midshipmen Currie (Annapolis, MD)
2020 US v Ramento (General Court-Martial, Naval Station Bremerton, WA)
2020 US v Browning (General Court-Martial, Army Fort Carson, CO)
2020 US v Villa (General Court-Martial, Army Fort Carson, CO)
2020 US v Hicks (General Court-Martial, Army Fort Hood, TX)
2020 US v Hamilton (General Court-Martial, Joint Base Lewis-McChord, WA)
2020 US v Keago (General Court-Martial, United States Naval Academy, Navy Yard, Washington DC)
2020 US v Yepez (General Court-Martial, Army Fort Hood, TX)
2020 US v Arenas (General Court-Martial, Army Fort Hood, TX)
2019 US v Long (General Court-Martial, Army Fort Carson, CO)
2019 US v Campbell (General Court-Martial, Wright-Patterson Air Force Base, Dayton, OH)
2019 US v Motus (General Court-Martial, Fort Meade, MD)
2019 State of Kansas v. Horocofsky (Civilian Case, Kansas City, MO)
2018 US Center for SafeSport v. Rice (Civilian Case, Denver, CO)
2018 US v Brown (General Court-Martial, Army Fort Carson, CO)
2018 US v Goodman (General Court-Martial, Army Fort Carson, CO)
2018 US v Nabors (General Court-Martial, Army Fort Bragg, Fayetteville, NC)
2017 US v McDonald (General Court-Martial, Army Fort Gordon, Augusta, GA)
2017 UC Berkeley Title IX Investigation and Hearing (Berkeley, CA)

2016 US v Marquez (General Court-Martial, Army Fort Benning, GA)
2016 US v Rivera (General Court-Martial, Army Fort Benning, GA)
2016 US v Chavez (General Court-Martial, Army Fort Bliss, TX)
2016 US v Torres-Jimenez (General Court-Martial, Army Fort Riley, KS)
2016 Stanford University Title IX Investigator and Hearing (Palo Alto, CA)
2015 US v Cash (General Court-Martial, Army Fort Bliss, TX)
2015 US v Magnus (General Court-Martial, Army Fort Bliss, TX)
2015 US v Reeder (General Court-Martial, Army Kaiserslautern, Kleber Kaserne, Germany)
2015 US v Mitchell (General Court-Martial, Joint Base Lewis-McChord, WA)
2014 US v McClure (General Court-Martial, Army Fort Bliss, TX)
2014 Drexel University Title IX Investigation and Hearing (Civilian Case, Philadelphia, PA)
2014 US v Fuentes (General Court-Martial, Joint Base Pearl Harbor-Hickam, HI)
2014 US v Welch (General Court-Martial, Fleet Activities Yokosuka, Japan)
2014 US v Sanchez (General Court-Martial, USCG Base Alameda, CA)
2013 US v Peters (General Court-Martial, Army Garrison Bamberg, Germany)

## OTHER APPOINTMENTS

2021 - present **Member**, Abramson Cancer Center, Perelman School of Medicine at the University of Pennsylvania

2015 – present **Member**, Institute for Translational Medicine and Therapeutics, Perelman School of Medicine at the University of Pennsylvania

2013 – present **Member**, David J. Mahoney Institute of Neurological Science, University of Pennsylvania

2013 – present **Member**, Center for Functional Neuroimaging, University of Pennsylvania

## ACADEMIC AND INSTITUTIONAL COMMITTEES

2018 – present **Member**, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry Strategic Planning Committee, Environment Team

2017 – present **Member**, Center for Studies of Addiction Data Safety Monitoring Board

2017 – 2019 **Director**, Center for Studies of Addiction Seminar Series

2013 – present **Member/Mentor**, Perelman School of Medicine, University of Pennsylvania, Biomedical Postdoctoral Research Council

2016 – present **Member**, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry Faculty Search Committee

## AWARDS AND HONORS

2020 Outstanding Field Editor Award, *Alcoholism: Clinical and Experimental Research*
2018 Annual Field Editors' Award, *Alcoholism: Clinical and Experimental Research*
2016 - 2018 Alcohol Medical Scholars Program Award, University of California, San Diego
2014 Early Career Investigator Travel Award, College on Problems of Drug Dependence
2013 Women & Sex/Gender Junior Investigator Travel Award, National Institute on Drug Abuse
2011 - 2013 Loan Repayment Program Award, National Institutes of Health

| | |
|---|---|
| 2011 | Junior Investigator Travel Award, Research Society on Alcoholism |
| 2010 | Outstanding Dissertation Award, University of Texas at Austin |
| 2008 | Fellowship for Academic Excellence, University of Texas at Austin |
| 2005 – 2010 | Student Merit Award, Research Society on Alcoholism |
| 2004 – 2010 | Fred Murphy Jones & Homer Lindsey Bruce Endowed Graduate Fellowship, University of Texas at Austin |
| 2004 – 2010 | Endowed Graduate Fellowship, Waggoner Center for Alcohol and Addiction, University of Texas at Austin |
| 2002 – 2003 | Postbaccalaureate Intramural Research Training Award, National Institutes of Health/National Institute on Drug Abuse |

## ELECTED OFFICES AND COMMITTEES

| | |
|---|---|
| 2019 – 2022 | **Program Committee,** College on Problems of Drug Dependence |
| 2014 – 2016 | **Industry, Academia, and Government Relations Committee,** College on Problems of Drug Dependence |
| 2012 – 2014 | **Travel Awards/Mentorship Committee,** College on Problems of Drug Dependence |

## GRANT REVIEW COMMITTEES

| | |
|---|---|
| 2023 | Ad-hoc Member, NIH Neurotoxicology and Alcohol (NAL) Study Section |
| 2022 | Ad-hoc Member, NIH Neural Basis of Psychopathology, Addictions and Sleep Disorders (NPAS) Study Section |
| 2021 | Ad-hoc Member, NIDA Neurobiology of Motivated Behavior (NMB) Study Section |
| 2019 | Ad-hoc Member, Marie Sklodowska-Curie actions (MSCA) Review Group, Universite libre de Bruxelles |
| 2019 | Chair, Special Emphasis Panel/Scientific Review Group EITN |
| 2015 – 2018 | Ad-hoc Member, Perelman School of Medicine at the University of Pennsylvania, Brody Family Trust Grant Review Group |
| 2018 | Chair, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (50) |
| 2018 | Ad-hoc Member, Special Emphasis Panel/Scientific Review Group ZRG1 PSE-B (64) C |
| 2017 | Chair, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (51) |
| 2015 – 2017 | Ad-hoc Member, Penn Center for AIDS Research Pilot Grant Program Review Group |
| 2016 | Ad-hoc Member, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (54) |
| 2016 | Ad-hoc Member, University of Wisconsin Research Growth Initiative Grant Review Group |

## EDITORIAL BOARDS/POSITIONS

| | |
|---|---|
| 2022 – present | **Associate Editor,** *Frontiers in Psychiatry – Addictive Disorders* |
| 2017 – present | **Field Editor**, *Alcoholism: Clinical and Experimental Research* |
| 2021 – present | **Editorial Board**, *Biological Psychiatry: Cognitive Neuroscience and Neuroimaging* |
| 2021 – present | **Editorial Board**, *Drug and Alcohol Dependence Reports* |

**Ad Hoc Reviewer (past 5 years):**

*Addiction Biology, Addiction, Journal of Addiction Medicine, Biological Psychiatry, Drug and Alcohol Dependence, JAMA Psychiatry, Memory, European Journal of Neuroscience, Behavioral Brain Research, Journal of Psychiatry and Neuroscience, Pain Practice, Pharmacology, Biochemistry, and Behavior, Journal of*

*Abnormal Psychology, Neuroimage, Neuropsychopharmacology, Alcoholism: Clinical and Experimental Research, Nicotine and Tobacco Research*

## ORGANIZING ROLES IN SCIENTIFIC MEETINGS

2019 – 2022 **Program Committee**, College on Problems of Drug Dependence
2019 **Symposium Co-Chair**, College on Problems of Drug Dependence, San Antonio, Texas
2018 **Symposium Co-Chair**, American Psychological Association, San Francisco, California
2017, 2018 **Program Review**, Society for Research on Nicotine and Tobacco,
2015 **Symposium Chair**, Research Society on Alcoholism, San Antonio, Texas
2014 **Program Review**, Research Society on Alcoholism, Bellevue, Washington
2008 **Symposium Co-Chair**, American Psychological Association, Boston, Massachusetts

## PROFESSIONAL SOCIETY MEMBERSHIP

2003 – present Research Society on Alcoholism
2012 – present College on Problems of Drug Dependence
2016 – present Research Society on Marijuana
2017 – present American Psychological Association
2006 – 2012 International Neuropsychological Society

## CURRENT FUNDED GRANTS

2020 – 2025 National Institute on Drug Abuse, UG1DA050209, A Clinical Laboratory with Integrated Neuroscience (CLIN) for Early Evaluation of Medications for Substance Use Disorders, $2,661,656, K.Kampman/A. Childress (MPIs)
Role: Co-Investigator

2019 – 2024 National Institute on Drug Abuse, P30DA046345, Penn PET Addiction Center of Excellence (Penn PACE), $7,421,303, R. Mach/H. Kranzler (MPIs)
Role: Clinical Core Assistant Director

## COMPLETED GRANTS

2019 – 2023 National Heart, Lung, and Blood Institute, R21HL144673, Using PET to Measure Pulmonary Oxidative Stress in E-cigarette Users, $383,204, R. Wetherill (PI)
Role: Principal Investigator

2018 – 2022 National Institute of General Medical Sciences, R44GM130195, Brainaware: Interactive Digital Psychoeducation for Adolescents and Young Adults with Substance Use Disorders, $530,425, K. Schleisman (PI)
Role: Site Principal Investigator

2016 – 2022 National Institute on Drug Abuse, R01DA040670, Influence of the Natural Hormonal Milieu on Perfusion fMRI Smoking Cue Responses, $2,375,661, R. Wetherill (PI)
Role: Principal Investigator

2015 – 2022 National Institute on Alcohol Abuse and Alcoholism, K23AA023894, Effectiveness of Topiramate: Characterizing Individual Differences, $855,562, R. Wetherill (PI)
Role: Principal Investigator

| | |
|---|---|
| 2018 – 2019 | Institute for Translational Medicine and Therapeutics' (ITMAT) Transdisciplinary Program in Translational Medicine and Therapeutics Pilot Grant, Measuring Pulmonary Oxidative Stress in E-cigarette Users and Smokers with PET, $50,000, R. Wetherill (PI)<br>Role: Principal Investigator |
| 2016 – 2019 | PNC Charitable Trust Grant, Hormones, The Brain, And Behavior: Examining The Causes And Effects Of Alcohol Use And Relapse In Women, $37,999, R Wetherill (PI)<br>Role: Principal Investigator |
| 2017 | Foundation for Alcoholism Research, Baclofen for Alcohol Dependence, $14,000, R. Wetherill (PI)<br>Role: Principal Investigator |
| 2011 – 2015 | National Institute on Drug Abuse, R01DA029845, Characterizing a Cue-Vulnerable Endophenotype in Smokers, $1,221,313, T. Franklin (PI)<br>Role: Co-Investigator |
| 2011 – 2015 | Pennsylvania Department of Health/Commonwealth Universal Research Enhancement Program, CURE Addiction Center of Excellence: Brain Mechanisms of Relapse and Recovery, $6,000,000, A. Childress/T. Franklin/D. Langleben (MPIs)<br>Role: Co-Investigator |
| 2003 – 2008 | National Institute on Alcohol Abuse and Alcoholism, F31AA017022, The Etiology of Fragmentary Blackouts: Memory Processes and Neural Activations, $68,492, R. Wetherill (PI)<br>Role: Principal Investigator |

## MAJOR ACADEMIC AND CLINICAL TEACHING RESPONSIBILITIES

| | |
|---|---|
| 2022 | Lecturer, "Neurobiology of Addiction: Influence of Biological Sex and Hormones", Addiction: Understanding how we get hooked and how we recover (HSOC 0311-301), University of Pennsylvania |
| 2021 | Lecturer, "Marijuana", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania |
| 2021 | Lecturer, "Using PET Imaging to Examine Oxidative Stress in E-cigarette Users", Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry |
| 2019 | Lecturer, "Functional Magnetic Resonance Imaging Study of Topiramate's Effects", Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry Grand Rounds |
| 2019 | Lecturer, "Cannabis, Cannabis Use Disorder, & Treatment", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania |
| 2018 | Lecturer, "Translational Models of Reward-Motivation in Smoking Behavior", Summer at Penn Neuroscience Research Academy, University of Pennsylvania |
| 2018 | Lecturer, "Cannabis and Cannabis Use Disorder", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania |
| 2017 | Lecturer and Consultant, "Alcohol, Memory, and Alcohol-Induced Blackouts: Alcohol-Facilitated Sexual Violence Implications", Office of the Sexual Violence Investigator Officer Annual Panel Member Training, University of Pennsylvania |

2017 Lecturer, "Sex Differences in Nicotine Use Disorder", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania

2017 Lecturer, "Brain Mechanisms of Topiramate's Effects on Heavy Drinking", Department of Psychiatry Research Trainee Event, University of Pennsylvania

2016 Lecturer and Consultant, "Alcohol-Facilitated Sexual Violence", Office of the Sexual Violence Investigator Officer Annual Panel Member Training, University of Pennsylvania

2016 Lecturer, "Influence of Sex on Neural Processing in Nicotine Use Disorder", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry

2015 Lecturer, "Acute Effects of Alcohol on the Brain and Alcohol-Induced Blackouts", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry

2014 Lecturer, "Neural Features of Cannabis Use Disorder", Center on Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania

2011 Proctor, "Clinical Foundations" Integrated Scientific Core Curriculum Course for MS1s, University of California, San Diego School of Medicine

## INVITED TALKS

2021 "The Influence of Sex and Hormones on Reward-Related Responses and Behavior", Yale School of Medicine, New Haven, Connecticut

2021 "Alcohol Use and the Brain", Corporal Michael J. Crescenz VA Medical Center, Philadelphia, Pennsylvania

2019 "Alcohol-Induced Blackouts: What Happened? How Did We Get Here?", Association of Title IX Administrators (ATIXA), Philadelphia, Pennsylvania

2019 "Further Exploration into the Influence of Sex and Hormones on Cigarette Smoking Cue Reactivity", College on Problems of Drug Dependence, San Antonio, Texas

2019 "Classifying and Characterizing Nicotine Use Disorder with High Accuracy Using Machine Learning and Resting-State fMRI", College on Problems of Drug Dependence, San Antonio, Texas

2018 "Sex Differences in Brain Reactivity to Smoking Cues: Consensus across Sites and Methodologies", American Psychological Association, San Francisco, California

2018 Discussant for "Sex Differences in the Nicotine Addicted Brain---Translational Implications" symposium, American Psychological Association, San Francisco, California

2018 "Alcohol-Related Blackouts: Clinical Phenomena & Potential Genetic Influences", Research Society on Alcoholism, San Diego, California

2018 "Sex Differences in Nicotine Use Disorder: Findings from Neuroimaging", Research Institute on Addictions, Buffalo, New York

2018 "Use of Neuroimaging to Explore Sex Differences in Nicotine Use Disorder", National Institutes of Health/National Institute on Alcohol Abuse and Alcoholism, Rockville, Maryland

2017 "Sex Differences in Nicotine Use Disorder: Findings from Neuroimaging", University of Vermont, Vermont Center on Behavior and Health, Burlington, Vermont

2017 "Addiction as a Brain Disease: Sex Differences in Nicotine Use Disorder", University of Connecticut Medical Center, Department of Psychiatry Grand Rounds, Farmington, Connecticut

2017 "Alcohol, Memory, and Alcohol-Induced Blackouts: Title IX Implications", Cornell University, Ithaca, New York

2017 "The impact of sex on brain responses to smoking cues: replication in a new cohort", College on Problems of Drug Dependence, Montreal, Canada

2017 "Resting-state rCBF in Cigarette Smokers: Sated vs Withdrawal States", Society of Biological Psychiatry, San Diego, California

2017 "Influence of Sex and Ovarian Hormones on Neural Processing in Nicotine Use Disorder", Columbia University School of Medicine, New York, New York

2017 "Addiction as a Brain Disease: What Every PCP Should Know About SUDs", Keynote Address at the 10th Annual Conference on Primary Care and Child/Adolescent Psychiatry: Teens and Substance Abuse, Reading, Pennsylvania

2017 "Addiction as a Brain Disease: What Everybody Should Know About SUDs", 10th Annual Conference on Primary Care and Child/Adolescent Psychiatry: Teens and Substance Abuse, Reading, Pennsylvania

2016 "The Influence of Sex on Neural Processing in Cannabis Use Disorder", American Psychological Association, Denver, Colorado

2016 "Age of Onset of Marijuana Use and Neural Responses to Backward-masked Marijuana Cues: Shifts in Striatal Activity." National Institutes of Health Marijuana Summit, Bethesda, Maryland

2015 "Influence of Sex on Neural Processing of Subliminal Cannabis Cues in Cannabis Use Disorder (CUD): Implications for Treatment Strategies", American Psychological Association, Toronto, Ontario

2015 "What Happened and Why? Predictors and Consequences of Alcohol-Induced Blackouts", Research Society on Alcoholism, San Antonio, Texas

2013 "Sex Differences in Neural Responses to Smoking Cues: A Perfusion fMRI Study", College on Problems of Drug Dependence, San Diego, California

## PUBLICATIONS

1. Ashare, R. L., Turay, E., Worster, B., Wetherill, R.R., Bidwell, L.C., Doucette, A., Meghani, S.H. Social determinants of health associated with how cannabis is obtained and used in patients with cancer receiving care at a cancer treatment center in Philadelphia. *Cannabis*; 6(2):1-12, Jul 2023.

2. Wetherill, R.R., Dubroff, J. Reply: Molecular imaging of pulmonary inflammation: claiming that vaping is more harmful than smoking is unsupported. *Journal of Nuclear Medicine*; 64(6):995, Jun 2023.

3. Ely, A.V., Wetherill R.R. Reward and inhibition in obesity and cigarette smoking: neurobiological overlaps and clinical implications. *Physiology and Behavior*; 260:114049, Mar

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4. Wetherill, R.R., Doot, R.K., Young, A.J., Lee, H., Schubert, E.K., Wiers, C.E., Leone, F.T., Mach, R.H., Kranzler, H.R., Dubroff, J.G. Molecular imaging of pulmonary inflammation in electronic and combustible cigarette users: a pilot study. *Journal of Nuclear Medicine*; online ahead of print, Jan 2023.

5. Raval, N.R., Wetherill, R.R., Wiers, C.E., Dubroff, J.G., Hillmer, A.T.: Positron emission tomography of neuroimmune responses in humans: insights and intricacies. *Seminars in Nuclear Medicine* 53(2):213-229, Mar 2023.

6. Franklin, T.R., Spilka, N.H., Keyser, H., Maron, M., Jagannathan, K., Wetherill, R.R.: Impact of the natural hormonal milieu on ventral striatal responses to appetitive cigarette smoking cues: a prospective longitudinal study. *Drug and Alcohol Dependence Reports* 5:100119, Nov 2022.

7. Doot, R.K., Young, A.J., Nasrallah, I.M., Wetherill, R.R., Siderowf, A., Mach, R.H., Dubroff, J.G.: [18F]NOS PET brain imaging suggests elevated neuroinflammation in idiopathic parkinson's disease. *Cells* 11(19):3081, Sep 2022.

8. Regier, P.S., Gawrysiak, M.J., Jagannathan, K., Childress, A.R., Franklin, T.R., Wetherill, R.R.: Trauma exposure among cannabis use disorder individuals was associated with a craving-correlated non-habituating amygdala response to aversive cues. *Drug and Alcohol Dependence Reports* 5:100098, Sep 2022.

9. Daviet, R., Aydogan, G., Jagannathan, K., Spilka, N., Koellinger, P.D., Kranzler, H.R., Nave, G., Wetherill, R.R.: Associations between alcohol consumption and gray and white matter volumes in the UK biobank. *Nature Communications* 13(1): 1175, March 2022.

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11. Ely, A.V., Jagannathan, K., Spilka, N., Keyser, H., Rao, H., Franklin, T.R., Wetherill, R.R.: Exploration of the influence of body mass index on intra-network resting-state connectivity in chronic cigarette smokers. *Drug and Alcohol Dependence* 227: 108911, October 2021.

12. Delgado, M.K., Shofer, F., Wetherill, R.R., Curtis, B., Hemmons, J., Spencer, E., Branas, C., Wiebe, D., Kranzler, H.R.: Accuracy of consumer marketed smartphone-paired alcohol breath testing devices: A laboratory validation study. *Alcoholism: Clinical and Experimental Research* 45: 1097-1099, May 2021.

13. Wetherill1, R.R., Spilka, N., Maron, M., Keyser, H., Jagannathan, K., Ely, A., Franklin, T.R.: Influence of the natural hormonal milieu on brain and behavior in women who smoke cigarettes: Rationale and methodology. *Contemporary Clinical Trials Communications* 21: 100738, February 2021.

14. Regier, P., Jagannathan, K., Franklin, T., Wetherill, R., Langleben, D., Gawrysiak, M., Kampman, K., Childress, A.R.: Sustained brain response to repeated drug cues is associated with worse drug-use outcomes. *Addiction Biology* 26(5): e13028, September 2021.

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17. Aydogan, G., Daviet, R., Karlsson, R., Linnér, R.K., Harel, T.A., Kable, J.W., Kranzler, H.R., Wetherill, R.R., Ruff, C.C., Koellinger, P.D., Nave, G.: Genetic underpinnings of risky behavior relate to altered neuroanatomy. *Nature Human Behavior* 5: 787-794, June 2021.

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19. Li, X., Pan, Y., Fang, Z., Lei, H., Zhang, Z., Shi, H., Ma, N., Raine, P., Wetherill, R., Kim, J., Wan, Y., Rao, H.: Test-retest reliability of brain responses to risk-taking during the balloon analogue risk task. *NeuroImage* 209: 116495, April 2020.

20. Ely, A., Jagannathan, K., Hager, N., Ketcherside, K.A., Franklin, T.R., Wetherill, R.R.: Double jeopardy: Comorbid obesity and cigarette smoking are linked to neurobiological alterations in inhibitory control during smoking. *Addiction Biology* 25: e12750, March 2020.

21. Franklin, T.R., Jagannathan, K., Ketcherside, A., Spilka, N., Wetherill, R.R.: Menstrual cycle phase modulates responses to smoking cues in the putamen: Preliminary evidence for a novel target. *Drug and Alcohol Dependence 198*: 100-104, May 2019.

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23. Wetherill, R.R., Rao, H., Hager, N., Wang, J., Franklin, T.R., Fan, Y.: Classifying and characterizing nicotine use disorder with high accuracy using machine learning and resting-state fMRI. *Addiction Biology 24*: 811-821, July 2019.

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H., Wetherill, R.R.: Brain substrates of early (4 hour) cigarette abstinence: Identification of treatment targets. *Drug and Alcohol Dependence 182*: 78-85, January 2018.

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29. Wetherill, R.R., Hager, N., Guthier, E., Franklin, T.R.: Gram years: a method to standardize and quantify lifetime cannabis use. *Cannabis and Cannabinoid Research 1*(1): 216-217, September 2016.

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32. Wetherill, R.R., Franklin, T.R., Allen, S.S.: Ovarian hormones, menstrual cycle phase, and smoking: a review with recommendations for future studies. *Current Addiction Reports 3*(1): 1-8, March 2016.

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34. Wetherill, R.R., Fang, Z., Jagannathan, K., Childress, A.R., Rao, H., Franklin, T.R.: Cannabis, cigarettes, and their co-occurring use: Disentangling differences in default mode network functional connectivity. *Drug and Alcohol Dependence 153*: 116-123, August 2015.

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37. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Johnson, B., Kelly, S., Langguth, J., Mumma, J., Childress, A.R.: Influence of menstrual cycle phase on neural and craving responses to appetitive smoking cues in naturally cycling females. *Nicotine & Tobacco Research 17*(4): 390-397, April 2015.

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of the MP-RAGE to identify morphometric biomarkers: recent cigarette smoking alters gray matter indices in the ventral striatum. *Frontiers in Human Neuroscience 8*: 1-3, January 2015.

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48. Wetherill, R.R., Castro, N., Squeglia, L.M., Tapert, S.F.: Atypical neural activity during inhibitory processing in substance-naïve youth who later experience alcohol-induced blackouts. *Drug and Alcohol Dependence 128*(3): 243-249, March 2013.

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55. Stappenbeck, C.A., Quinn, P.D., Wetherill, R.R., Fromme, K.: Perceived norms for drinking in the transition from high school to college and beyond. *Journal of Studies on Alcohol and Drugs 71*(6): 895-903, November 2010.

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58. Wetherill, R.R., Fromme, K.: Subjective responses to alcohol prime event-specific alcohol consumption and predict blackouts and hangover. *Journal of Studies on Alcohol and Drugs 70*(4): 593-600, July 2009.

59. Wetherill, R.R., Fromme, K.: Alcohol use, sexual activity, and perceived risk in high school athletes and non-athletes. *The Journal of Adolescent Health 41*(3): 294-301, September 2007.

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## EDITORIALS/BOOK CHAPTERS

1. Franklin, T.R., Mumma, J., Jagannathan, K., Wetherill, R.R., Childress, A.R.: Morphometric Biomarkers of Addiction and Treatment Response. Neuroimaging and Psychosocial Addiction Treatment. Feldstein-Ewing, S.W., Witkiewitz, K., Filbey, F.M. (eds.). Palgrave Macmillan, Page: 111-124, 2015.

2. Wetherill, R.R., Tapert, S.F.: Neural Circuitry and Neurocognitive Development. The Oxford Handbook of Adolescent Substance Abuse. Zucker, R., Brown, S. (eds.). 1(1), March 2016 Notes: DOI: 10.1093/oxfordhb/9780199735662.001.0001

## ABSTRACTS/SELECTED POSTERS

1. Wiers, C.E., Gonzales, L., Young, A., Byanyima, J., Li, X., Doot, R., Vesslee, S., Weyl, R., Glogowska, K., Shi, Z., Wetherill, R.R., Pond, T., Koob, G.F., Volkow, N.D., Pawlosky, M.T., King, M.T., Kranzler, H.R., Dubroff, J., Vendruscolo, L.F.: Effects of a single-dose ketone ester on alcohol consumption and brain glucose metabolism in rats and humans. *Alcoholism: Clinical and Experimental Research* 46:63, Sept 2022.

2. Wetherill, R.R., Doot, R., Keyser, H., Young, A., Lee, H., Schubert, E.K., Kranzler, H.R., Mach, R.H., Dubroff, J.G.: Pulmonary inflammation in e-cigarette users, cigarette smokers, and healthy

controls: A [18F]NOS PET imaging study. Presented at the Virtual Annual Meeting of the College on Problems of Drug Dependence, June 21, 2021.

3. Franklin, T.R., Jagannathan, K., Keyser, H., Spilka, N., Ely, A.V., Rao, H., Wetherill, R.R.: Impact of the natural hormonal milieu on brain responses to appetitive smoking cues. Presented at the Virtual Annual Meeting of the College on Problems of Drug Dependence, June 23, 2021.

4. Ely, A.V., Jagannathan, K., Spilka, N., Franklin, T.R., Wetherill, R.R.: The influence of BMI on intra-network resting-state connectivity in cigarette smokers. Presented at the Annual Meeting of The Obesity Society, Virtual Meeting, November 3, 2020.

5. Doot, R.K., Young, A.J., Dominguez, T.L., Helili, Z., Keyser, H., Goodarz, J., Li, S., Lee, H., Schubert, E.K., Mach, R.H., Wetherill, R.R., Dubroff, J.G.: Blood pool selection for quantifying lung inflammation via [18F]NOS uptake in nicotine users and healthy humans. Presented at the Annual Meeting of the Society of Nuclear Medicine & Molecular Imaging, June 15, 2020.

6. Wetherill, R.R., Spilka, N., Morris, P., Romer, D., Jagannathan, K., Pond, T., Kranzler, H.R.: Topiramate attenuates neural responses to alcohol cues: a randomized, double-blind, placebo-controlled pharmacogenetic study in European-American heavy drinkers. Presented at the 58th Annual Meeting of the American College of Neuropsychopharmacology, Orlando, Florida, December 9, 2019.

7. Franklin, T.R., Jagannathan, K., Ketcherside, K.A., Spilka, N., Keyser, H., Rao, H., Wetherill, R.R.: Influence of Sex and Hormones on Brain and Behavioral Responses to Smoking Cues, a Major Relapse Predictor. Presented at the Organization for the Study of Sex Differences Annual Conference, Washington DC, May 6, 2019.

8. Wetherill, R.R., Spilka, N., Jagannathan, K., Darnley, S., Ketcherside, K.A., Franklin, T.R..: Fluctuations in ovarian hormones influence neural responses to smoking cues. Presented at the 25th Annual Meeting of the Society of Research on Nicotine and Tobacco, San Francisco, California, February 22, 2019.

9. Childress, A.R., Jagannathan, K., Regier, P., Suh, J., Ehrman, R., Darnley, S., Berkowitz-Sturgis, E., Monge, Z., Franklin, T.R., Wetherill, R., Langleben, D., Young, K., Gawrysiak, M., Szucs-Reed, R., Kampman, K., O'Brien, C.: The amygdala gets what the amygdala wants": Amygdalar activation by 6 second cocaine videos predicts relapse, and fully mediates outcome prediction by the positive affective bias to implicit cocaine cues. Presented at the 80th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California, June 11, 2018.

10. Ketcherside, A., Jagannathan, K., Hager, N., Pelosi, D., Darnley, S., Yang, N., Rao, H., Detre, J., Dolui, S., Franklin, T., Wetherill, R.: Lighting up: Neural responses to cigarette smoking Presented at the 80th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California, June 11, 2018.

11. Ely, A.V., Jagannathan, K., Hager, N., Pater, H., Childress, A.R., Wetherill, R.R., Franklin, T.R.: Hypoactivation of cognitive control brain regions in obese smokers during smoking cue exposure. Oral presentation at the Annual Meeting of the Obesity Society, Washington, D.C., November 2, 2017.

12. Wetherill, R.R., Rao, H., Franklin, T.R., Fan, Y.: Pattern classification identified large scale functional networks altered by nicotine use. Presented at the Annual Meeting of the Organization of Human Brain Mapping, Vancouver, Canada, June 25, 2017.

13. Dumais, K., Wetherill, R., Franklin, T., Janes, A.: Sex differences in default mode network

suppression during exposure to smoking cues in nicotine-dependent individuals. Oral presentation at the 78th Annual Meeting of the College on Problems of Drug Dependence, Montreal, Canada, June 22, 2017.

14. Childress, A.R., Jagannathan, K., Regier, P., Darnley, S., Suh, J.J, Young, K., Franklin, T.R., Monge, Z., Wetherill, R.R., Berkowitz-Sturgis, E., Gawrysiak, M., Langleben, D.D., Szucs-Reed, R., O'Brien, C.P.: When passion persists: cocaine patients exhibit "mesolimbic persistence" to 33 msec drug cue that is both medication-sensitive and positively correlated with years of prior cocaine use. Presented at the Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida, December 6, 2016.

15. Hager, N., Jagannathan, K., Wetherill, R.R., Regier, P., Mashhoon, Y., Pater, H., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Switching gears: shifts in reward function associated with age of onset of mj use. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

16. Franklin, T.R., Jagannathan, K., Hager, N., Wetherill, R.R., Rao, H., Pater, H., Childress, A.R.: Losing balance: time course of smoking cue-elicited neural activity. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

17. Childress, A.R., Jagannathan, K., Regier, P., Suh, J., Monge, Z., Franklin, T.R., Wetherill, R.R., Young, K.A., Darnley, S., Gawrysiak, M., Langleben, D., Kampman, K.M., O'Brien, C.P.: When bigger isn't better: widespread brain activation during attempted inhibition of the response to 6 sec cocaine video cues predicts poor drug use outcomes. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

18. Wetherill, R.R., Hager, N., Jagganathan, K., Maron, M., Pater, H., Guthier, E., Childress, A., Franklin, T.R.: Menstrual cycle phase effects on neural responses and cigarette craving in naturally cycling, cigarette-dependent women. Presented at the 10th Annual Meeting of the Organization for the Study of Sex Differences, Philadelphia, Pennsylvania, May 25, 2016.

19. Wetherill, R.R., Hager, N., Mashhoon, Y., Jagannathan, K., Franklin, T.R.: Age of onset of marijuana use and neural responses to backward-masked marijuana cues: shifts in striatal activity. Presented at the Marijuana and Cannabinoids: A Neuroscience Research Summit Meeting, Bethesda, Maryland, March 22, 2016.

20. Childress, A.R., Jagannathan, K., Regier, P., Monge, Z.A., Franklin, T.R., Suh, J.J., Wetherill, R.R., Young, K.A., Langleben, D.D., Ehrman, R.N., Wang, Z., Gawrysiak, M., O'Brien, C.P.: Too Much of a Good thing? A Heightened Brain Response to 6 Second Cocaine Video Cues Predicts Poor Drug Use Outcomes in Treatment-seeking Cocaine Patients. Presented at the Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida, December 7, 2015.

21. Monge, Z., Suh, J.J., Ehrman, R., Jagannathan, K., Wang, Z., Franklin, T.R., Wetherill, R., Childress, AR.: Your Attention, Please! The Direction of Brain-Attentional Bias Correlations for Cocaine Cues Depends on which Hand Generates the Bias Scores. Presented at the Annual Meeting of the Society for Neuroscience, Washington, D.C., November 17, 2015.

22. Monge, Z.A., Jagannathan, K., Suh, J., Ehrman, R., Wang, Z., Franklin, T., Wetherill, R.R., Young, K.A., Gawrysiak, M.J., Langleben, D., O'Brien, C.P., Childress, A.R.: A higher hill to climb! Older cocaine-addicted patients viewing 500 msec cocaine cues have reduced activation of modulatory circuits and increased activation of motivational circuits. Poster presented at the

77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona June 18, 2015.

23. Franklin, T.R., Wetherill, R.R., Jagannathan, K., Hager, N., Suh, J., Childress, A.R.: Neural correlates of attentional bias for cannabis cues: Influence of sex. Presented at the 77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona, June 18, 2015.

24. Childress, A.R., Jagannathan, K., Suh, J., Monge, Z.A., Young, K.A., Wang, Z., Franklin, T.R., Langleben, D., Li, Z., Kampman, K.M., Wetherill, R.R., Ehrman, R., Gawrysiak, M.J., Szucs-Reed, R., O'Brien, C.P.: Dangerous liaisons: Heightened intra-limbic connectivity during subliminal cocaine cues is a relapse-vulnerable endophenotype. Presented at the 77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona, June 18, 2015.

25. Hager, N., Dubroff, J., Langguth, J., Kelly, S., Hager, N., Jagannathan, K., Wetherill, R., Suh, J., Childress, A.R., Franklin, T.R.: Recent smoking versus overnight abstinence alters dopamine transporter availability. Presented at the Penn Medicine Neuroscience Center Symposium, Genetics of Brain Disorders, Philadelphia, Pennsylvania May 8 2015.

26. Hager, N., Franklin T.R., Jagannathan, K., Suh, J.J., Childress, A.R., Wetherill, R. R.: Associations between cannabis craving and neural responses to cannabis cues: Implications for treatment. Presented at the 13th Annual Meeting of the Mahoney Institute for Neurological Science, Philadelphia, Pennsylvania, April 1, 2015.

27. Monge, Z. A., Joefield, D. S., Suh, J. J., Ehrman, R. N., Jagannathan, K., Wang, Z., Franklin, T. R., Wetherill, R., Young, K., Gawrysiak, M., Langleben, D. D., O'Brien, C. P., Childress, A. R.: How do you really feel? Cue-induced brain activity can predict implicit attitudes towards drug use in cocaine-dependent patients. Presented at the Eastern Psychological Association Annual Meeting, Philadelphia, Pennsylvania, March 6, 2015.

28. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Johnson, B., Kelly, S., Langguth, J., Mumma, J., Childress, A.R.: Influence of menstrual cycle phase on neural and craving responses to appetitive smoking cues in naturally cycling females. Presented at the Society for Research on Nicotine and Tobacco Research Annual Pre-meeting workshop entitled 'Moving Beyond "Mice to Men": Innovations in Translational Gender-Sensitive Tobacco Research', Philadelphia, Pennsylvania, February 25, 2015.

29. Franklin, T.R., Dubroff, J., Langguth, J., Kelly, S., Hager, N., Jagannathan, K., Wetherill, R.R., Suh, J.J., Childress, A.R.: Recent smoking versus overnight abstinence alters dopamine transporter availability. Presented at the 21st Annual Meeting of the Society for Research on Nicotine and Tobacco, Philadelphia, Pennsylvania, February 26, 2015.

30. Wetherill, R.R., Quinn, P.D., Fromme, K.: Alcohol-induced blackouts and subjective alcohol intoxication: a global- and event-level examination. Presented at the 37th Annual Meeting of the Research Society on Alcoholism, Bellevue, Washington, June 25, 2014.

31. Wetherill, R.R., Jagannathan, K., Mumma, J., Johnson, B., Rao, H., Childress, A.R., Franklin, T.R.: Effects of cannabis and cigarette smoking on gray matter volume: a voxel-based morphometry study. Presented at the 76th Annual Meeting of the College on Problems of Drug Dependence, San Juan, Puerto Rico, June 17, 2014.

32. Young, K., Franklin, T.R., Li, Y., Jagannathan, K., Wetherill, R.R., Suh, J.J., Singer, Z., Davidson, S., Monge, Z., O'Brien, C.P., Childress, A.R.: Baclofen reduces resting blood flow, and correlations with limbic cue reactivity, in the ventral striatum of cocaine-dependent men. 52nd Annual Meeting of the American College of Neuropsychopharmacology, Hollywood,

Florida December 9, 2013.

33. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Bender, J., Johnson, B., Mumma, J., Kampman, K., O'Brien, C.P., Childress, A.R.: Modulation of resting brain cerebral blood flow by the GABA B agonist, baclofen: a longitudinal perfusion fMRI study in marijuana dependent treatment seeking individuals. 52nd Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida December 9, 2013.

34. Young, K.A., Li, Y., Roberts, D.S., LeJeuz, C., Franklin, T.R., Suh, J.J., Goldman, M., Kampman, K., Wetherill, R.R., O'Brien, C.P., Childress, A.R.: Baclofen, a GABA B agonist, reduces risk-taking and reveals the relationship between brain responses to drug cues and risk-taking in cocaine-addicted patients. 75th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California June 20, 2013.

35. Franklin, T.R., Wetherill, R.R., Jagannathan, K., Shin, J., O'Brien, C.P., Childress, A.R.: Sex differences in functional connectivity during smoking cue exposure. 75th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California June 20, 2013.

36. Childress, A.R., Li, Y., Goldman, M., Suh, J.J., Ehrman, R., Lam, S., Singer, Z., Franklin, T.R., Langleben, D., Young, K., Wetherill, R.R., Gawrysiak, M.J., O'Brien, C.P.: Frontal vs. limbic predictors of inhibitory success in addiction. 75th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California June 18, 2013.

37. Wetherill, R.R., Li, Y., Bender, J., Jagannathan, K., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Attentional bias and brain responses to "unseen" cannabis cues. 41st Annual Meeting of the International Neuropsychological Society, Waikoloa, Hawaii February 7, 2013.

38. Wetherill, R.R., Bender, J., Jagannathan, K., Li, Y., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Brain responses to "unseen" cannabis cues among cannabis-dependent individuals. 51st Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida December 4, 2012.

39. Wetherill, R.R., Jangannathan, K., Lohoff, F., Ehrman, R., Childress, A.R., Franklin, T.R.: Neural correlates of attentional bias for smoking cues: modulation by variance in the dopamine transporter gene (SLC6A3). Annual Meeting of the Society for Neuroscience, New Orleans, Louisiana, October 2012.

40. Wetherill, R.R., Bava, S., Boucquey, V., Pulido, C., Squeglia, L.M., Tapert, S.F.: Altered frontoparietal connectivity in substance-naïve youth with a family history of alcoholism. *Alcoholism: Clinical and Experimental Research 35*(Suppl. 1): 54, June 2011.

41. Squeglia, L.M., Dager-Schweinsburg, A., Sorg, S.F., Boucquey, V., Castro, N., Eberson, S.C., Wetherill, R.R., Tapert, S.F.: Does binge drinking during adolescence interfere with normal brain development? A*lcoholism: Clinical and Experimental Research 35*(Suppl. 1): 67, June 2011.

42. Pulido, C., Squeglia, L.M., Castro, N., Boucquey, V., Eberson, S., Wetherill, R.R., Tapert, S.F.: Adolescent alcohol expectancies and anterior cingulate cortex bold response to alcohol cues. *Alcoholism: Clinical and Experimental Research 35*(Suppl. 1): 62, June 2011.

43. Wetherill, R.R., Fromme, K., Schnyer, D.M.: Acute effects of alcohol on neural correlates of source memory: an examination of fragmentary blackouts. *Alcoholism: Clinical and Experimental Research 34*(Suppl. 2): 426, June 2010.

44. Fossos, N., Stappenbeck, C.A., Wetherill, R.R., Quinn, P.D., Fromme, K.: The role of perceived norms for drinking in the transition from high school to college. *Alcoholism: Clinical and*

*Experimental Research 33*(Suppl. 1): 646, June 2009.

45. Wetherill, R.R.: Blackouts and hangovers: negative consequences of 21st birthday celebrations. Presented at the 116th Annual Meeting of the American Psychological Association, Boston, Massachusetts, August 2008.

46. Wetherill, R.R., Fromme, K.: Predictors of variable drinking patterns: global and event-level analyses. *Alcoholism: Clinical and Experimental Research 31*(Suppl. 2): 223, June 2007.

47. Patel, A., Wetherill, R.R., Fromme, K.: Perceived anonymity moderates injunctive norms for alcohol and marijuana use. 114th Annual Convention of the American Psychological Association, New Orleans, Louisiana, August 2006.

48. Wetherill, R.R., Kroll, G., Fisher, L., Matthews, D.: Youth with impulsive aggression: anticonvulsant medication compliance and outcomes. Presented at the 17th Annual Meeting of the American Neuropsychiatric Association, San Diego, California, February 2006.

49. Wetherill, R.R., Neal, D.J., Fromme, K.: The effects of perceived anonymity on drinking patterns in high school seniors. *Alcoholism: Clinical and Experimental Research 29*(Suppl. 1): 89, June 2005.

50. Kruse, M.I., Wetherill, R.R., Corbin, W.R., Fromme, K.: Self-report measures of perceived subjective response to alcohol. *Alcoholism: Clinical and Experimental Research 28*(Suppl. 3), June 2004.

51. Ikemoto, S., Wetherill, R.R., Morales, M., Wise, R.: Afferents to the ventral tegmental area: differences between the anterior and posterior regions. Annual Meeting of the Society for Neuroscience, New Orleans, Louisiana November 11, 2003.

**PROFESSIONAL FEE SCHEDULE**

Reagan Wetherill, PhD, Licensed Clinical Psychologist
Associate Professor
891 Ferry Road
Doylestown, PA 18901
(619) 208-1956

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- All pre-trial consultation and services are billed at a rate of $400 per hour.
- In-person services (consultation, deposition, testimony) are billed at a rate of $4,000 per day.
- All days out of the office are billed. Thus, if I leave for trial on the 1st and return is on the 6th, 6 days are billed.
- All in-person trial consultation/testimony will include a full day of in-person consultation and preparation with trial team the day before trial starts at a rate of $4,000 per day.
- Travel and lodging costs (airfare, rental car or ground transportation costs, lodging, and per diem meals) are to be reimbursed in accordance with the Joint Travel Regulation (JTR).
- If I commit my calendar to a deposition or court appearance, it precludes my availability to provide services in other cases. Therefore, cancelations/rescheduling with less than 3 days' notice are billed a minimum of one-half day ($2000) for the reserved time.
- Payment is expected within 30 days of completion of trial and/or consultation services.

7 Nov 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Amanda Serfess, Detailed Defense Counsel
LCDR Clifton Morgan, Detailed Defense Counsel

Subj: FUNDING FOR DEFENSE EXPERT CONSULTANT ICO UNITED STATES V. CSSN COPELAND (FIGHT OR FLIGHT AND BLACKOUTS)

Ref: (a) M.R.E. 702 (MCM 2024)
(b) R.C.M. 703 (MCM 2024)
(c) JAGINST 5800.7G (CH-2) of 1 Dec 23

Encl: (1) Defense Expert Request dtd 24 Oct 25 – Dr. Wetherill

1. Pursuant to Section 0145(a)(7)(b) under reference (c), Special Trial Counsel has determined that employment of an additional defense expert in the field of forensic psychology is unnecessary.

2. Defense has not articulated what relevant information and guidance Dr. Wetherill would provide that makes her necessary.

a. Defense states Dr. Wetherill's assistance is necessary because " [t]he evidence in this case raises significant questions that may likely be explained by a comprehensive understanding of the body's immediate 'fight or flight' response to any given situation or startling event." Defense fails to assert the relevancy of this information as it pertains to any of the charged offenses.

b. Moreover, Defense states that "the allegations involving CSSN S.S. contain the alleged victim having blackouts." Defense fails to articulate why their other requested forensic psychologist could not provide the same assistance.

c. Lastly, a showing of necessity has not been made in that Defense has failed to proffer why Independent Defense Funding, which has been specifically allocated for defense needs such as this, has not/cannot be used.

3. I can be reached at lauren.a.mayo2.mil@us.navy.mil or at (757)-341-4598.

[redacted]
L.A. MAYO

Copy to:
Defense Counsel

24 Oct 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: Office of the Special Trial Counsel
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: EXPERT CONSULTANT REQUEST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN – FIGHT OR FLIGHT

Ref: (a) U.S. CONST. amend. VI
(b) Article 46, Uniform Code of Military Justice
(c) Rule for Courts-Martial 703, M.C.M. (2019 ed.)
(d) Military Rule of Evidence 502, M.C.M. (2019 ed.)
(e) *Ake v. Oklahoma,* 470 U.S. 68 (1985)
(f) *United States v. Freeman*, 65 M.J. 451 (C.A.A.F. 2008)
(g) *United States v. Gonzalez,* 39 M.J. 459 (C.A.A.F. 1994)
(h) *United States v. Allen*, 31 M.J. 572 (N.M.C.C.A. 1990)

Encl: (1) CV of Dr. Reagan Wetherill
(2) Fee Schedule of Dr. Reagan Wetherill

1. Pursuant to references (a) through (h), the defense counsel for CSSN Copeland respectfully requests government funding for an expert consultant in the field of forensic psychology, specifically the psychology surrounding a person's fight or flight response and the effect of alcohol consumption on memory. Specifically, CSSN Copeland requests that you appoint Dr. Wetherill as a representative of the defense so that any communications between her, CSSN Copeland, and defense counsel will be privileged pursuant to reference (d) and other applicable federal laws and regulations.

2. CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

3. A military accused is entitled to expert assistance in the form of expert consultation "to aid in the preparation of his Defense upon a demonstration of necessity…and that denial of an expert would result in a fundamentality unfair trial." *United States v. Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005); R.C.M. 703(d). Under Article 46, UCMJ, the Defense may request expert consultants to assist the Defense in "evaluating, identifying, and developing evidence," as well as to "test and challenge the Government's case." *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F 2005). The right to present evidence guaranteed by the Sixth Amendment, Article 46, UCMJ, and R.C.M. 703 "necessarily includes the right to prepare." *United States v. Allen*, 31

M.J. 572, 623 (N-M.CM.R. 1990). Consequently, a military member is entitle[d]…to the assistance of an expert when necessary to the preparation of an adequate defense." *Id*. (quoting *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986). The right to an "adequate defense" includes "preparation for cross-examination" of Government witnesses well "as presentation of an expert defense witness." *Id*. (quoting *United States v. Durant*, 545 F.2d 823, 827 (2d Cir. 1976)). Thus, a Defense expert's assistance as a consultant before trial and during trial may in part be justified by the consultant's ability to provide assistance in preparing the Defense for the presentation of expert testimony. *Id.*

4. To demonstrate "necessity" as required by R.C.M. 703, the Defense must show "more than the 'mere possibility of assistance from a requested expert' . . . " *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). "The accused must show that a reasonable probability exists 'both that an expert would be of assistance to the defense and that denial of expert assistance would result in a fundamentally unfair trial.'" *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). In order to demonstrate the first prong of that test—that a reasonable probability exists that an expert would be of assistance to the Defense—the Defense must explain: "'(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop.'" *United States v. Hennis*, 79 M.J. 370, 382-83 (C.A.A.F. 2020) (quoting *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (emphasis in original).

5. As delineated in enclosure (1), Dr. Wetherill is a board-certified clinical psychologist with an expertise in clinical and experimental research involving alcohol and the physiological effects on the brain and memory. The evidence in this case raises significant questions that may likely be explained by a comprehensive understanding of the body's immediate "fight or flight" response to any given situation or startling event. Moreover, the allegations involving CSSN S.S. contain the alleged victim having blackouts. Dr. Wetherill's extensive education and experience in forensic psychology makes her participation indispensable to CSSN Copeland's defense and perfecting a case on the merits. The defense is aware of no government substitute that could address the specific nature of the defense's need to the level of knowledge and expertise as Dr. Wetherill.

6. Additionally, based on how defense anticipates the evidence will be presented at trial, defense counsel effectiveness and ability to present a logical defense, through cross and direct examination, will be limited without assistance of Dr. Wetherill. The defense is not an expert in this subject matter. Defense counsel has not received any formal training in psychology. Nor does defense counsel have the necessary time or ability to develop such and expertise prior to trial. This type of evidence requires a level of knowledge the defense does not possess, and cannot gain in a few weeks or even months of study. Furthermore, defense is unable to present this evidence to members without the assistance of an expert witness.

7. Based on the fee schedule in enclosure (2), defense requests twenty (20) hours for pre-trial consultancy at a cost of $8,000.00. Additionally, the Defense requests Dr. Wetherill's presence at

trial (21 days), and one day of trial preparation, for a total of 22 days ($4,000/day x 22 days) at a cost of $88,000.00. **The total amount requested by defense is approximately $96,000.00**, in addition to travel expenses in accordance with Joint Travel Regulations. The defense will submit an additional request if more time is needed.

8. The defense requests that this expert be assigned as a consulting member of CSSN Copeland's defense team, such that all communication between the accused, defense counsel, and the expert are privileged and confidential pursuant to Mil. R. Evid. 502. The defense further requests that the government refrain from any substantive contact with this expert. It is understood that this limitation may be removed if the defense ultimately desires to have Dr. Wetherill testify as an expert witness in this case.

9. Thank you for your careful consideration of this request. If I may provide any additional information, I am available at (757) 341-4486 or clifton.e.morgan4.mil@us.navy.mil to answer any questions about this request.

[redacted]

C. E. MORGAN III

# Reagan R. Wetherill, Ph.D., Licensed Clinical Psychologist

## BIOGRAPHICAL

**Business address:**

Reagan Wetherill, Ph.D.
Department of Psychiatry
Perelman School of Medicine
University of Pennsylvania
3535 Market Street, Suite 500
Philadelphia, PA 19104
Email: rweth@pennmedicine.upenn.edu
Office: 215-746-3953

## EDUCATION

**Graduate:** University of Texas at Austin, Ph.D. in Clinical Psychology (APA approved), August 2010
Dissertation: Alcohol-Induced Blackouts: Associated Memory Processes and Neural Correlates
Mentors: Kim Fromme, Ph.D. and David M. Schnyer, Ph.D.

University of Texas at Austin, Ph.D. in Clinical Psychology (APA approved), June 2006
Mentor: Kim Fromme, Ph.D.

**Undergraduate:** Vanderbilt University
B.S. Neuroscience, May 2002

## PROFESSIONAL LICENSURE

2012 – present Licensed Clinical Psychologist, Pennsylvania State Board of Psychology

## ACADEMIC APPOINTMENTS

2020 – present Director, Molecular Imaging and Neuroimaging Division of the Center for Studies of Addiction, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry
2019 – present Assistant Director, PennPACE Clinical Core, Perelman School of Medicine, University of Pennsylvania, Departments of Psychiatry & Radiology
2023 – present Associate Professor, Perelman School of Medicine, University of Pennsylvania
2013 – 2023 Assistant Professor, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry
2012 – 2013 Postdoctoral Researcher, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry
2010 – 2012 Postdoctoral Fellow, University of California, San Diego School of Medicine, Department of Psychiatry
2009 – 2010 Clinical Psychology Intern, Veterans Affairs San Diego Healthcare System/University of California, San Diego School of Medicine

**CONSULTING AND EXPERT WITNESS EXPERIENCE (does not include cases that were settled, dismissed, or alternate dispositions)**

| | |
|---|---|
| 2023 | US v Bulcao (General Court-Martial, Army Fort Knox, KY) |
| 2023 | US v Gjergo (General Court-Martial, Army Fort Sill, OK) |
| 2023 | Horocofsky v. City of Lawrence, Kansas (Civilian Case, Lawrence, KS) |
| 2023 | US v. Lanham (General Court-Martial, Fort Drum Army Base, NY) |
| 2023 | US v. Reyes (General Court-Martial, Norfolk Naval Base, VA) |
| 2023 | US v. Fink (General Court-Martial, Norfolk Coast Guard, VA) |
| 2023 | State of Washington v. Jadin Ramirez (Civilian Case, Ephrata, WA) |
| 2023 | US v. Harrington (General Court-Martial, Fort Polk Army Base, LA) |
| 2023 | US v. Nenni (General Court-Martial, Alameda Coast Guard Island, CA |
| 2022 | US v. Valle (General Court-Martial, Grand Forks Air Force Base, ND) |
| 2022 | US v. Castro (General Court-Martial, Army Fort Sill, OK) |
| 2022 | US v. Cummings (General Court-Martial, Norfolk Naval Base, VA) |
| 2022 | US v. Mertens (General Court-Martial, Naval Base Guam) |
| 2022 | US v. Alfaro (General Court-Martial, Army Camp Humphreys, South Korea) |
| 2022 | US v. Winton (Special Court-Martial, Washington DC Navy Yard) |
| 2022 | Cass County v. Smith (Civilian Case, Fargo, ND) |
| 2022 | University of Indiana Urbana-Champaign Title IX case (Civilian Case, Champaign, IN) |
| 2021 | US v. Taylor (General Court-Martial, MacDill AFB, Tampa, FL) |
| 2021 | US v Mendoza (General Court-Martial, Army Fort Riley, Kansas) |
| 2021 | Conduct Investigation – CDT Gordon (United States Military Academy, West Point, NY) |
| 2021 | US v Jobes (General Court-Martial, Army Fort Bragg, Fayetteville, NC) |
| 2021 | US v Jones (General Court-Martial, Naval Station Bremerton, WA) |
| 2021 | US v Metcalf (General Court-Martial, United States Coast Guard Station Boston, MA) |
| 2021 | US v Swisher (General Court-Martial, Marine Corps Recruit Depot Parris Island, SC) |
| 2021 | US Naval Academy Administrative Separation – Midshipmen Currie (Annapolis, MD) |
| 2020 | US v Ramento (General Court-Martial, Naval Station Bremerton, WA) |
| 2020 | US v Browning (General Court-Martial, Army Fort Carson, CO) |
| 2020 | US v Villa (General Court-Martial, Army Fort Carson, CO) |
| 2020 | US v Hicks (General Court-Martial, Army Fort Hood, TX) |
| 2020 | US v Hamilton (General Court-Martial, Joint Base Lewis-McChord, WA) |
| 2020 | US v Keago (General Court-Martial, United States Naval Academy, Navy Yard, Washington DC) |
| 2020 | US v Yepez (General Court-Martial, Army Fort Hood, TX) |
| 2020 | US v Arenas (General Court-Martial, Army Fort Hood, TX) |
| 2019 | US v Long (General Court-Martial, Army Fort Carson, CO) |
| 2019 | US v Campbell (General Court-Martial, Wright-Patterson Air Force Base, Dayton, OH) |
| 2019 | US v Motus (General Court-Martial, Fort Meade, MD) |
| 2019 | State of Kansas v. Horocofsky (Civilian Case, Kansas City, MO) |
| 2018 | US Center for SafeSport v. Rice (Civilian Case, Denver, CO) |
| 2018 | US v Brown (General Court-Martial, Army Fort Carson, CO) |
| 2018 | US v Goodman (General Court-Martial, Army Fort Carson, CO) |
| 2018 | US v Nabors (General Court-Martial, Army Fort Bragg, Fayetteville, NC) |
| 2017 | US v McDonald (General Court-Martial, Army Fort Gordon, Augusta, GA) |
| 2017 | UC Berkeley Title IX Investigation and Hearing (Berkeley, CA) |

2016 US v Marquez (General Court-Martial, Army Fort Benning, GA)
2016 US v Rivera (General Court-Martial, Army Fort Benning, GA)
2016 US v Chavez (General Court-Martial, Army Fort Bliss, TX)
2016 US v Torres-Jimenez (General Court-Martial, Army Fort Riley, KS)
2016 Stanford University Title IX Investigator and Hearing (Palo Alto, CA)
2015 US v Cash (General Court-Martial, Army Fort Bliss, TX)
2015 US v Magnus (General Court-Martial, Army Fort Bliss, TX)
2015 US v Reeder (General Court-Martial, Army Kaiserslautern, Kleber Kaserne, Germany)
2015 US v Mitchell (General Court-Martial, Joint Base Lewis-McChord, WA)
2014 US v McClure (General Court-Martial, Army Fort Bliss, TX)
2014 Drexel University Title IX Investigation and Hearing (Civilian Case, Philadelphia, PA)
2014 US v Fuentes (General Court-Martial, Joint Base Pearl Harbor-Hickam, HI)
2014 US v Welch (General Court-Martial, Fleet Activities Yokosuka, Japan)
2014 US v Sanchez (General Court-Martial, USCG Base Alameda, CA)
2013 US v Peters (General Court-Martial, Army Garrison Bamberg, Germany)

## OTHER APPOINTMENTS

2021 - present **Member**, Abramson Cancer Center, Perelman School of Medicine at the University of Pennsylvania

2015 – present **Member**, Institute for Translational Medicine and Therapeutics, Perelman School of Medicine at the University of Pennsylvania

2013 – present **Member**, David J. Mahoney Institute of Neurological Science, University of Pennsylvania

2013 – present **Member**, Center for Functional Neuroimaging, University of Pennsylvania

## ACADEMIC AND INSTITUTIONAL COMMITTEES

2018 – present **Member**, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry Strategic Planning Committee, Environment Team

2017 – present **Member**, Center for Studies of Addiction Data Safety Monitoring Board

2017 – 2019 **Director**, Center for Studies of Addiction Seminar Series

2013 – present **Member/Mentor**, Perelman School of Medicine, University of Pennsylvania, Biomedical Postdoctoral Research Council

2016 – present **Member**, Perelman School of Medicine, University of Pennsylvania, Department of Psychiatry Faculty Search Committee

## AWARDS AND HONORS

2020 Outstanding Field Editor Award, *Alcoholism: Clinical and Experimental Research*
2018 Annual Field Editors' Award, *Alcoholism: Clinical and Experimental Research*
2016 - 2018 Alcohol Medical Scholars Program Award, University of California, San Diego
2014 Early Career Investigator Travel Award, College on Problems of Drug Dependence
2013 Women & Sex/Gender Junior Investigator Travel Award, National Institute on Drug Abuse
2011 - 2013 Loan Repayment Program Award, National Institutes of Health

2011 Junior Investigator Travel Award, Research Society on Alcoholism
2010 Outstanding Dissertation Award, University of Texas at Austin
2008 Fellowship for Academic Excellence, University of Texas at Austin
2005 – 2010 Student Merit Award, Research Society on Alcoholism
2004 – 2010 Fred Murphy Jones & Homer Lindsey Bruce Endowed Graduate Fellowship, University of Texas at Austin
2004 – 2010 Endowed Graduate Fellowship, Waggoner Center for Alcohol and Addiction, University of Texas at Austin
2002 – 2003 Postbaccalaureate Intramural Research Training Award, National Institutes of Health/National Institute on Drug Abuse

## ELECTED OFFICES AND COMMITTEES

2019 – 2022 **Program Committee,** College on Problems of Drug Dependence

2014 – 2016 **Industry, Academia, and Government Relations Committee,** College on Problems of Drug Dependence

2012 – 2014 **Travel Awards/Mentorship Committee,** College on Problems of Drug Dependence

## GRANT REVIEW COMMITTEES

2023 Ad-hoc Member, NIH Neurotoxicology and Alcohol (NAL) Study Section
2022 Ad-hoc Member, NIH Neural Basis of Psychopathology, Addictions and Sleep Disorders (NPAS) Study Section
2021 Ad-hoc Member, NIDA Neurobiology of Motivated Behavior (NMB) Study Section
2019 Ad-hoc Member, Marie Sklodowska-Curie actions (MSCA) Review Group, Universite libre de Bruxelles
2019 Chair, Special Emphasis Panel/Scientific Review Group EITN
2015 – 2018 Ad-hoc Member, Perelman School of Medicine at the University of Pennsylvania, Brody Family Trust Grant Review Group
2018 Chair, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (50)
2018 Ad-hoc Member, Special Emphasis Panel/Scientific Review Group ZRG1 PSE-B (64) C
2017 Chair, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (51)
2015 – 2017 Ad-hoc Member, Penn Center for AIDS Research Pilot Grant Program Review Group
2016 Ad-hoc Member, NIDA Special Emphasis Panel/Scientific Review Group ZRG1 ETTN-L (54)
2016 Ad-hoc Member, University of Wisconsin Research Growth Initiative Grant Review Group

## EDITORIAL BOARDS/POSITIONS

2022 – present **Associate Editor,** *Frontiers in Psychiatry – Addictive Disorders*
2017 – present **Field Editor**, *Alcoholism: Clinical and Experimental Research*
2021 – present **Editorial Board**, *Biological Psychiatry: Cognitive Neuroscience and Neuroimaging*
2021 – present **Editorial Board**, *Drug and Alcohol Dependence Reports*

**Ad Hoc Reviewer (past 5 years):**

*Addiction Biology, Addiction, Journal of Addiction Medicine, Biological Psychiatry, Drug and Alcohol Dependence, JAMA Psychiatry, Memory, European Journal of Neuroscience, Behavioral Brain Research, Journal of Psychiatry and Neuroscience, Pain Practice, Pharmacology, Biochemistry, and Behavior, Journal of*

*Abnormal Psychology, Neuroimage, Neuropsychopharmacology, Alcoholism: Clinical and Experimental Research, Nicotine and Tobacco Research*

## ORGANIZING ROLES IN SCIENTIFIC MEETINGS

2019 – 2022 **Program Committee**, College on Problems of Drug Dependence
2019 **Symposium Co-Chair**, College on Problems of Drug Dependence, San Antonio, Texas
2018 **Symposium Co-Chair**, American Psychological Association, San Francisco, California
2017, 2018 **Program Review**, Society for Research on Nicotine and Tobacco,
2015 **Symposium Chair**, Research Society on Alcoholism, San Antonio, Texas
2014 **Program Review**, Research Society on Alcoholism, Bellevue, Washington
2008 **Symposium Co-Chair**, American Psychological Association, Boston, Massachusetts

## PROFESSIONAL SOCIETY MEMBERSHIP

2003 – present Research Society on Alcoholism
2012 – present College on Problems of Drug Dependence
2016 – present Research Society on Marijuana
2017 – present American Psychological Association
2006 – 2012 International Neuropsychological Society

## CURRENT FUNDED GRANTS

2020 – 2025 National Institute on Drug Abuse, UG1DA050209, A Clinical Laboratory with Integrated Neuroscience (CLIN) for Early Evaluation of Medications for Substance Use Disorders, $2,661,656, K.Kampman/A. Childress (MPIs)
Role: Co-Investigator

2019 – 2024 National Institute on Drug Abuse, P30DA046345, Penn PET Addiction Center of Excellence (Penn PACE), $7,421,303, R. Mach/H. Kranzler (MPIs)
Role: Clinical Core Assistant Director

## COMPLETED GRANTS

2019 – 2023 National Heart, Lung, and Blood Institute, R21HL144673, Using PET to Measure Pulmonary Oxidative Stress in E-cigarette Users, $383,204, R. Wetherill (PI)
Role: Principal Investigator

2018 – 2022 National Institute of General Medical Sciences, R44GM130195, Brainaware: Interactive Digital Psychoeducation for Adolescents and Young Adults with Substance Use Disorders, $530,425, K. Schleisman (PI)
Role: Site Principal Investigator

2016 – 2022 National Institute on Drug Abuse, R01DA040670, Influence of the Natural Hormonal Milieu on Perfusion fMRI Smoking Cue Responses, $2,375,661, R. Wetherill (PI)
Role: Principal Investigator

2015 – 2022 National Institute on Alcohol Abuse and Alcoholism, K23AA023894, Effectiveness of Topiramate: Characterizing Individual Differences, $855,562, R. Wetherill (PI)
Role: Principal Investigator

2018 – 2019 Institute for Translational Medicine and Therapeutics' (ITMAT) Transdisciplinary Program in Translational Medicine and Therapeutics Pilot Grant, Measuring Pulmonary Oxidative Stress in E-cigarette Users and Smokers with PET, $50,000, R. Wetherill (PI)
Role: Principal Investigator

2016 – 2019 PNC Charitable Trust Grant, Hormones, The Brain, And Behavior: Examining The Causes And Effects Of Alcohol Use And Relapse In Women, $37,999, R Wetherill (PI)
Role: Principal Investigator

2017 Foundation for Alcoholism Research, Baclofen for Alcohol Dependence, $14,000, R. Wetherill (PI)
Role: Principal Investigator

2011 – 2015 National Institute on Drug Abuse, R01DA029845, Characterizing a Cue-Vulnerable Endophenotype in Smokers, $1,221,313, T. Franklin (PI)
Role: Co-Investigator

2011 – 2015 Pennsylvania Department of Health/Commonwealth Universal Research Enhancement Program, CURE Addiction Center of Excellence: Brain Mechanisms of Relapse and Recovery, $6,000,000, A. Childress/T. Franklin/D. Langleben (MPIs)
Role: Co-Investigator

2003 – 2008 National Institute on Alcohol Abuse and Alcoholism, F31AA017022, The Etiology of Fragmentary Blackouts: Memory Processes and Neural Activations, $68,492, R. Wetherill (PI)
Role: Principal Investigator

## MAJOR ACADEMIC AND CLINICAL TEACHING RESPONSIBILITIES

2022 Lecturer, "Neurobiology of Addiction: Influence of Biological Sex and Hormones", Addiction: Understanding how we get hooked and how we recover (HSOC 0311-301), University of Pennsylvania

2021 Lecturer, "Marijuana", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania

2021 Lecturer, "Using PET Imaging to Examine Oxidative Stress in E-cigarette Users", Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry

2019 Lecturer, "Functional Magnetic Resonance Imaging Study of Topiramate's Effects", Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry Grand Rounds

2019 Lecturer, "Cannabis, Cannabis Use Disorder, & Treatment", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania

2018 Lecturer, "Translational Models of Reward-Motivation in Smoking Behavior", Summer at Penn Neuroscience Research Academy, University of Pennsylvania

2018 Lecturer, "Cannabis and Cannabis Use Disorder", Brain & Behavior Course for MS1s, Perelman School of Medicine at the University of Pennsylvania

2017 Lecturer and Consultant, "Alcohol, Memory, and Alcohol-Induced Blackouts: Alcohol-Facilitated Sexual Violence Implications", Office of the Sexual Violence Investigator Officer Annual Panel Member Training, University of Pennsylvania

2017 Lecturer, "Sex Differences in Nicotine Use Disorder", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania

2017 Lecturer, "Brain Mechanisms of Topiramate's Effects on Heavy Drinking", Department of Psychiatry Research Trainee Event, University of Pennsylvania

2016 Lecturer and Consultant, "Alcohol-Facilitated Sexual Violence", Office of the Sexual Violence Investigator Officer Annual Panel Member Training, University of Pennsylvania

2016 Lecturer, "Influence of Sex on Neural Processing in Nicotine Use Disorder", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry

2015 Lecturer, "Acute Effects of Alcohol on the Brain and Alcohol-Induced Blackouts", Center for Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania, Department of Psychiatry

2014 Lecturer, "Neural Features of Cannabis Use Disorder", Center on Studies of Addiction, Perelman School of Medicine at the University of Pennsylvania

2011 Proctor, "Clinical Foundations" Integrated Scientific Core Curriculum Course for MS1s, University of California, San Diego School of Medicine

## INVITED TALKS

2021 "The Influence of Sex and Hormones on Reward-Related Responses and Behavior", Yale School of Medicine, New Haven, Connecticut

2021 "Alcohol Use and the Brain", Corporal Michael J. Crescenz VA Medical Center, Philadelphia, Pennsylvania

2019 "Alcohol-Induced Blackouts: What Happened? How Did We Get Here?", Association of Title IX Administrators (ATIXA), Philadelphia, Pennsylvania

2019 "Further Exploration into the Influence of Sex and Hormones on Cigarette Smoking Cue Reactivity", College on Problems of Drug Dependence, San Antonio, Texas

2019 "Classifying and Characterizing Nicotine Use Disorder with High Accuracy Using Machine Learning and Resting-State fMRI", College on Problems of Drug Dependence, San Antonio, Texas

2018 "Sex Differences in Brain Reactivity to Smoking Cues: Consensus across Sites and Methodologies", American Psychological Association, San Francisco, California

2018 Discussant for "Sex Differences in the Nicotine Addicted Brain---Translational Implications" symposium, American Psychological Association, San Francisco, California

2018 "Alcohol-Related Blackouts: Clinical Phenomena & Potential Genetic Influences", Research Society on Alcoholism, San Diego, California

2018 "Sex Differences in Nicotine Use Disorder: Findings from Neuroimaging", Research Institute on Addictions, Buffalo, New York

2018 "Use of Neuroimaging to Explore Sex Differences in Nicotine Use Disorder", National Institutes of Health/National Institute on Alcohol Abuse and Alcoholism, Rockville, Maryland

2017 "Sex Differences in Nicotine Use Disorder: Findings from Neuroimaging", University of Vermont, Vermont Center on Behavior and Health, Burlington, Vermont

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| 2017 | "Addiction as a Brain Disease: Sex Differences in Nicotine Use Disorder", University of Connecticut Medical Center, Department of Psychiatry Grand Rounds, Farmington, Connecticut |
| 2017 | "Alcohol, Memory, and Alcohol-Induced Blackouts: Title IX Implications", Cornell University, Ithaca, New York |
| 2017 | "The impact of sex on brain responses to smoking cues: replication in a new cohort", College on Problems of Drug Dependence, Montreal, Canada |
| 2017 | "Resting-state rCBF in Cigarette Smokers: Sated vs Withdrawal States", Society of Biological Psychiatry, San Diego, California |
| 2017 | "Influence of Sex and Ovarian Hormones on Neural Processing in Nicotine Use Disorder", Columbia University School of Medicine, New York, New York |
| 2017 | "Addiction as a Brain Disease: What Every PCP Should Know About SUDs", Keynote Address at the 10th Annual Conference on Primary Care and Child/Adolescent Psychiatry: Teens and Substance Abuse, Reading, Pennsylvania |
| 2017 | "Addiction as a Brain Disease: What Everybody Should Know About SUDs", 10th Annual Conference on Primary Care and Child/Adolescent Psychiatry: Teens and Substance Abuse, Reading, Pennsylvania |
| 2016 | "The Influence of Sex on Neural Processing in Cannabis Use Disorder", American Psychological Association, Denver, Colorado |
| 2016 | "Age of Onset of Marijuana Use and Neural Responses to Backward-masked Marijuana Cues: Shifts in Striatal Activity." National Institutes of Health Marijuana Summit, Bethesda, Maryland |
| 2015 | "Influence of Sex on Neural Processing of Subliminal Cannabis Cues in Cannabis Use Disorder (CUD): Implications for Treatment Strategies", American Psychological Association, Toronto, Ontario |
| 2015 | "What Happened and Why? Predictors and Consequences of Alcohol-Induced Blackouts", Research Society on Alcoholism, San Antonio, Texas |
| 2013 | "Sex Differences in Neural Responses to Smoking Cues: A Perfusion fMRI Study", College on Problems of Drug Dependence, San Diego, California |

## PUBLICATIONS

1. Ashare, R. L., Turay, E., Worster, B., Wetherill, R.R., Bidwell, L.C., Doucette, A., Meghani, S.H. Social determinants of health associated with how cannabis is obtained and used in patients with cancer receiving care at a cancer treatment center in Philadelphia. *Cannabis*; 6(2):1-12, Jul 2023.

2. Wetherill, R.R., Dubroff, J. Reply: Molecular imaging of pulmonary inflammation: claiming that vaping is more harmful than smoking is unsupported. *Journal of Nuclear Medicine*; 64(6):995, Jun 2023.

3. Ely, A.V., Wetherill R.R. Reward and inhibition in obesity and cigarette smoking: neurobiological overlaps and clinical implications. *Physiology and Behavior*; 260:114049, Mar

2023.

4. Wetherill, R.R., Doot, R.K., Young, A.J., Lee, H., Schubert, E.K., Wiers, C.E., Leone, F.T., Mach, R.H., Kranzler, H.R., Dubroff, J.G. Molecular imaging of pulmonary inflammation in electronic and combustible cigarette users: a pilot study. *Journal of Nuclear Medicine*; online ahead of print, Jan 2023.

5. Raval, N.R., Wetherill, R.R., Wiers, C.E., Dubroff, J.G., Hillmer, A.T.: Positron emission tomography of neuroimmune responses in humans: insights and intricacies. *Seminars in Nuclear Medicine* 53(2):213-229, Mar 2023.

6. Franklin, T.R., Spilka, N.H., Keyser, H., Maron, M., Jagannathan, K., Wetherill, R.R.: Impact of the natural hormonal milieu on ventral striatal responses to appetitive cigarette smoking cues: a prospective longitudinal study. *Drug and Alcohol Dependence Reports* 5:100119, Nov 2022.

7. Doot, R.K., Young, A.J., Nasrallah, I.M., Wetherill, R.R., Siderowf, A., Mach, R.H., Dubroff, J.G.: [18F]NOS PET brain imaging suggests elevated neuroinflammation in idiopathic parkinson's disease. *Cells* 11(19):3081, Sep 2022.

8. Regier, P.S., Gawrysiak, M.J., Jagannathan, K., Childress, A.R., Franklin, T.R., Wetherill, R.R.: Trauma exposure among cannabis use disorder individuals was associated with a craving-correlated non-habituating amygdala response to aversive cues. *Drug and Alcohol Dependence Reports* 5:100098, Sep 2022.

9. Daviet, R., Aydogan, G., Jagannathan, K., Spilka, N., Koellinger, P.D., Kranzler, H.R., Nave, G., Wetherill, R.R.: Associations between alcohol consumption and gray and white matter volumes in the UK biobank. *Nature Communications* 13(1): 1175, March 2022.

10. Ekhtiari, H., Zare-Bidoky, M., Sangchooli, A., Janes, A., Kaufman, M.J., Oliver, J., Prisciandaro, J.J., Wüstenberg, T., Anton, R.A., Bach, P., Baldacchino, A., Beck, A., Bjorks, J., Brewer, J., Childress, A.C., Claus, E., Courtney, K., Ebrahimi, M., Filbey, F., Ghahremani, D., Azbari, P.G., Goldstein, R., Goudrian, A., Grodin, E., Hamilton, P., Hanlon, C.A., Hasani Abharian, P., Heinz, A., Joseph, J.E., Kiefer, F., Khojasteh-Zonoozi, A., Kober, H., Kuplicki, R., Li, Q., London, E.D., McClernon, J., Noori, H., Owens, M., Paulus, M., Perini, I., Potenza, M., Potvin, S., Ray, L., Schacht, J., Seo, D., Sinha, R., Smolka, M.N., Spanagel, R., Steele, V., Stein, E., Loeber, S.L., Tapert, S., Verdejo-Garcia, A., Vollstaedt-Klein, A., Wetherill, R., Wilson, S., Witkiewitz, K., Yuan, K., Zhang, X., Zilverstand, A.: A methodological checklist for fMRI drug cue reactivity studies: Development and expert consensus. *Nature Protocols* 17(3): 567-595, March 2022.

11. Ely, A.V., Jagannathan, K., Spilka, N., Keyser, H., Rao, H., Franklin, T.R., Wetherill, R.R.: Exploration of the influence of body mass index on intra-network resting-state connectivity in chronic cigarette smokers. *Drug and Alcohol Dependence* 227: 108911, October 2021.

12. Delgado, M.K., Shofer, F., Wetherill, R.R., Curtis, B., Hemmons, J., Spencer, E., Branas, C., Wiebe, D., Kranzler, H.R.: Accuracy of consumer marketed smartphone-paired alcohol breath testing devices: A laboratory validation study. *Alcoholism: Clinical and Experimental Research* 45: 1097-1099, May 2021.

13. Wetherill1, R.R., Spilka, N., Maron, M., Keyser, H., Jagannathan, K., Ely, A., Franklin, T.R.: Influence of the natural hormonal milieu on brain and behavior in women who smoke cigarettes: Rationale and methodology. *Contemporary Clinical Trials Communications* 21: 100738, February 2021.

14. Regier, P., Jagannathan, K., Franklin, T., Wetherill, R., Langleben, D., Gawrysiak, M., Kampman, K., Childress, A.R.: Sustained brain response to repeated drug cues is associated with worse drug-use outcomes. *Addiction Biology* 26(5): e13028, September 2021.

15. Wetherill, R.R., Spilka, N., Jagannathan, K., Morris, P., Romer, R., Pond, T., Lynch, K.G., Franklin, T.R., Kranzler, H.R.: Effects of topiramate on neural responses to alcohol cues in treatment-seeking individuals with alcohol use disorder: preliminary findings from a randomized, placebo-controlled trial. *Neuropsychopharmacology* 46: 1414-1420, July 2021.

16. Franklin, T.R., Jagannathan, K., Spilka, N.H., Keyser, H., Ely, A.V., Rao, H., Janes, A.C., Wetherill, R.R.: Smoking-induced craving relief relates to increased DLPFC-striatal coupling in nicotine-dependent women. *Drug and Alcohol Dependence* 221: 108593, April 2021.

17. Aydogan, G., Daviet, R., Karlsson, R., Linnér, R.K., Harel, T.A., Kable, J.W., Kranzler, H.R., Wetherill, R.R., Ruff, C.C., Koellinger, P.D., Nave, G.: Genetic underpinnings of risky behavior relate to altered neuroanatomy. *Nature Human Behavior* 5: 787-794, June 2021.

18. Ketcherside, A., Jagannathan, K., Dolui, S., Hager, N., Spilka, N., Nutor, C., Rao, H., Franklin, T., Wetherill, R.R.: Baclofen-induced changes in the resting brain modulate smoking cue reactivity: A double-blind placebo-controlled functional magnetic resonance imaging study in cigarette smokers. *Clinical Psychopharmacology & Neuroscience* 18: 289-302, May 2020.

19. Li, X., Pan, Y., Fang, Z., Lei, H., Zhang, Z., Shi, H., Ma, N., Raine, P., Wetherill, R., Kim, J., Wan, Y., Rao, H.: Test-retest reliability of brain responses to risk-taking during the balloon analogue risk task. *NeuroImage* 209: 116495, April 2020.

20. Ely, A., Jagannathan, K., Hager, N., Ketcherside, K.A., Franklin, T.R., Wetherill, R.R.: Double jeopardy: Comorbid obesity and cigarette smoking are linked to neurobiological alterations in inhibitory control during smoking. *Addiction Biology* 25: e12750, March 2020.

21. Franklin, T.R., Jagannathan, K., Ketcherside, A., Spilka, N., Wetherill, R.R.: Menstrual cycle phase modulates responses to smoking cues in the putamen: Preliminary evidence for a novel target. *Drug and Alcohol Dependence 198*: 100-104, May 2019.

22. Ashare, R.L., Wetherill, R.R.: The intersection of sex differences, tobacco use, and inflammation: implications for psychiatric disorders. *Current Psychiatry Reports 20*(9): 75, August 2018.

23. Wetherill, R.R., Rao, H., Hager, N., Wang, J., Franklin, T.R., Fan, Y.: Classifying and characterizing nicotine use disorder with high accuracy using machine learning and resting-state fMRI. *Addiction Biology 24*: 811-821, July 2019.

24. Allen, A., Howe, C., Weinberger, A., Wetherill, R., McKee, S.: Oral contraceptives and cigarette smoking: A review of the literature and future directions. *Nicotine & Tobacco Research 21*(5):592-601, April 2019.

25. Franklin, T.R., Jagannathan, K., Hager, N., Fang, Z., Wong, J., Childress, A.R., Detre, J.A., Rao,

H., Wetherill, R.R.: Brain substrates of early (4 hour) cigarette abstinence: Identification of treatment targets. *Drug and Alcohol Dependence 182*: 78-85, January 2018.

26. Regier, P.S., Monge, Z.A., Franklin, T.R., Wetherill, R.R., Teitelman, A., Jagannathan, K., Suh, J.J., Wang, Z., Young, K.A., Gawrysiak, M., Langleben, D.D., Kampman, K.M., O'Brien, C.P., Childress, A.R.: Emotional, physical and sexual abuse are associated with a heightened limbic response to cocaine cues. *Addiction Biology 22*: 1768-1777, November 2017.
27. Dumais, D.M., Franklin, T.R., Jagannathan, K., Hager, N., Gawrysiak, M., Betts, J., Farmer, S., Guthier, E., Pater, H., Janes, A.C., Wetherill, R.R.: Multi-site exploration of sex differences in brain reactivity to smoking cues: Consensus across sites and methodologies. *Drug and Alcohol Dependence 178*: 469-476, September 2017.
28. Wetherill, R.R., Hager, N., Jagannathan, K., Mashhoon, Y., Pater, H., Childress, A.R., Franklin, T.R.: Early versus late onset of cannabis use: Differences in striatal response to cannabis cues. *Cannabis and Cannabinoid Research 1*(1): 229-233, October 2016.
29. Wetherill, R.R., Hager, N., Guthier, E., Franklin, T.R.: Gram years: a method to standardize and quantify lifetime cannabis use. *Cannabis and Cannabinoid Research 1*(1): 216-217, September 2016.
30. Wetherill, R.R., Jagannathan, K., Hager, N., Maron, M., Franklin, T.R.: Influence of menstrual cycle phase on resting-state functional connectivity in naturally cycling, cigarette-dependent women. *Biology of Sex Differences 7*: 24, May 2016.
31. Wetherill, R.R., Fromme, K.: Alcohol-induced blackouts: A review of recent clinical research with practical implications and recommendations for future studies. *Alcoholism: Clinical and Experimental Research 40*(5): 922-935, May 2016.
32. Wetherill, R.R., Franklin, T.R., Allen, S.S.: Ovarian hormones, menstrual cycle phase, and smoking: a review with recommendations for future studies. *Current Addiction Reports 3*(1): 1-8, March 2016.
33. Kranzler, H.R., Armeli, S., Wetherill, R.R., Feinn, R., Tennen, H., Gelernter, J., Covault, J., Pond, T.: Self-efficacy mediates the effects of topiramate and GRIK1 genotype on drinking. *Addiction Biology 21*(2): 450-459, March 2016.
34. Wetherill, R.R., Fang, Z., Jagannathan, K., Childress, A.R., Rao, H., Franklin, T.R.: Cannabis, cigarettes, and their co-occurring use: Disentangling differences in default mode network functional connectivity. *Drug and Alcohol Dependence 153*: 116-123, August 2015.
35. Wetherill, R.R., Jagannathan, K., Hager, N., Childress, A.R., Franklin, T.R.: Sex differences in associations between cannabis craving and neural responses to cannabis cues: Implications for treatment. *Experimental and Clinical Psychopharmacology 23*(4): 238-246, August 2015.
36. Wetherill, R.R., Jagannathan, K., Hager, N., Childress, A.R., Rao, H., Franklin, T.R.: Cannabis, cigarettes, and their co-occurring use: Disentangling differences in gray matter volume. *International Journal of Neuropsychopharmacology 18*(10): pyv061, June 2015.
37. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Johnson, B., Kelly, S., Langguth, J., Mumma, J., Childress, A.R.: Influence of menstrual cycle phase on neural and craving responses to appetitive smoking cues in naturally cycling females. *Nicotine & Tobacco Research 17*(4): 390-397, April 2015.
38. Franklin, T.R., Wetherill, R.R., Hager, N., O'Brien, C.P., Childress, A.R.: Limitations of the use

of the MP-RAGE to identify morphometric biomarkers: recent cigarette smoking alters gray matter indices in the ventral striatum. *Frontiers in Human Neuroscience 8*: 1-3, January 2015.

39. Kranzler, H.R., Wetherill, R.R., Feinn, R., Pond, T., Gelernter, J., Covault, J.: Posttreatment effects of topiramate treatment for heavy drinking. *Alcoholism: Clinical and Experimental Research 38*(12): 3017-3023, December 2014.

40. Franklin, T.R., Wetherill, R.R., Jagannathan, K., Johnson, B., Mumma, J., Rao, H., Childress, A.R.: The effects of chronic cigarette smoking on gray matter volume: influence of sex. *PLoS One 9*(8): e104102, August 2014.

41. Wetherill, R.R., Childress, A.R., Jagannathan, K., Bender, J., Young, K.A., Suh, J.J., O'Brien, C.P., Franklin, T.R.: Neural responses to subliminally presented cannabis and other emotionally evocative cues in cannabis-dependent individuals. *Psychopharmacology 231*: 1397-1407, April 2014.

42. Wetherill, R.R., Jagannathan, K., Shin, J., Franklin, T.R.: Sex differences in resting state neural networks of nicotine-dependent cigarette smokers. *Addictive Behaviors 39*(4): 789-792, April 2014.

43. Young, K.A., Franklin, T.R., Roberts, D.C., Jagannathan, K., Suh, J.J., Wetherill, R.R., Wang, Z., Kampman, K.M., O'Brien, C.P., Childress, A.R.: Nipping cue reactivity in the bud: baclofen prevents limbic activation elicited by subliminal drug cues. *Journal of Neuroscience 34*(14): 5038-5043, April 2014.

44. Wetherill, R.R., Jagannathan, K., Lohoff, F.W., Ehrman, R., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Neural correlates of attentional bias for smoking cues: modulation by variance in the dopamine transporter gene. *Addiction Biology 19*(2): 294-304, March 2014.

45. Wetherill, R.R., Squeglia, L.M., Yang, T.T., Tapert, S.F.: A longitudinal examination of adolescent response inhibition: neural differences before and after the initiation of heavy drinking. *Psychopharmacology 230*(4): 663-671, December 2013.

46. Wetherill, R.R., Tapert, S.F.: Adolescent brain development, substance use, and psychotherapeutic change. *Psychology of Addictive Behaviors 27*(2): 393-402, June 2013.

47. Wetherill, R.R., Young, K.A., Jagannathan, K., Shin, J., O'Brien, C.P., Childress, A.R., Franklin, T.R.: The impact of sex on brain responses to smoking cues: a perfusion fMRI study. *Biology of Sex Differences 4*: 9, April 2013.

48. Wetherill, R.R., Castro, N., Squeglia, L.M., Tapert, S.F.: Atypical neural activity during inhibitory processing in substance-naïve youth who later experience alcohol-induced blackouts. *Drug and Alcohol Dependence 128*(3): 243-249, March 2013.

49. Squeglia, L.M., Pulido, C., Wetherill, R.R., Jacobus, J., Brown, G.G., Tapert, S.F.: Brain response to working memory over three years of adolescence: influence of initiating heavy drinking. *Journal of Studies on Alcohol and Drugs 73*(5): 749-60, September 2012.

50. Wetherill, R.R., Schnyer, D.M., Fromme, K.: Acute alcohol effects on contextual memory BOLD response: differences based on fragmentary blackout history. *Alcoholism: Clinical and Experimental Research 36*(6): 1108-15, June 2012.

51. Squeglia, L.M., Sorg, S.F., Schweinsburg, A.D., Wetherill, R.R., Pulido, C., Tapert, S.F.: Binge drinking differentially affects adolescent male and female brain morphometry. *Psychopharmacology 220*(3): 529-39, April 2012.

52. Wetherill, R.R., Bava, S., Thompson, W.K., Boucquey, V., Pulido, C., Yang, T.T., Tapert, S.F.: Frontoparietal connectivity in substance-naïve youth with and without a family history of alcoholism. *Brain Research 1432*: 66-73, January 2012.

53. Fromme, K., Wetherill, R.R., Neal, D.J.: Turning 21 and the associated changes in drinking and driving after drinking among college students. *Journal of American College Health 59*(1): 21-7, 2011.

54. Wetherill, R.R., Fromme, K.: Acute alcohol effects on narrative recall and contextual memory: an examination of fragmentary blackouts. *Addictive Behaviors 36*(8): 886-9, August 2011.

55. Stappenbeck, C.A., Quinn, P.D., Wetherill, R.R., Fromme, K.: Perceived norms for drinking in the transition from high school to college and beyond. *Journal of Studies on Alcohol and Drugs 71*(6): 895-903, November 2010.

56. Wetherill, R.R., Neal, D.J., Fromme, K.: Parents, peers, and sexual values influence sexual behavior during the transition to college. *Archives of Sexual Behavior 39*(3): 682-94, June 2010.

57. Brister, H.A., Wetherill, R.R., Fromme, K.: Anticipated versus actual alcohol consumption during 21st birthday celebrations. *Journal of Studies on Alcohol and Drugs 71*(2): 180-3, March 2010.

58. Wetherill, R.R., Fromme, K.: Subjective responses to alcohol prime event-specific alcohol consumption and predict blackouts and hangover. *Journal of Studies on Alcohol and Drugs 70*(4): 593-600, July 2009.

59. Wetherill, R.R., Fromme, K.: Alcohol use, sexual activity, and perceived risk in high school athletes and non-athletes. *The Journal of Adolescent Health 41*(3): 294-301, September 2007.

60. Wetherill, R.R., Fromme, K.: Perceived awareness and caring influences alcohol use by high school and college students. *Psychology of Addictive Behaviors 21*(2): 147-54, June 2007.

## EDITORIALS/BOOK CHAPTERS

1. Franklin, T.R., Mumma, J., Jagannathan, K., Wetherill, R.R., Childress, A.R.: Morphometric Biomarkers of Addiction and Treatment Response. Neuroimaging and Psychosocial Addiction Treatment. Feldstein-Ewing, S.W., Witkiewitz, K., Filbey, F.M. (eds.). Palgrave Macmillan, Page: 111-124, 2015.

2. Wetherill, R.R., Tapert, S.F.: Neural Circuitry and Neurocognitive Development. The Oxford Handbook of Adolescent Substance Abuse. Zucker, R., Brown, S. (eds.). 1(1), March 2016 Notes: DOI: 10.1093/oxfordhb/9780199735662.001.0001

## ABSTRACTS/SELECTED POSTERS

1. Wiers, C.E., Gonzales, L., Young, A., Byanyima, J., Li, X., Doot, R., Vesslee, S., Weyl, R., Glogowska, K., Shi, Z., Wetherill, R.R., Pond, T., Koob, G.F., Volkow, N.D., Pawlosky, M.T., King, M.T., Kranzler, H.R., Dubroff, J., Vendruscolo, L.F.: Effects of a single-dose ketone ester on alcohol consumption and brain glucose metabolism in rats and humans. *Alcoholism: Clinical and Experimental Research* 46:63, Sept 2022.

2. Wetherill, R.R., Doot, R., Keyser, H., Young, A., Lee, H., Schubert, E.K., Kranzler, H.R., Mach, R.H., Dubroff, J.G.: Pulmonary inflammation in e-cigarette users, cigarette smokers, and healthy

controls: A [18F]NOS PET imaging study. Presented at the Virtual Annual Meeting of the College on Problems of Drug Dependence, June 21, 2021.

3. Franklin, T.R., Jagannathan, K., Keyser, H., Spilka, N., Ely, A.V., Rao, H., Wetherill, R.R.: Impact of the natural hormonal milieu on brain responses to appetitive smoking cues. Presented at the Virtual Annual Meeting of the College on Problems of Drug Dependence, June 23, 2021.

4. Ely, A.V., Jagannathan, K., Spilka, N., Franklin, T.R., Wetherill, R.R.: The influence of BMI on intra-network resting-state connectivity in cigarette smokers. Presented at the Annual Meeting of The Obesity Society, Virtual Meeting, November 3, 2020.

5. Doot, R.K., Young, A.J., Dominguez, T.L., Helili, Z., Keyser, H., Goodarz, J., Li, S., Lee, H., Schubert, E.K., Mach, R.H., Wetherill, R.R., Dubroff, J.G.: Blood pool selection for quantifying lung inflammation via [18F]NOS uptake in nicotine users and healthy humans. Presented at the Annual Meeting of the Society of Nuclear Medicine & Molecular Imaging, June 15, 2020.

6. Wetherill, R.R., Spilka, N., Morris, P., Romer, D., Jagannathan, K., Pond, T., Kranzler, H.R.: Topiramate attenuates neural responses to alcohol cues: a randomized, double-blind, placebo-controlled pharmacogenetic study in European-American heavy drinkers. Presented at the 58th Annual Meeting of the American College of Neuropsychopharmacology, Orlando, Florida, December 9, 2019.

7. Franklin, T.R., Jagannathan, K., Ketcherside, K.A., Spilka, N., Keyser, H., Rao, H., Wetherill, R.R.: Influence of Sex and Hormones on Brain and Behavioral Responses to Smoking Cues, a Major Relapse Predictor. Presented at the Organization for the Study of Sex Differences Annual Conference, Washington DC, May 6, 2019.

8. Wetherill, R.R., Spilka, N., Jagannathan, K., Darnley, S., Ketcherside, K.A., Franklin, T.R..: Fluctuations in ovarian hormones influence neural responses to smoking cues. Presented at the 25th Annual Meeting of the Society of Research on Nicotine and Tobacco, San Francisco, California, February 22, 2019.

9. Childress, A.R., Jagannathan, K., Regier, P., Suh, J., Ehrman, R., Darnley, S., Berkowitz-Sturgis, E., Monge, Z., Franklin, T.R., Wetherill, R., Langleben, D., Young, K., Gawrysiak, M., Szucs-Reed, R., Kampman, K., O'Brien, C.: The amygdala gets what the amygdala wants": Amygdalar activation by 6 second cocaine videos predicts relapse, and fully mediates outcome prediction by the positive affective bias to implicit cocaine cues. Presented at the 80th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California, June 11, 2018.

10. Ketcherside, A., Jagannathan, K., Hager, N., Pelosi, D., Darnley, S., Yang, N., Rao, H., Detre, J., Dolui, S., Franklin, T., Wetherill, R.: Lighting up: Neural responses to cigarette smoking Presented at the 80th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California, June 11, 2018.

11. Ely, A.V., Jagannathan, K., Hager, N., Pater, H., Childress, A.R., Wetherill, R.R., Franklin, T.R.: Hypoactivation of cognitive control brain regions in obese smokers during smoking cue exposure. Oral presentation at the Annual Meeting of the Obesity Society, Washington, D.C., November 2, 2017.

12. Wetherill, R.R., Rao, H., Franklin, T.R., Fan, Y.: Pattern classification identified large scale functional networks altered by nicotine use. Presented at the Annual Meeting of the Organization of Human Brain Mapping, Vancouver, Canada, June 25, 2017.

13. Dumais, K., Wetherill, R., Franklin, T., Janes, A.: Sex differences in default mode network

suppression during exposure to smoking cues in nicotine-dependent individuals. Oral presentation at the 78th Annual Meeting of the College on Problems of Drug Dependence, Montreal, Canada, June 22, 2017.

14. Childress, A.R., Jagannathan, K., Regier, P., Darnley, S., Suh, J.J, Young, K., Franklin, T.R., Monge, Z., Wetherill, R.R., Berkowitz-Sturgis, E., Gawrysiak, M., Langleben, D.D., Szucs-Reed, R., O'Brien, C.P.: When passion persists: cocaine patients exhibit "mesolimbic persistence" to 33 msec drug cue that is both medication-sensitive and positively correlated with years of prior cocaine use. Presented at the Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida, December 6, 2016.

15. Hager, N., Jagannathan, K., Wetherill, R.R., Regier, P., Mashhoon, Y., Pater, H., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Switching gears: shifts in reward function associated with age of onset of mj use. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

16. Franklin, T.R., Jagannathan, K., Hager, N., Wetherill, R.R., Rao, H., Pater, H., Childress, A.R.: Losing balance: time course of smoking cue-elicited neural activity. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

17. Childress, A.R., Jagannathan, K., Regier, P., Suh, J., Monge, Z., Franklin, T.R., Wetherill, R.R., Young, K.A., Darnley, S., Gawrysiak, M., Langleben, D., Kampman, K.M., O'Brien, C.P.: When bigger isn't better: widespread brain activation during attempted inhibition of the response to 6 sec cocaine video cues predicts poor drug use outcomes. Presented at the 78th Annual Meeting of the College on Problems of Drug Dependence, Palm Springs, California, June 13, 2016.

18. Wetherill, R.R., Hager, N., Jagganathan, K., Maron, M., Pater, H., Guthier, E., Childress, A., Franklin, T.R.: Menstrual cycle phase effects on neural responses and cigarette craving in naturally cycling, cigarette-dependent women. Presented at the 10th Annual Meeting of the Organization for the Study of Sex Differences, Philadelphia, Pennsylvania, May 25, 2016.

19. Wetherill, R.R., Hager, N., Mashhoon, Y., Jagannathan, K., Franklin, T.R.: Age of onset of marijuana use and neural responses to backward-masked marijuana cues: shifts in striatal activity. Presented at the Marijuana and Cannabinoids: A Neuroscience Research Summit Meeting, Bethesda, Maryland, March 22, 2016.

20. Childress, A.R., Jagannathan, K., Regier, P., Monge, Z.A., Franklin, T.R., Suh, J.J., Wetherill, R.R., Young, K.A., Langleben, D.D., Ehrman, R.N., Wang, Z., Gawrysiak, M., O'Brien, C.P.: Too Much of a Good thing? A Heightened Brain Response to 6 Second Cocaine Video Cues Predicts Poor Drug Use Outcomes in Treatment-seeking Cocaine Patients. Presented at the Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida, December 7, 2015.

21. Monge, Z., Suh, J.J., Ehrman, R., Jagannathan, K., Wang, Z., Franklin, T.R., Wetherill, R., Childress, AR.: Your Attention, Please! The Direction of Brain-Attentional Bias Correlations for Cocaine Cues Depends on which Hand Generates the Bias Scores. Presented at the Annual Meeting of the Society for Neuroscience, Washington, D.C., November 17, 2015.

22. Monge, Z.A., Jagannathan, K., Suh, J., Ehrman, R., Wang, Z., Franklin, T., Wetherill, R.R., Young, K.A., Gawrysiak, M.J., Langleben, D., O'Brien, C.P., Childress, A.R.: A higher hill to climb! Older cocaine-addicted patients viewing 500 msec cocaine cues have reduced activation of modulatory circuits and increased activation of motivational circuits. Poster presented at the

77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona June 18, 2015.

23. Franklin, T.R., Wetherill, R.R., Jagannathan, K., Hager, N., Suh, J., Childress, A.R.: Neural correlates of attentional bias for cannabis cues: Influence of sex. Presented at the 77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona, June 18, 2015.

24. Childress, A.R., Jagannathan, K., Suh, J., Monge, Z.A., Young, K.A., Wang, Z., Franklin, T.R., Langleben, D., Li, Z., Kampman, K.M., Wetherill, R.R., Ehrman, R., Gawrysiak, M.J., Szucs-Reed, R., O'Brien, C.P.: Dangerous liaisons: Heightened intra-limbic connectivity during subliminal cocaine cues is a relapse-vulnerable endophenotype. Presented at the 77th Annual Meeting of the College on Problems of Drug Dependence, Phoenix, Arizona, June 18, 2015.

25. Hager, N., Dubroff, J., Langguth, J., Kelly, S., Hager, N., Jagannathan, K., Wetherill, R., Suh, J., Childress, A.R., Franklin, T.R.: Recent smoking versus overnight abstinence alters dopamine transporter availability. Presented at the Penn Medicine Neuroscience Center Symposium, Genetics of Brain Disorders, Philadelphia, Pennsylvania May 8 2015.

26. Hager, N., Franklin T.R., Jagannathan, K., Suh, J.J., Childress, A.R., Wetherill, R. R.: Associations between cannabis craving and neural responses to cannabis cues: Implications for treatment. Presented at the 13th Annual Meeting of the Mahoney Institute for Neurological Science, Philadelphia, Pennsylvania, April 1, 2015.

27. Monge, Z. A., Joefield, D. S., Suh, J. J., Ehrman, R. N., Jagannathan, K., Wang, Z., Franklin, T. R., Wetherill, R., Young, K., Gawrysiak, M., Langleben, D. D., O'Brien, C. P., Childress, A. R.: How do you really feel? Cue-induced brain activity can predict implicit attitudes towards drug use in cocaine-dependent patients. Presented at the Eastern Psychological Association Annual Meeting, Philadelphia, Pennsylvania, March 6, 2015.

28. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Johnson, B., Kelly, S., Langguth, J., Mumma, J., Childress, A.R.: Influence of menstrual cycle phase on neural and craving responses to appetitive smoking cues in naturally cycling females. Presented at the Society for Research on Nicotine and Tobacco Research Annual Pre-meeting workshop entitled 'Moving Beyond "Mice to Men": Innovations in Translational Gender-Sensitive Tobacco Research', Philadelphia, Pennsylvania, February 25, 2015.

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30. Wetherill, R.R., Quinn, P.D., Fromme, K.: Alcohol-induced blackouts and subjective alcohol intoxication: a global- and event-level examination. Presented at the 37th Annual Meeting of the Research Society on Alcoholism, Bellevue, Washington, June 25, 2014.

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32. Young, K., Franklin, T.R., Li, Y., Jagannathan, K., Wetherill, R.R., Suh, J.J., Singer, Z., Davidson, S., Monge, Z., O'Brien, C.P., Childress, A.R.: Baclofen reduces resting blood flow, and correlations with limbic cue reactivity, in the ventral striatum of cocaine-dependent men. 52nd Annual Meeting of the American College of Neuropsychopharmacology, Hollywood,

Florida December 9, 2013.

33. Franklin, T.R., Jagannathan, K., Wetherill, R.R., Bender, J., Johnson, B., Mumma, J., Kampman, K., O'Brien, C.P., Childress, A.R.: Modulation of resting brain cerebral blood flow by the GABA B agonist, baclofen: a longitudinal perfusion fMRI study in marijuana dependent treatment seeking individuals. 52nd Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida December 9, 2013.

34. Young, K.A., Li, Y., Roberts, D.S., LeJeuz, C., Franklin, T.R., Suh, J.J., Goldman, M., Kampman, K., Wetherill, R.R., O'Brien, C.P., Childress, A.R.: Baclofen, a GABA B agonist, reduces risk-taking and reveals the relationship between brain responses to drug cues and risk-taking in cocaine-addicted patients. 75th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California June 20, 2013.

35. Franklin, T.R., Wetherill, R.R., Jagannathan, K., Shin, J., O'Brien, C.P., Childress, A.R.: Sex differences in functional connectivity during smoking cue exposure. 75th Annual Meeting of the College on Problems of Drug Dependence, San Diego, California June 20, 2013.

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37. Wetherill, R.R., Li, Y., Bender, J., Jagannathan, K., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Attentional bias and brain responses to "unseen" cannabis cues. 41st Annual Meeting of the International Neuropsychological Society, Waikoloa, Hawaii February 7, 2013.

38. Wetherill, R.R., Bender, J., Jagannathan, K., Li, Y., O'Brien, C.P., Childress, A.R., Franklin, T.R.: Brain responses to "unseen" cannabis cues among cannabis-dependent individuals. 51st Annual Meeting of the American College of Neuropsychopharmacology, Hollywood, Florida December 4, 2012.

39. Wetherill, R.R., Jangannathan, K., Lohoff, F., Ehrman, R., Childress, A.R., Franklin, T.R.: Neural correlates of attentional bias for smoking cues: modulation by variance in the dopamine transporter gene (SLC6A3). Annual Meeting of the Society for Neuroscience, New Orleans, Louisiana, October 2012.

40. Wetherill, R.R., Bava, S., Boucquey, V., Pulido, C., Squeglia, L.M., Tapert, S.F.: Altered frontoparietal connectivity in substance-naïve youth with a family history of alcoholism. *Alcoholism: Clinical and Experimental Research 35*(Suppl. 1): 54, June 2011.

41. Squeglia, L.M., Dager-Schweinsburg, A., Sorg, S.F., Boucquey, V., Castro, N., Eberson, S.C., Wetherill, R.R., Tapert, S.F.: Does binge drinking during adolescence interfere with normal brain development? A*lcoholism: Clinical and Experimental Research 35*(Suppl. 1): 67, June 2011.

42. Pulido, C., Squeglia, L.M., Castro, N., Boucquey, V., Eberson, S., Wetherill, R.R., Tapert, S.F.: Adolescent alcohol expectancies and anterior cingulate cortex bold response to alcohol cues. *Alcoholism: Clinical and Experimental Research 35*(Suppl. 1): 62, June 2011.

43. Wetherill, R.R., Fromme, K., Schnyer, D.M.: Acute effects of alcohol on neural correlates of source memory: an examination of fragmentary blackouts. *Alcoholism: Clinical and Experimental Research 34*(Suppl. 2): 426, June 2010.

44. Fossos, N., Stappenbeck, C.A., Wetherill, R.R., Quinn, P.D., Fromme, K.: The role of perceived norms for drinking in the transition from high school to college. *Alcoholism: Clinical and*

*Experimental Research 33*(Suppl. 1): 646, June 2009.

45. Wetherill, R.R.: Blackouts and hangovers: negative consequences of 21st birthday celebrations. Presented at the 116th Annual Meeting of the American Psychological Association, Boston, Massachusetts, August 2008.

46. Wetherill, R.R., Fromme, K.: Predictors of variable drinking patterns: global and event-level analyses. *Alcoholism: Clinical and Experimental Research 31*(Suppl. 2): 223, June 2007.

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48. Wetherill, R.R., Kroll, G., Fisher, L., Matthews, D.: Youth with impulsive aggression: anticonvulsant medication compliance and outcomes. Presented at the 17th Annual Meeting of the American Neuropsychiatric Association, San Diego, California, February 2006.

49. Wetherill, R.R., Neal, D.J., Fromme, K.: The effects of perceived anonymity on drinking patterns in high school seniors. *Alcoholism: Clinical and Experimental Research 29*(Suppl. 1): 89, June 2005.

50. Kruse, M.I., Wetherill, R.R., Corbin, W.R., Fromme, K.: Self-report measures of perceived subjective response to alcohol. *Alcoholism: Clinical and Experimental Research 28*(Suppl. 3), June 2004.

51. Ikemoto, S., Wetherill, R.R., Morales, M., Wise, R.: Afferents to the ventral tegmental area: differences between the anterior and posterior regions. Annual Meeting of the Society for Neuroscience, New Orleans, Louisiana November 11, 2003.

**PROFESSIONAL FEE SCHEDULE**

Reagan Wetherill, PhD, Licensed Clinical Psychologist
Associate Professor
891 Ferry Road
Doylestown, PA 18901
(619) 208-1956

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- All pre-trial consultation and services are billed at a rate of $400 per hour.
- In-person services (consultation, deposition, testimony) are billed at a rate of $4,000 per day.
- All days out of the office are billed. Thus, if I leave for trial on the 1st and return is on the 6th, 6 days are billed.
- All in-person trial consultation/testimony will include a full day of in-person consultation and preparation with trial team the day before trial starts at a rate of $4,000 per day.
- Travel and lodging costs (airfare, rental car or ground transportation costs, lodging, and per diem meals) are to be reimbursed in accordance with the Joint Travel Regulation (JTR).
- If I commit my calendar to a deposition or court appearance, it precludes my availability to provide services in other cases. Therefore, cancelations/rescheduling with less than 3 days' notice are billed a minimum of one-half day ($2000) for the reserved time.
- Payment is expected within 30 days of completion of trial and/or consultation services.

22 Oct 25

From: LCDR Amanda Serfess, JAGC, USN, Detailed Defense Counsel
To: Office of Special Trial Counsel
Via: CDR Lauren Mayo, JAGC, USN, Trial Counsel

Subj: EXPERT CONSULTANT REQUEST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN – RECIDIVISM ANALYSIS

Ref: (a) U.S. CONST. amend. VI
(b) Article 46, Uniform Code of Military Justice
(c) Rule for Courts-Martial 703, M.C.M. (2019 ed.)
(d) Military Rule of Evidence 502, M.C.M. (2019 ed.)
(e) *Ake v. Oklahoma,* 470 U.S. 68 (1985)
(f) *United States v. Freeman*, 65 M.J. 451 (C.A.A.F. 2008)
(g) *United States v. Gonzalez,* 39 M.J. 459 (C.A.A.F. 1994)
(h) *United States v. Allen*, 31 M.J. 572 (N.M.C.C.A. 1990)

Encl: (1) CV of Dr. Nameeta Sahni, Psy.D.
(2) Fee Schedule of Dr. Nameeta Sahni, Psy.D.

1. Pursuant to references (a) through (h), CSSN Jermiah Copeland, through counsel, requests the appointment of a confidential forensic psychologist specializing in psychosexual evaluation, sex offender rehabilitation, and recidivism to assist in his defense. Specifically, CSSN Copeland requests that you appoint Dr. Sahni as a representative of the defense so that any communications between her, CSSN Copeland, and defense counsel will be privileged pursuant to reference (d) and other applicable federal laws and regulations.

2. **Background**:

CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

Dr. Sahni is a licensed and well-credentialed forensic psychologist with over 20 years of experience. Over the course of her career, she has interviewed and evaluated offenders and in many cases made recommendations about their future risk to society.

3. **Supporting Law**:

The Sixth Amendment to the U.S. Constitution guarantees court-martial defendants a

right to the effective assistance of counsel.[1] This includes "the right to present a defense by means of confrontation, cross-examination and going forward with a presentation of [his or her] own evidence." Military due process entitles a service member to the assistance of an expert when necessary for the preparation of an adequate defense."[2]

More specifically, the government must provide expert assistance for the defense when there exists: "a reasonable probability that (1) an expert would be of assistance to the defense and (2) that denial of expert assistance would result in a fundamentally unfair trial."[3]

The first prong is established when the accused demonstrates the following: "(1) why the expert assistance is needed; (2) what the expert assistance would accomplish for the accused; and (3) why the defense counsel [is] unable to gather and present the evidence that the expert assistance would be able to develop."[4]

Even if a defense expert consultant does not become an expert witness, such a consultant may still assist the defense in evaluating, identifying and developing evidence.[5]

4. **Reasoning**:

a. *Expert assistance in the field of psychosexual evaluation and recidivism risk assessment is needed to explore and develop that CSSN Copeland is a low risk to commit crimes in the future.*

If convicted, CSSN Copeland has the right to present evidence in extenuation and mitigation to the sentencing authority. This evidence could include an expert opinion that CSSN Copeland is a low risk to society generally. Any such evidence would be a solid basis to adjudicate a lower sentence than CSSN Copeland might otherwise receive without this evidence.

b. *Expert assistance in the field of psychosexual evaluation and recidivism risk assessment is the only way for CSSN Copeland to develop and ultimately present the critical evidence described above. This expert assistance requested creates the scientifically-valid basis for testimony that CSSN Copeland is a low risk to commit future offenses.*

Dr. Sahni will complete a full recidivism risk analysis. This includes administering several psychological exams, as well as conducting collateral interviews and a review of pertinent evidentiary material. The results of Dr. Sahni's evaluation will be analyzed and explained (possibly via an extensive written report) to allow defense counsel to ascertain if and how to use Dr. Sahni's findings. Depending on the outcome of the psychological testing, Dr. Sahni will also be able to testify as to CSSN Copeland's low risk of committing other offenses.

[1] *United States v. Allen,* 31 M.J. 572, 623 (N-M.C.C.A. 1990).
[2] *United States v. Garries*, 22 M.J. 288 (C.M.A. 1986).
[3] *United States v. Freeman*, 65 M.J. 451, 458 (C.A.A.F. 2008).
[4] *Id.*
[5] *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F. 2005).

c. *Defense counsel cannot conduct psychological tests nor ultimately testify to the results in court.*

Forensic psychological testing of CSSN Copeland will require a qualified and licensed psychologist trained and experienced in conducting these professional evaluations. Lawyers cannot ethically or practically conduct such tests on their own. Additionally, if the defense decides to use the results of the testing described above, only a qualified expert like Dr. Sahni is competent to testify to the findings at trial. There is no way to develop the necessary psychological evidence demonstrating a low risk of recidivism without the expert assistance requested.

d. *Denial of the requested expert assistance would deprive CSSN Copeland of his right to fully explore relevant and compelling evidence in extenuation and mitigation should he need to present a pre-sentencing case. This would result in a fundamentally unfair trial.*

CSSN Copeland has the constitutional right to present a defense. This includes presenting and challenging evidence at presentencing proceedings.[6] If there is credible, scientifically sound evidence that CSSN Copeland is a low-risk to society, he must be permitted to explore if and how to present that evidence to the sentencing authority. This evidence would most certainly bear strongly on the issue of any potential sentence, should CSSN Copeland be convicted. CSSN Copeland cannot investigate, develop, or present this important defense without access to the requested expert assistance. Therefore, denying his request ultimately denies him the right to put on his case.

5. **Proposed Expert Consultant and Fees**:

The defense has estimated the following fees:

| Expense | Rate | Total |
|---|---|---|
| 30 hours pretrial consultation | $450/hour | $13,500.00 |
| Evaluation of CSSN Copeland | $4,500.00 | $4,500.00 |
| Presence at trial – 21 days | $4,500.00/day | $94,500.00 |
| Dr. Sahni's travel expenses in accordance with the JTR | TBD | TBD |

Therefore, the defense requests a **total authorization of approximately $112,500.00**, not including travel expenses, to be reimbursed in accordance with the Joint Travel Regulations, for the services described above.

The defense further requests that the expert consultant be viewed as a member of the defense team such that all communications between the expert consultant and the accused and his counsel will be viewed as confidential. The defense further requests that the government not have any conversations or other interaction with the requested expert consultant in relation to this case except for any administrative communications in securing their assistance for the defense. The defense understands this limitation may be removed if the defense eventually desires to have

[6] *Garries*, 22 M.J. 288 (citing *Ake*, 470 U.S. 58).

the expert testify in the case.

6. Thank you for your careful consideration of this request. If I may provide any additional information, please do not hesitate to contact me directly by phone at 850-452-5572, or by email at amanda.m.serfess.mil@us.navy.mil.

[redacted]

A. M. SERFESS

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **DEFENSE MOTION TO COMPEL PRODUCTION OF AN EXPERT CONSULTANT**<br><br>**(SEXUAL SADISTIC BEHAVIOR)**<br><br>**26 November 2025** |

## MOTION

Pursuant to R.C.M. 703(d), the defense moves this Court to compel the Government to appoint and fund a sexual sadistic expert as a defense consultant.

## BURDEN

As the moving party, the defense bears the burden to prove facts necessary to resolve the motion by a preponderance of evidence. R.C.M. 905(c).

## FACTS

1. On 22 August 2025, the Government preferred charges in this case. The Government alleges violations of Article 120, 128, 120c, 131b, 128b, 107, and 118, Uniform Code of Military Justice (UCMJ). (Charge Sheet).

2. Charge VII, the Article 118 specification alleges that CSSN Copeland did, "with premeditation, murder CS3 A.R., U.S. Navy, by means of an act of the Accused." (Charge Sheet).

3. The maximum punishment for the violation of Article 118 on its own is life without the possibility of parole. The mandatory minimum for a violation of the charged violation of Article 118 is life with the possibility of parole. Article 118(d)(1).

4. On 24 October 2025, in accordance with the Trial Management Order, the Defense submitted a request to the Office of Special Trial counsel to Dr. Jamie Dickson, Psy.D., a sexual sadistic behavior expert, as a consultant and potential witness. (Enclosure A).

5. In summary, the Defense stated that Dr. Dickson is necessary to: (1) educate members about the normality of strangulation or choking in a sexual manner, considering the circumstances surrounding ABHAN C.R.'s allegations indicate she was agreeable with this behavior; and (2) assist the Defense with presenting an alternative theory to the Government's claim that CSSN Copeland committed the premeditated murder of CS3 A.R. (Enclosure A).

6. On 7 November 2025, the trial counsel responded denying the request for three reasons. First, the Government claimed there was no credible evidence to indicate that ABHAN C.R. liked to be strangled in a sexual manner. (Enclosure B).

7. When interviewed by NCIS about the sexual contact allegations, both ABHAN C.R. and CSSN Copeland admitted that CSSN Copeland told ABHAN C.R. that he had heard that she like being choked sexually. (Enclosures C, D).

8. Second, the Government stated the Defense failed to specify what alternative theories we intended to present regarding CS3 A.R.'s death. This is despite the fact the Government chose NOT to specify what act it believes CSSN Copeland did to allegedly kill CS3 A.R. (Enclosure B).

9. In its M.R.E. 404(b) notice sent on 5 November 2025, however, the Government claimed CSSN Copeland strangled CS3 A.R. like he did ABHAN C.R. (Enclosure A to Defense Mot. to Exclude M.R.E. 413 Evidence).

10. Finally, the Government suggested a showing why Independent Defense Funding has not/cannot be used is required for the Defense to show necessity. (Enclosure B).

**LAW**

The right to be represented by counsel who is reasonably effective in investigating, preparing and presenting a defense is a fundamental pillar of American jurisprudence. The Supreme Court has recognized that the Sixth Amendment right to counsel mandates the provision of adequate resources, to include experts, in order to present an effective defense. As a matter of military due process, service members are entitled to expert assistance when necessary for an adequate defense, without regard to indigency.[1] The right to supplement the defense team with expert assistance and witnesses is based on Article 46, UCMJ, Military Rule of Evidence 706, and R.C.M. 703(d). Because the military accused does not have available to him the relatively unlimited assets of the military justice machine, courts have placed the resources of the Federal Government at his or her disposal in order to pay for expert assistance and guarantee an effective defense team.

Importantly, the entitlement for an accused to expert assistance "is not limited to actual expert testimony at trial." *United States v. Lee*, 64 M.J. 213, 217 (C.A.A.F. 2006).

[1] *See e.g., United States v. Kelly*, 39 M.J. 235, 237 (CMA 1994); *United States v. Burnette*, 29 M.J. 473 (CMA 1990); *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986), *cert. denied*, 479 U.S. 985 (1986); *see also* Art. 46, UCMJ, 10 U.S.C. § 846 (establishing "equal opportunity to obtain witnesses and other evidence" for the defense); Rules for Courts-Martial 703(d).

> The right to expert assistance attaches when the defense demonstrates that such assistance is necessary.[2] "An accused is entitled to expert assistance provided by the Government if he can demonstrate necessity."[3] The "mere possibility of assistance from a requested expert" is not sufficient to prevail on the request for expert assistance.[4] Instead, "[t]he accused has the burden of establishing that a reasonable probability exists that (1) an expert would be of assistance to the defense and (2) that denial of expert assistance would result in a fundamentally unfair trial."[5] To satisfy the first prong of this test, the Defense must show, "(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop."

Section 0145 paragraph (7) of the Manual of the Judge Advocate General states action on requests for funding in support of courts-martial should be taken "pursuant to the applicable standard for necessity, *regardless of potential independent Defense Services funding*."[6]

## ARGUMENT

### I. An expert consultant in sexual sadistic behavior is necessary in this case to assist the Defense in developing our theories and to potentially testify at trial.

Dr. Dickson is a licensed forensic psychologist with advanced training in sexual sadistic behavior. The allegations in this case are the most severe under the UCMJ and CSSN Copeland has a right to present an effective defense. The circumstances indicate that ABHAN C.R. liked to be strangled in a sexual manner. In her report of abusive sexual contact, ABHAN C.R. alleged that CSSN Copeland told her he heard she liked to be choked right before he placed his hand on her neck. Additionally, when NCIS interviewed him, CSSN Copeland admitted that he heard ABHAN C.R. liked to be choked and that he told her that. Whether it is factual or not that ABHAN C.R. liked to be choked sexually, at a minimum, CSSN Copeland believed she did at the time of the alleged offense. If CSSN Copeland's statement or beliefs about ABHAN C.R.'s sexual kinks are admitted into evidence at trial, it is imperative that the Defense be able to have Dr. Dickson provide an explanation to the members about the normality of strangulation in a sexual context as a paraphilia (or sexual kink) that does, in fact, exist.

Dr. Dickson is also necessary to assist the Defense in developing and presenting an alternative theory to the Government's claim that CSSN Copeland committed the premeditated

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[2] *United States v. Ndanyi*, 45 M.J. 315, 319 (CAAF 1996); *United States v. Gonzalez*, 39 M.J. 459, 461 (CAAF 1994).
[3] *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (quoting *United States v. Gunkle*, 55 M.J. 26, 31 (C.A.A.F. 2001)).
[4] *Id.*
[5] *Id.* (quoting *United States v. Freeman*, 65 M.J. 451, 458 (C.A.A.F. 2008)).
[6] JAGINST 5800.7G, CH 2 (JAGMAN) at § 0145(7) (emphasis added).

murder of CS3 A.R. The Government has not charged a specific act CSSN Copeland allegedly did to cause CS3 A.R.'s death. Because the Government has chosen not to allege a specific act, the Defense is unable to know what act the Government will allege at trial. However, Dr. Dickson's assistance is necessary for the Defense to be prepared if the Government's theory is that CSSN Copeland strangled CS3 A.R. like it claims in the M.R.E. 404(b) notice it provided to the Defense. In addition to Dr. Dickson discussing the normality of strangulation as a sexual kink, Dr. Dickson can also provide evidence of the possibility/likelihood that strangulation during sex has led to unintentional deaths.

The Defense is not required to make a showing that Independent Defense Funding has not/cannot be used in order to show the necessity of this expert. In fact, the JAGMAN states that the standard for necessity is not impacted based on the potential for defense services funding. As such, the Government should not be permitted to deny the Defense's request for an expert on this basis.

**II. Defense counsel is unable to gather and present the evidence that Dr. Dickson would be able to at trial, if required, and denial of Dr. Dickson would result in a fundamentally unfair trial.**

The Government controls what it decides to present to members in order to prove CSSN Copeland's guilt to the charged offenses. CSSN Copeland has a right to present a defense. Dr. Dickson's participation allows him the opportunity to do so. The defense counsel detailed to CSSN Copeland's case are experienced litigators but are not experts in this field. Furthermore, counsel are not permitted to testify as witnesses at trial. In order for this evidence to be introduced and presented to the members, someone with Dr. Dickson's knowledge, training, and experience must do so through testimony.

Without Dr. Dickson's participation and ability to assist the Defense with developing a defense to the Government's case, CSSN Copeland will not receive a fair trial. Dr. Dickson's knowledge and ability to provide explanation and assistance comes directly from her experience and training that defense counsel cannot acquire prior to trial. Defense counsel will continue to diligently prepare and educate themselves, CSSN Copeland requires the assistance of specially trained expert to also educate the members on information that contradicts the Government's theory. The Government should not be permitted prevent CSSN Copeland from developing and presenting a defense by denying access to Dr. Dickson.

## RELIEF REQUESTED

Pursuant to R.C.M. 703(d), the defense moves this Court to compel the Government to appoint and fund Dr. Dickson as a defense consultant in sexual sadistic behavior.

The defense does not request oral argument and asks the military judge to rule on the filings alone.

## EVIDENCE

The defense offers the following enclosures as evidence in support of this Motion:

- Enclosure A: Defense Expert Request ltr w/encls of 24 Oct 25
- Enclosure B: Govt Response to Defense Expert Request ltr of 7 Nov 25
- Enclosure C: Interview Summary of ABHAN C.R.
- Enclosure D: Interview Summary of CSSN Copeland of 16 Aug 24

[redacted]

C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

## CERTIFICATE OF SERVICE

I hereby certify that on the 26 November 2025, a copy of this motion was served on this Court and the Trial Counsel.

[redacted]

C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **ENCLOSURES TO DEFENSE MOTION TO COMPEL PRODUCTION OF AN EXPERT CONSULTANT**<br><br>**(SEXUAL SADISTIC BEHAVIOR)**<br><br>**26 November 2025** |

- Enclosure A: Defense Expert Request ltr w/encls of 24 Oct 25
- Enclosure B: Govt Response to Defense Expert Request ltr of 7 Nov 25
- Enclosure C: Interview Summary of ABHAN C.R.
- Enclosure D: Interview Summary of CSSN Copeland of 16 Aug 24

24 Oct 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: Office of the Special Trial Counsel
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: EXPERT CONSULTANT REQUEST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN – SEXUAL SADISTIC BEHAVIOR

Ref: (a) U.S. CONST. amend. VI
(b) Article 46, Uniform Code of Military Justice
(c) Rule for Courts-Martial 703, M.C.M. (2019 ed.)
(d) Military Rule of Evidence 502, M.C.M. (2019 ed.)
(e) *Ake v. Oklahoma,* 470 U.S. 68 (1985)
(f) *United States v. Freeman*, 65 M.J. 451 (C.A.A.F. 2008)
(g) *United States v. Gonzalez,* 39 M.J. 459 (C.A.A.F. 1994)
(h) *United States v. Allen*, 31 M.J. 572 (N.M.C.C.A. 1990)

Encl: (1) CV of Dr. Jamie Dickson
(2) Fee Schedule of Dr. Jamie Dickson

1. Pursuant to references (a) through (h), the defense counsel for CSSN Copeland respectfully requests government funding for an expert consultant in the field of sexual sadistic behavior in the context of strangulation and sexual kinks. Specifically, CSSN Copeland requests that you appoint Dr. Dickson as a representative of the defense so that any communications between her, CSSN Copeland, and defense counsel will be privileged pursuant to reference (d) and other applicable federal laws and regulations.

2. CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

3. A military accused is entitled to expert assistance in the form of expert consultation "to aid in the preparation of his Defense upon a demonstration of necessity…and that denial of an expert would result in a fundamentality unfair trial." *United States v. Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005); R.C.M. 703(d). Under Article 46, UCMJ, the Defense may request expert consultants to assist the Defense in "evaluating, identifying, and developing evidence," as well as to "test and challenge the Government's case." *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F 2005). The right to present evidence guaranteed by the Sixth Amendment, Article 46, UCMJ, and R.C.M. 703 "necessarily includes the right to prepare." *United States v. Allen*, 31 M.J. 572, 623 (N-M.CM.R. 1990). Consequently, a military member is entitle[d]…to the

assistance of an expert when necessary to the preparation of an adequate defense." *Id.* (quoting *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986). The right to an "adequate defense" includes "preparation for cross-examination" of Government witnesses well "as presentation of an expert defense witness." *Id.* (quoting *United States v. Durant*, 545 F.2d 823, 827 (2d Cir. 1976)). Thus, a Defense expert's assistance as a consultant before trial and during trial may in part be justified by the consultant's ability to provide assistance in preparing the Defense for the presentation of expert testimony. *Id.*

4. To demonstrate "necessity" as required by R.C.M. 703, the Defense must show "more than the 'mere possibility of assistance from a requested expert' . . . " *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). "The accused must show that a reasonable probability exists 'both that an expert would be of assistance to the defense and that denial of expert assistance would result in a fundamentally unfair trial.'" *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). In order to demonstrate the first prong of that test—that a reasonable probability exists that an expert would be of assistance to the Defense—the Defense must explain: "'(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop.'" *United States v. Hennis*, 79 M.J. 370, 382-83 (C.A.A.F. 2020) (quoting *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (emphasis in original).

5. Dr. Dickson is a licensed forensic psychologist with advanced training in sexual sadistic behavior and will assist CSSN Copeland in developing his theory and defense. The circumstances surrounding the allegations involving ABHAN C.R. indicates that she was into choking, however, in a sexual manner. If the defenses chooses to have Dr. Dickson testify, she can educate the members about this type of behavior associated with sexual acts and what is or is not outside the norm. Furthermore, the government alleges CSSN Copeland committed the premeditated murder of CS3 A.R. The defense has a constitutional right to present alternative theories to the members, and Dr. Dickson's consultancy is necessary to assist the defense with this. Dr. Dickson's extensive training in sexual sadistic behaviors makes her participation indispensable to perfecting a case on the merits.

6. The defense is not an expert in this subject matter. Defense counsel's formal training in this subject matter is extremely limited. Defense counsel also lack the time necessary or ability to develop such an expertise prior to trial. This type of evidence requires a level of knowledge the defense does not possess, and cannot gain in a few weeks or even months of study. Furthermore, defense is unable to present this evidence to members without the assistance of an expert witness.

7. Based on the fee schedule in enclosure (2), defense requests twenty (20) hours for pre-trial consultancy at a cost of $6,000.00. Additionally, the Defense requests Dr. Dickson's presence at trial (21 days), and one day of trial preparation, for a total of 22 days ($3,000/day x 22 days) at a cost of $66,000.00. **The total amount requested by defense is approximately $72,000.00**, in

addition to travel expenses in accordance with Joint Travel Regulations. The defense will submit an additional request if more time is needed.

8. The defense requests that this expert be assigned as a consulting member of CSSN Copeland's defense team, such that all communication between the accused, defense counsel, and the expert are privileged and confidential pursuant to Mil. R. Evid. 502. The defense further requests that the government refrain from any substantive contact with this expert. It is understood that this limitation may be removed if the defense ultimately desires to have Dr. Dickson testify as an expert witness in this case.

9. Thank you for your careful consideration of this request. If I may provide any additional information, I am available at (757) 341-4486 or clifton.e.morgan4.mil@us.navy.mil to answer any questions about this request.

[redacted]

C. E. MORGAN III

CURRICULUM VITAE

# Jamie M. Dickson, Psy.D.

[redacted]

**EDUCATION/LICENSURE:**

**Georgia School of Professional Psychology/Argosy University-Atlanta**
Doctorate of Psychology - August 2008
Master of Arts - June 2005

**Middle Tennessee State University**
Bachelor of Science in Psychology - December 1998
Minors in Social Work and Criminal Justice Administration

**Georgia Licensed Psychologist (#PSY003318)**
**Alaska Licensed Psychologist (#239364)**
**PSYPACT Interjurisdictional Temporary Authorization to Practice (Certificate #18316)**

**CLINICAL EXPERIENCE:**

**Forensic Specialty Group, Marietta, GA.**
Clinical/ Forensic Psychologist, June 2013 - Present

- Member of an Independent Practice in Forensic Psychology
- Complete evaluations of Juveniles and Adults in criminal, delinquency, family court, and civil matters
- Conduct Pre-trial evaluations of Competency to Stand Trial, Mental State at Time of Offense, and Capacity to Waive Miranda
- Perform Psychosexual and Violence Risk Evaluations of Adults and Juveniles
- Perform Parental Fitness Evaluations
- Review Forensic Interviews and consult regarding techniques of interviewers and child/adolescent developmental issues impacting on the interview context
- Consult with attorneys regarding psycholegal issues impacting civil and criminal cases and provide expert testimony as needed

**Devereux Georgia Treatment Network, Kennesaw, GA.**
Clinical Psychologist June 2013-Present (Contract):

- Conduct psychological evaluations with children and adolescents for purposes of diagnostic clarification and treatment planning

Clinical Psychologist September 2008 - June 2013:

- Provided Individual and Family Therapy and Specialized group treatments including Dialectical Behavior Therapy, Aggression Replacement Training and Trauma Focused Cognitive Behavioral Therapy for male and female adolescents with varying diagnoses
- Co-led teams charged with implementing the Positive Behavior Support model in various programs
- Prepared and provided trainings on mental health issues to Devereux employees and outside audiences for continuing education credits
- Supervised all therapists providing services in clinical department

- Supervised graduate students completing practicum training
- Oversaw psychological testing services and completed needed psychological evaluations
- Led and participated in multidisciplinary treatment team meetings to ensure high quality client care

**Florida State Hospital, Chattahoochee, FL**
Predoctoral Psychology Intern, August 2007 – August 2008
Completed major rotations on Civil and Forensic Admissions Units and a Dialectical Behavior Therapy Program as well as a minor rotation at a specialized Juvenile Justice Treatment Facility

- Provided individual and group therapy and led competency restoration groups for adolescents and adults with psychotic, mood, anxiety, substance abuse, and personality disorders
- Co-led groups for adolescent males convicted of sexual offenses
- Conducted psychological assessments and wrote reports to answer referral questions regarding cognitive, personality, and neuropsychological functioning and criminal competency and malingering issues
- Provided crisis intervention counseling for residents as the need arose
- Participated in recovery team meetings to ensure high quality care for residents

**Devereux Georgia Treatment Network, Kennesaw GA**
Psychometrist, July 2007 - September 2008

- Conducted psychological evaluations with male and female residents ages 9-18

Advanced Practicum Student, August 2006 – June 2007

- Provided group and individual therapy to adolescent males with sexual offending and other severe behavioral issues
- Supervised Practicum Students
- Performed Psychological Evaluations

**King's Psychological Learning Center, Inc., Decatur, GA**
Psychometrist April 2005- May 2007

- Performed psychological evaluations with adults and children
- Performed specialized evaluations of individuals seeking social security disability benefits

**Devereux Georgia Treatment Network, Kennesaw, GA**
Therapy Practicum Student, September 2005 – June 2006

- Provided individual and group therapy for male and female residents ages 12-16 with complex trauma histories and psychotic, mood, disruptive behavior, anxiety, and substance abuse disorders.

**Northwest Georgia Regional Hospital, Adult Forensic Unit, Rome, GA**
Diagnostic Practicum Student, September 2004 – August 2005

- Administered achievement tests, IQ tests, adaptive behavior scales, personality tests, and tests of malingering to adult male and female patients with psychotic, mood, personality, and substance abuse disorders and intellectual disabilities

**Kid Psych, Inc., Alpharetta, GA**
Psychometrist, September 2003- March 2005

- Conducted clinical interviews with parents of children referred for therapy and administered psychological tests to the child clients
- Conducted psychological evaluations with children and adults applying for Social Security Disability benefits

## TEACHING EXPERIENCE:

**Georgia School of Professional Psychology/Argosy University-Atlanta, Atlanta, GA**

- Adjunct Faculty for Therapy Practicum Seminar, Fall 2013, Spring 2014, Summer 2014
- Teaching Assistant for Counseling Theories, Summer 2006, Fall 2006, Spring 2007
- Teaching Assistant for Cognitive Behavioral Theory and Therapy, Spring 2006

## VOLUNTEER EXPERIENCE:

**National Alliance on Mental Illness, Atlanta, Georgia,** January 2014-Present

- Provide training on mental health diagnoses and de-escalation techniques when dealing with individuals with mental illness for law enforcement officers completing Crisis Intervention Team Training

**St. Joseph's Mercy Care Services, Atlanta, Georgia,** December 2013-February 2017

- Complete mental health assessments and provide individual therapy to clients residing at the City of Refuge Homeless Shelter and other indigent individuals in the Atlanta community

**Dazzling Stone Home for Children, Chennai, India**, July 2004 – August 2004

- Taught math and conversational English to students

**Adopt-a-Family Program**, **Murfreesboro, TN,** December 1997 – December 1998

- Initiated the adoption of a needy family by a local business and implemented plan to fund the family's needs

**Center for Living and Learning Horticulture Program**, **Franklin, TN**, August 1998 - April 1999

- Supervised mentally ill adults and teenagers working in greenhouses

**Head Start Program**, **Murfreesboro, TN**, October 1998 – December 1998

- Assisted with children's classroom activities

**Mt. Juliet Jr. High School,** Mt. Juliet, TN, September 1996 – December 1996

- Tutored students needing additional help in math

## RESEARCH EXPERIENCE:

**Clinical Research Project (Dissertation Equivalent),** July 2008

- "Threat/control-override delusions and violent behavior in the mentally ill: Is the violent behavior consistent with the content of the delusion?"

## PROFESSIONAL PRESENTATIONS:

- "Child Forensic Interviewing in the USA: Current Practices and Developments," June 2025
- "Women in Forensic Psychology," April 2025
- "Forensic Interviews, Suggestibility, and Working with Experts in Child Abuse Cases," April 2024, April 2025

- "Working with Experts in Battered Persons Cases," March 2024
- "Vicarious Trauma: Dealing with the Effects of Our Clients' Trauma," April 2022
- "Counterintuitive Victim Behavior," March 2022
- "Assessing Adolescents to Stand Trial," October 2021
- "Forensic Evaluation of Juveniles," July 2019
- "Forensic Interviews: The Basics," March 2018
- "The Role of Suggestibility in Child Sexual Abuse Evaluations," January 2016
- "Understanding Trauma and Its Effects: Relationships Between Trauma and Youth Violence," September 2011, March 2012, August 2012, September 2019
- Georgia Crisis Intervention Team Training Program: Mental Disorders, An Introduction; Schizophrenia; Mood Disorders; Personality Disorders; Childhood and Adolescent Mental Health

**PROFESSIONAL ORGANIZATIONS:**

- American Psychological Association, Member
- Georgia Psychological Association, Member
- American Professional Society on the Abuse of Children, Member
- Society of Clinical Child and Adolescent Psychology, Member
- American Psychology-Law Society, Member
- The National Register of Health Service Psychologists, Member
- Global Institute of Forensic Research, Member

**ADDITIONAL TRAININGS:**

- Trauma-Focused Cognitive-Behavioral Therapy (four day training)
- Dialectical Behavior Therapy: Treating Adolescents with Multiple Problems (two day training)
- Introduction to Commercial Sexual Exploitation of Children for Mental Health Professionals
- Recreational Drugs in the Forensic Setting: Pharmacology and Mental State
- Buzzed: The Straight Facts about the Most Used and Abused Drugs from Alcohol to Ecstasy (online self-study program)
- Use of Psychotropic Medication in Children, Adolescents, and Young Adults: Diagnostic and Developmental Considerations
- Substance Abuse: The Brain Mechanics of Addiction
- Clinical Psychopharmacology: A Science, An Art, or Both…What Are Your Professional Role(s) and Responsibilities
- Forensic Interviewing in Child Sexual Abuse Cases presented by the American Professional Society on the Abuse of Children (40 hour training)
- Ten Step Forensic Interview Training (33 hour online training)
- Child Interviewing 2019: Update on Research and Practice (online training)
- Interviewing Children to Preserve Accurate Testimony
- General Considerations for Interviewing Children with Disabilities (online training)
- American Professional Society on the Abuse of Children Annual Colloquium Forensic Interview Track (16 hour training)
- Ethical and Effective Consultation and Testimony in Cases with Child Victims

- Dolls and Diagrams for Practice, Investigation, and Prosecution (online forensic interviewing course)
- Child Interviewing-Where Research Meets Practice (online forensic interviewing course)
- Assessing False Allegations of Child Sexual Abuse and Issues Regarding Recantation
- Introduction to Developmentally Appropriate Interviewing Using the Revised NICHD Protocol
- Evaluating Forensic Interviews with Children
- Trauma and Memory
- Young People and the Law: International Approaches to Care, Corrections, and Intervention (three day training)
- Safer Communities, Safer Relationships: Generating Solutions for Reducing Persistent Violence and Other Serious Offending (three day training)
- Darkstone Certified Official Hare PCL-R and PCL:SV Live Webinar Training (two day training)
- Introduction to Psychopathy
- STATIC99-R Live Webinar Training
- Advanced Assessment of Sexual Offenders: Sexual Sadistic, Child Pornography, and Non-Contact Offenders
- Adult Sexual Offender Risk Assessment and Management
- Sexual Offender Risk Assessment-State of the Science in the 21st Century
- Multidimensional Inventory of Development, Sex, and Aggression (MIDSA) On Demand Training
- Estimate of Risk of Adolescent Sexual Offense Recidivism (ERASOR) Live Webinar Training
- Protective + Risk Observations for Eliminating Sexual Offense Recidivism (PROFESOR) Live Webinar Training
- Risk Assessment with Juvenile Sex Offenders
- Working with Sexually Reactive Youth in Residential Treatment
- Assessment of Risk for Violence in Juveniles
- Developmental Considerations in Juvenile Forensic Evaluations
- Current Trends in Medication and Understanding Mental Health in Violent Adolescents
- Violence Risk Assessment
- Assessing and Managing Violence Risk
- Competencies in the Criminal Process
- Evaluation of Competence to Stand Trial
- Interrogations and Disputed Confessions (self-study program)
- Forensic Evaluation in Miranda Waiver and False/Coerced Confession Cases
- Capacity to Waive Miranda Rights
- Assessment of Mental State Defenses in Criminal Cases
- The Insanity Defense
- Malingering and Forensic Practice: Conceptual Issues and Clinical Methods
- Comprehensive Assessment of Malingering
- Conducting Parental Capacity Evaluations in Child Protection Matters
- Child Murder by Parents
- Custody Evaluations: The Essentials
- Custody Evaluations: Advanced Topics

- Physical and Psychological Implications of Hormone Therapy for Gender Variant Clients
- Talking Sex in the Therapy Room
- Ethics: Special Issues with Sexual Minority Clients
- Exploring Sexual Attitudes: Discovering the Dark Corners of Our Counter-transference
- American Professional Society on the Abuse of Children Annual Colloquium (2006, 2008, 2009, 2010, 2011, 2012, 2013, 2023)

**Jamie M. Dickson, Psy.D.**
**DBA Jamie McQuown/Child Psych Services, LLC**
[redacted]
**DUNS:** [redacted] **Cage Code:** [redacted]
[redacted]
[redacted]
[redacted]

## TRIAL CONSULTATION/EXPERT WITNESS FEE SCHEDULE

1. Pre-Trial Consultation Services: Case and document review, which may include but is not necessarily limited to evidence, any related case records, medical and psychological reports, military records and recordings and transcriptions of interviews is billed at $300.00 per hour. Case review, discussion and consultation with counsel, and telephonic testimony at pretrial motions hearings are included in pre-trial consultation and are also billed at $300.00 per hour. Pre-trial consultation generally takes a minimum of 8 hours to complete though this may be significantly greater depending on the complexity of the case. Evaluation of a defendant can take up to three working days. Defendant evaluation is also billed at $300.00 per hour. The number of hours for pre-trial consultation shall be agreed to in writing before work commences. If additional time is required, both parties shall agree in writing before the additional work commences. The fee for any work completed shall be paid even if the case does not ultimately go to trial.

2. Trial Consultation and Expert Testimony: All activities related to attendance at trial, including trial consultation, expert testimony and travel are billed at a daily rate of $3000.00.

3. Expenses:
   a. Round trip airfare is expected to be provided by the Government at standard government rates. Dr. Dickson will book her own air travel, which will be billed at 100% reimbursement of coach class fare.
   b. Driving will be billed at GSA POV rate.
   c. GSA per diem schedules are expected to be used to reimburse the contractor for the cost of lodging, either on a military installation or off base, as well as standard meal rates.
   d. The cost of a rental car, when allowed, will be reimbursed by the government. If a rental car is not provided, the cost of transportation to and from the airport as well as any other transportation costs shall be borne by the Government.

4. Payment: Payment is expected within 30 days of the trial and/or consultation services to the address listed above. If billing is to be handled through WAWF, the government is responsible to provide the contractor with all information needed to effect this process.

7 Nov 25

From: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel
To: LCDR Amanda Serfess, Detailed Defense Counsel
LCDR Clifton Morgan, Detailed Defense Counsel

Subj: FUNDING FOR DEFENSE EXPERT CONSULTANT ICO UNITED STATES V. CSSN COPELAND (SEXUAL SADISTIC BEHAVIOR)

Ref: (a) M.R.E. 702 (MCM 2024)
(b) R.C.M. 703 (MCM 2024)
(c) JAGINST 5800.7G (CH-2) of 1 Dec 23

Encl: (1) Defense Expert Request dtd 24 Oct 25 – Dr. Dickson

1. Pursuant to Section 0145(a)(7)(b) under reference (c), Special Trial Counsel has determined that employment of a defense expert in sexual sadistic behavior is unnecessary.

2. Defense has not articulated what relevant information and guidance Dr. Dickson would provide that makes her necessary.

a. Defense states Dr. Dickson's assistance is necessary because " the circumstances surrounding the allegations involving ABHAN C.R. indicates that she was into choking, however, in a sexual manner." No credible evidence exists to support this assertion.

b. Additionally, Defenses requests assistance to present alternate theories regarding the death of CS3 A.R. Defense fails to articulate what alternate theories based on relevant evidence it is seeking to explore.

c. Lastly, a showing of necessity has not been made in that defense has failed to proffer why Independent Defense Funding, which has been specifically allocated for defense needs such as this, has not/cannot be used.

3. I can be reached at lauren.a.mayo2.mil@us.navy.mil or at (757)-341-4598.

[redacted]
L.A. MAYO[redacted]

Copy to:
Defense Counsel

24 Oct 25

From: LCDR Clifton E. Morgan III, JAGC, USN, Detailed Defense Counsel
To: Office of the Special Trial Counsel
Via: CDR Lauren Mayo, JAGC, USN, Special Trial Counsel

Subj: EXPERT CONSULTANT REQUEST IN THE CASE OF UNITED STATES V. CSSN JERMIAH COPELAND, USN – SEXUAL SADISTIC BEHAVIOR

Ref: (a) U.S. CONST. amend. VI
(b) Article 46, Uniform Code of Military Justice
(c) Rule for Courts-Martial 703, M.C.M. (2019 ed.)
(d) Military Rule of Evidence 502, M.C.M. (2019 ed.)
(e) *Ake v. Oklahoma,* 470 U.S. 68 (1985)
(f) *United States v. Freeman*, 65 M.J. 451 (C.A.A.F. 2008)
(g) *United States v. Gonzalez,* 39 M.J. 459 (C.A.A.F. 1994)
(h) *United States v. Allen*, 31 M.J. 572 (N.M.C.C.A. 1990)

Encl: (1) CV of Dr. Jamie Dickson
(2) Fee Schedule of Dr. Jamie Dickson

1. Pursuant to references (a) through (h), the defense counsel for CSSN Copeland respectfully requests government funding for an expert consultant in the field of sexual sadistic behavior in the context of strangulation and sexual kinks. Specifically, CSSN Copeland requests that you appoint Dr. Dickson as a representative of the defense so that any communications between her, CSSN Copeland, and defense counsel will be privileged pursuant to reference (d) and other applicable federal laws and regulations.

2. CSSN Copeland is charged with four specifications of violations of Article 120 (sexual assault), a violation of Article 128 (assault consummated by a battery), two specifications of violations of Article 120c (indecent recording/broadcasting), three specifications of violations of Article 131b (obstruction of justice), two specifications of violations of Article 128b (domestic violence), two specifications of violations of Article 107 (false official statement), and a violation of Article 118 (premeditated murder). If CSSN Copeland is convicted of premeditated murder, he is facing a minimum sentence of life with the possibility of parole and a maximum punishment of life without the possibility of parole.

3. A military accused is entitled to expert assistance in the form of expert consultation "to aid in the preparation of his Defense upon a demonstration of necessity…and that denial of an expert would result in a fundamentality unfair trial." *United States v. Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005); R.C.M. 703(d). Under Article 46, UCMJ, the Defense may request expert consultants to assist the Defense in "evaluating, identifying, and developing evidence," as well as to "test and challenge the Government's case." *United States v. Warner*, 62 M.J. 114, 118 (C.A.A.F 2005). The right to present evidence guaranteed by the Sixth Amendment, Article 46, UCMJ, and R.C.M. 703 "necessarily includes the right to prepare." *United States v. Allen*, 31 M.J. 572, 623 (N-M.CM.R. 1990). Consequently, a military member is entitle[d]…to the

assistance of an expert when necessary to the preparation of an adequate defense." *Id.* (quoting *United States v. Garries*, 22 M.J. 288, 290 (C.M.A. 1986). The right to an "adequate defense" includes "preparation for cross-examination" of Government witnesses well "as presentation of an expert defense witness." *Id.* (quoting *United States v. Durant*, 545 F.2d 823, 827 (2d Cir. 1976)). Thus, a Defense expert's assistance as a consultant before trial and during trial may in part be justified by the consultant's ability to provide assistance in preparing the Defense for the presentation of expert testimony. *Id.*

4. To demonstrate "necessity" as required by R.C.M. 703, the Defense must show "more than the 'mere possibility of assistance from a requested expert' . . . " *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). "The accused must show that a reasonable probability exists 'both that an expert would be of assistance to the defense and that denial of expert assistance would result in a fundamentally unfair trial.'" *Bresnahan*, 62 M.J. 137, 143 (C.A.A.F. 2005). In order to demonstrate the first prong of that test—that a reasonable probability exists that an expert would be of assistance to the Defense—the Defense must explain: "'(1) why the expert is necessary; (2) what the expert would accomplish for the accused; and (3) why defense counsel is unable to gather and present the evidence that the expert would be able to develop.'" *United States v. Hennis*, 79 M.J. 370, 382-83 (C.A.A.F. 2020) (quoting *United States v. Lloyd*, 69 M.J. 95, 99 (C.A.A.F. 2010) (emphasis in original).

5. Dr. Dickson is a licensed forensic psychologist with advanced training in sexual sadistic behavior and will assist CSSN Copeland in developing his theory and defense. The circumstances surrounding the allegations involving ABHAN C.R. indicates that she was into choking, however, in a sexual manner. If the defenses chooses to have Dr. Dickson testify, she can educate the members about this type of behavior associated with sexual acts and what is or is not outside the norm. Furthermore, the government alleges CSSN Copeland committed the premeditated murder of CS3 A.R. The defense has a constitutional right to present alternative theories to the members, and Dr. Dickson's consultancy is necessary to assist the defense with this. Dr. Dickson's extensive training in sexual sadistic behaviors makes her participation indispensable to perfecting a case on the merits.

6. The defense is not an expert in this subject matter. Defense counsel's formal training in this subject matter is extremely limited. Defense counsel also lack the time necessary or ability to develop such an expertise prior to trial. This type of evidence requires a level of knowledge the defense does not possess, and cannot gain in a few weeks or even months of study. Furthermore, defense is unable to present this evidence to members without the assistance of an expert witness.

7. Based on the fee schedule in enclosure (2), defense requests twenty (20) hours for pre-trial consultancy at a cost of $6,000.00. Additionally, the Defense requests Dr. Dickson's presence at trial (21 days), and one day of trial preparation, for a total of 22 days ($3,000/day x 22 days) at a cost of $66,000.00. **The total amount requested by defense is approximately $72,000.00**, in

addition to travel expenses in accordance with Joint Travel Regulations. The defense will submit an additional request if more time is needed.

8. The defense requests that this expert be assigned as a consulting member of CSSN Copeland's defense team, such that all communication between the accused, defense counsel, and the expert are privileged and confidential pursuant to Mil. R. Evid. 502. The defense further requests that the government refrain from any substantive contact with this expert. It is understood that this limitation may be removed if the defense ultimately desires to have Dr. Dickson testify as an expert witness in this case.

9. Thank you for your careful consideration of this request. If I may provide any additional information, I am available at (757) 341-4486 or clifton.e.morgan4.mil@us.navy.mil to answer any questions about this request.

[redacted]

C. E. MORGAN III

CURRICULUM VITAE

# Jamie M. Dickson, Psy.D.

[redacted]

**EDUCATION/LICENSURE:**

**Georgia School of Professional Psychology/Argosy University-Atlanta**
Doctorate of Psychology - August 2008
Master of Arts - June 2005

**Middle Tennessee State University**
Bachelor of Science in Psychology - December 1998
Minors in Social Work and Criminal Justice Administration

**Georgia Licensed Psychologist (#PSY003318)**
**Alaska Licensed Psychologist (#239364)**
**PSYPACT Interjurisdictional Temporary Authorization to Practice (Certificate #18316)**

**CLINICAL EXPERIENCE:**

**Forensic Specialty Group, Marietta, GA.**
Clinical/ Forensic Psychologist, June 2013 - Present

- Member of an Independent Practice in Forensic Psychology
- Complete evaluations of Juveniles and Adults in criminal, delinquency, family court, and civil matters
- Conduct Pre-trial evaluations of Competency to Stand Trial, Mental State at Time of Offense, and Capacity to Waive Miranda
- Perform Psychosexual and Violence Risk Evaluations of Adults and Juveniles
- Perform Parental Fitness Evaluations
- Review Forensic Interviews and consult regarding techniques of interviewers and child/adolescent developmental issues impacting on the interview context
- Consult with attorneys regarding psycholegal issues impacting civil and criminal cases and provide expert testimony as needed

**Devereux Georgia Treatment Network, Kennesaw, GA.**
Clinical Psychologist June 2013-Present (Contract):

- Conduct psychological evaluations with children and adolescents for purposes of diagnostic clarification and treatment planning

Clinical Psychologist September 2008 - June 2013:

- Provided Individual and Family Therapy and Specialized group treatments including Dialectical Behavior Therapy, Aggression Replacement Training and Trauma Focused Cognitive Behavioral Therapy for male and female adolescents with varying diagnoses
- Co-led teams charged with implementing the Positive Behavior Support model in various programs
- Prepared and provided trainings on mental health issues to Devereux employees and outside audiences for continuing education credits
- Supervised all therapists providing services in clinical department

- Supervised graduate students completing practicum training
- Oversaw psychological testing services and completed needed psychological evaluations
- Led and participated in multidisciplinary treatment team meetings to ensure high quality client care

**Florida State Hospital, Chattahoochee, FL**
Predoctoral Psychology Intern, August 2007 – August 2008
Completed major rotations on Civil and Forensic Admissions Units and a Dialectical Behavior Therapy Program as well as a minor rotation at a specialized Juvenile Justice Treatment Facility

- Provided individual and group therapy and led competency restoration groups for adolescents and adults with psychotic, mood, anxiety, substance abuse, and personality disorders
- Co-led groups for adolescent males convicted of sexual offenses
- Conducted psychological assessments and wrote reports to answer referral questions regarding cognitive, personality, and neuropsychological functioning and criminal competency and malingering issues
- Provided crisis intervention counseling for residents as the need arose
- Participated in recovery team meetings to ensure high quality care for residents

**Devereux Georgia Treatment Network, Kennesaw GA**
Psychometrist, July 2007 - September 2008

- Conducted psychological evaluations with male and female residents ages 9-18

Advanced Practicum Student, August 2006 – June 2007

- Provided group and individual therapy to adolescent males with sexual offending and other severe behavioral issues
- Supervised Practicum Students
- Performed Psychological Evaluations

**King's Psychological Learning Center, Inc., Decatur, GA**
Psychometrist April 2005- May 2007

- Performed psychological evaluations with adults and children
- Performed specialized evaluations of individuals seeking social security disability benefits

**Devereux Georgia Treatment Network, Kennesaw, GA**
Therapy Practicum Student, September 2005 – June 2006

- Provided individual and group therapy for male and female residents ages 12-16 with complex trauma histories and psychotic, mood, disruptive behavior, anxiety, and substance abuse disorders.

**Northwest Georgia Regional Hospital, Adult Forensic Unit, Rome, GA**
Diagnostic Practicum Student, September 2004 – August 2005

- Administered achievement tests, IQ tests, adaptive behavior scales, personality tests, and tests of malingering to adult male and female patients with psychotic, mood, personality, and substance abuse disorders and intellectual disabilities

**Kid Psych, Inc., Alpharetta, GA**
Psychometrist, September 2003- March 2005

- Conducted clinical interviews with parents of children referred for therapy and administered psychological tests to the child clients
- Conducted psychological evaluations with children and adults applying for Social Security Disability benefits

## TEACHING EXPERIENCE:

**Georgia School of Professional Psychology/Argosy University-Atlanta, Atlanta, GA**

- Adjunct Faculty for Therapy Practicum Seminar, Fall 2013, Spring 2014, Summer 2014
- Teaching Assistant for Counseling Theories, Summer 2006, Fall 2006, Spring 2007
- Teaching Assistant for Cognitive Behavioral Theory and Therapy, Spring 2006

## VOLUNTEER EXPERIENCE:

**National Alliance on Mental Illness, Atlanta, Georgia,** January 2014-Present

- Provide training on mental health diagnoses and de-escalation techniques when dealing with individuals with mental illness for law enforcement officers completing Crisis Intervention Team Training

**St. Joseph's Mercy Care Services, Atlanta, Georgia,** December 2013-February 2017

- Complete mental health assessments and provide individual therapy to clients residing at the City of Refuge Homeless Shelter and other indigent individuals in the Atlanta community

**Dazzling Stone Home for Children, Chennai, India**, July 2004 – August 2004

- Taught math and conversational English to students

**Adopt-a-Family Program**, **Murfreesboro, TN,** December 1997 – December 1998

- Initiated the adoption of a needy family by a local business and implemented plan to fund the family's needs

**Center for Living and Learning Horticulture Program**, **Franklin, TN**, August 1998 - April 1999

- Supervised mentally ill adults and teenagers working in greenhouses

**Head Start Program**, **Murfreesboro, TN**, October 1998 – December 1998

- Assisted with children's classroom activities

**Mt. Juliet Jr. High School,** Mt. Juliet, TN, September 1996 – December 1996

- Tutored students needing additional help in math

## RESEARCH EXPERIENCE:

**Clinical Research Project (Dissertation Equivalent),** July 2008

- "Threat/control-override delusions and violent behavior in the mentally ill: Is the violent behavior consistent with the content of the delusion?"

## PROFESSIONAL PRESENTATIONS:

- "Child Forensic Interviewing in the USA: Current Practices and Developments," June 2025
- "Women in Forensic Psychology," April 2025
- "Forensic Interviews, Suggestibility, and Working with Experts in Child Abuse Cases," April 2024, April 2025

- "Working with Experts in Battered Persons Cases," March 2024
- "Vicarious Trauma: Dealing with the Effects of Our Clients' Trauma," April 2022
- "Counterintuitive Victim Behavior," March 2022
- "Assessing Adolescents to Stand Trial," October 2021
- "Forensic Evaluation of Juveniles," July 2019
- "Forensic Interviews: The Basics," March 2018
- "The Role of Suggestibility in Child Sexual Abuse Evaluations," January 2016
- "Understanding Trauma and Its Effects: Relationships Between Trauma and Youth Violence," September 2011, March 2012, August 2012, September 2019
- Georgia Crisis Intervention Team Training Program: Mental Disorders, An Introduction; Schizophrenia; Mood Disorders; Personality Disorders; Childhood and Adolescent Mental Health

**PROFESSIONAL ORGANIZATIONS:**

- American Psychological Association, Member
- Georgia Psychological Association, Member
- American Professional Society on the Abuse of Children, Member
- Society of Clinical Child and Adolescent Psychology, Member
- American Psychology-Law Society, Member
- The National Register of Health Service Psychologists, Member
- Global Institute of Forensic Research, Member

**ADDITIONAL TRAININGS:**

- Trauma-Focused Cognitive-Behavioral Therapy (four day training)
- Dialectical Behavior Therapy: Treating Adolescents with Multiple Problems (two day training)
- Introduction to Commercial Sexual Exploitation of Children for Mental Health Professionals
- Recreational Drugs in the Forensic Setting: Pharmacology and Mental State
- Buzzed: The Straight Facts about the Most Used and Abused Drugs from Alcohol to Ecstasy (online self-study program)
- Use of Psychotropic Medication in Children, Adolescents, and Young Adults: Diagnostic and Developmental Considerations
- Substance Abuse: The Brain Mechanics of Addiction
- Clinical Psychopharmacology: A Science, An Art, or Both…What Are Your Professional Role(s) and Responsibilities
- Forensic Interviewing in Child Sexual Abuse Cases presented by the American Professional Society on the Abuse of Children (40 hour training)
- Ten Step Forensic Interview Training (33 hour online training)
- Child Interviewing 2019: Update on Research and Practice (online training)
- Interviewing Children to Preserve Accurate Testimony
- General Considerations for Interviewing Children with Disabilities (online training)
- American Professional Society on the Abuse of Children Annual Colloquium Forensic Interview Track (16 hour training)
- Ethical and Effective Consultation and Testimony in Cases with Child Victims

- Dolls and Diagrams for Practice, Investigation, and Prosecution (online forensic interviewing course)
- Child Interviewing-Where Research Meets Practice (online forensic interviewing course)
- Assessing False Allegations of Child Sexual Abuse and Issues Regarding Recantation
- Introduction to Developmentally Appropriate Interviewing Using the Revised NICHD Protocol
- Evaluating Forensic Interviews with Children
- Trauma and Memory
- Young People and the Law: International Approaches to Care, Corrections, and Intervention (three day training)
- Safer Communities, Safer Relationships: Generating Solutions for Reducing Persistent Violence and Other Serious Offending (three day training)
- Darkstone Certified Official Hare PCL-R and PCL:SV Live Webinar Training (two day training)
- Introduction to Psychopathy
- STATIC99-R Live Webinar Training
- Advanced Assessment of Sexual Offenders: Sexual Sadistic, Child Pornography, and Non-Contact Offenders
- Adult Sexual Offender Risk Assessment and Management
- Sexual Offender Risk Assessment-State of the Science in the 21st Century
- Multidimensional Inventory of Development, Sex, and Aggression (MIDSA) On Demand Training
- Estimate of Risk of Adolescent Sexual Offense Recidivism (ERASOR) Live Webinar Training
- Protective + Risk Observations for Eliminating Sexual Offense Recidivism (PROFESOR) Live Webinar Training
- Risk Assessment with Juvenile Sex Offenders
- Working with Sexually Reactive Youth in Residential Treatment
- Assessment of Risk for Violence in Juveniles
- Developmental Considerations in Juvenile Forensic Evaluations
- Current Trends in Medication and Understanding Mental Health in Violent Adolescents
- Violence Risk Assessment
- Assessing and Managing Violence Risk
- Competencies in the Criminal Process
- Evaluation of Competence to Stand Trial
- Interrogations and Disputed Confessions (self-study program)
- Forensic Evaluation in Miranda Waiver and False/Coerced Confession Cases
- Capacity to Waive Miranda Rights
- Assessment of Mental State Defenses in Criminal Cases
- The Insanity Defense
- Malingering and Forensic Practice: Conceptual Issues and Clinical Methods
- Comprehensive Assessment of Malingering
- Conducting Parental Capacity Evaluations in Child Protection Matters
- Child Murder by Parents
- Custody Evaluations: The Essentials
- Custody Evaluations: Advanced Topics

- Physical and Psychological Implications of Hormone Therapy for Gender Variant Clients
- Talking Sex in the Therapy Room
- Ethics: Special Issues with Sexual Minority Clients
- Exploring Sexual Attitudes: Discovering the Dark Corners of Our Counter-transference
- American Professional Society on the Abuse of Children Annual Colloquium (2006, 2008, 2009, 2010, 2011, 2012, 2013, 2023)

**Jamie M. Dickson, Psy.D.**
**DBA Jamie McQuown/Child Psych Services, LLC**
[redacted]
**DUNS:** [redacted] **Cage Code:** [redacted]
[redacted]
[redacted]
[redacted]

## TRIAL CONSULTATION/EXPERT WITNESS FEE SCHEDULE

1. Pre-Trial Consultation Services: Case and document review, which may include but is not necessarily limited to evidence, any related case records, medical and psychological reports, military records and recordings and transcriptions of interviews is billed at $300.00 per hour. Case review, discussion and consultation with counsel, and telephonic testimony at pretrial motions hearings are included in pre-trial consultation and are also billed at $300.00 per hour. Pre-trial consultation generally takes a minimum of 8 hours to complete though this may be significantly greater depending on the complexity of the case. Evaluation of a defendant can take up to three working days. Defendant evaluation is also billed at $300.00 per hour. The number of hours for pre-trial consultation shall be agreed to in writing before work commences. If additional time is required, both parties shall agree in writing before the additional work commences. The fee for any work completed shall be paid even if the case does not ultimately go to trial.

2. Trial Consultation and Expert Testimony: All activities related to attendance at trial, including trial consultation, expert testimony and travel are billed at a daily rate of $3000.00.

3. Expenses:
   a. Round trip airfare is expected to be provided by the Government at standard government rates. Dr. Dickson will book her own air travel, which will be billed at 100% reimbursement of coach class fare.
   b. Driving will be billed at GSA POV rate.
   c. GSA per diem schedules are expected to be used to reimburse the contractor for the cost of lodging, either on a military installation or off base, as well as standard meal rates.
   d. The cost of a rental car, when allowed, will be reimbursed by the government. If a rental car is not provided, the cost of transportation to and from the airport as well as any other transportation costs shall be borne by the Government.

4. Payment: Payment is expected within 30 days of the trial and/or consultation services to the address listed above. If billing is to be handled through WAWF, the government is responsible to provide the contractor with all information needed to effect this process.

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 06AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF V/[redacted]

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported ABHAN [redacted]), USN, CVN 75, reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe.

2. On 06Aug24 at approximately 2030 hours, V[redacted] was interviewed by Reporting Agent (RA) aboard CVN 75, while at sea in compartment 02-88-4-Q. IT2 Morgan RODRIGUEZ, USN, Uniform Victim Advocate (UVA), CVN 75, was present for the entirety of the interview.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. V/[redacted] related she is in a relationship with CSSN Fernando CUESTABRAVO, USN, CVN 75, and was in the mess decks with him in the early morning hours of 23Jul24 when he stated he was going to sleep. V/[redacted] stated after CSSN CUESTABRAVO left, she began receiving SnapChat snaps from S/COPELAND, who stated he was headed to the ship and expressed he wanted to talk to her about CSSN CUESTABRAVO. V/[redacted] agreed, and stated S/COPELAND arrived and requested the pair go somewhere private to talk.

5. After arriving to the area of the fantail, S/COPELAND told V[redacted] that CSSN CUESTABRAVO was talking to other women and asserted CSSN CUESTABRAVO was not treating V/[redacted] the way she should be treated. V/[redacted] related S/COPELAND suggested SHE engage in a relationship with him (S/COPELAND) to "get back at" CSSN CUESTABRAVO. V/[redacted] stated she told S/COPELAND she did not "do those types of things." V[redacted] recalled discussing her relationship with S/COPELAND for a short period of time before S/COPELAND began to play a "game" with her wherein he pretended to arrest her. V/[redacted] stated S/COPELAND forced her hands behind her back and grabbed her vulva over the clothing.

6. V/[redacted] related she turned around and punched S/COPELAND in the stomach.



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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**CONTROL:26JUL24-NFXQ-00015-8CNA** **06AUG24**

V/[redacted] related S/COPLEAND told her he heard she liked to be choked, at which time S/COPELAND applied pressure to her neck with one hand so that it was difficult for V[redacted] to breathe. V/[redacted] recalled pushing S/COPELAND's hand away from her throat but that he would immediately replace it and keep applying pressure. While applying pressure to her neck, V/[redacted] recalled S/COPELAND kissed her on the lips and grabbed her breasts, buttocks, and vulva over the clothing. V/[redacted] related the physical contact lasted approximately a minute before S/COPELAND stopped of his own accord. V[redacted] stated she told S/COPELAND she was going to bed and left the fantail.

7. V[redacted] recalled being unsure if she should tell CSSN CUESTABRAVO because she was worried about his reaction, but texted him about what happened. V[redacted] stated CSSN CUESTABRAVO encouraged her to report the incident. V[redacted] stated she called the Sexual Assault Prevention and Response (SAPR) phone number she found on a poster aboard the ship, and was informed to get in touch with shipboard SAPR personnel. V/[redacted] stated she did not know how, so CSSN CUESTABRAVO reported the incident to Security. V/[redacted] stated she had bruising on her neck that CSSN CUESTABRAVO observed, but that it was now gone.

8. V/[redacted] stated she told her Chief, CSC Gregory SIMMONS, USN, CVN 75, about the incident. V[redacted] related CSSN Jalen OWENS, USN, CVN 75, told CSSN CUESTABRAVO that S/COPELAND told her (CSSN OWENS) that V[redacted] had reported him.

9. V[redacted] provided RA screen shots of the texts she sent to CSSN CUESTABRAVA via Air Drop, and signed a Permissive Authorization for Search and Seizure (PASS) denoting her consent; Enclosure (B) pertains. The screen shots were subsequently placed on an NCIS Photographic Template for inclusion into the case file; Enclosure (C) pertains.

11. At the conclusion of the interview, V/[redacted] was provided a DD Form 2701 Victim Witness Assistance Pamphlet (VWAP).

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF
V[redacted]/06AUG24
(B) PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE SIGNED BY
V[redacted]/06AUG24
(C) NCIS PHOTOGRAPH TEMPLATE/06AUG24



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 16AUG24

CONTROL: 26JUL24-NFXQ-00015-8CNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INTERVIEW OF S/COPELAND

1. As background, on 26Jul24 NCISRU USS HARRY S TRUMAN (CVN 75) was notified by MA1 Ronald CORTESELLI, USN, CVN 75, of an unrestricted reported of sexual assault aboard the ship that occurred on 23Jul24 at approximately 0200 hours. MA1 CORTESELLI reported ABHAN [redacted] ([redacted]), USN, CVN 75, reported CSSN Jermiah Taylor COPELAND (S/COPELAND), USN, CVN 75, grabbed her vulva, breasts, and buttocks over the clothing while applying pressure to her neck so that it was difficult for her to breathe.

2. On 16Aug24 at approximately 2130 hours, S/COPELAND was interviewed by Reporting Agent (RA) and MAC Adam NORMAN, USN, CVN 75, aboard CVN 75, while at sea in compartment 02-88-4-Q.

3. The interview was audio and video recorded in its entirety utilizing the CaseCracker system. This report serves as a synopsis of the interview and does not necessarily describe the information in the order in which it was discussed. For a verbatim account, please refer to the digital recording; Enclosure (A) pertains.

4. Prior to being interviewed, S/COPELAND was advised of, and waived, his Article 31b Rights utilizing a Military Rights Waiver form; Enclosure (B) pertains.

5. S/COPELAND stated he and V/[redacted] saw each other on the mess decks at night on approximately 23Jul24, and went to speak in the area of the fantail aboard the ship. S/COPELAND denied he messaged V/[redacted] to coordinate the meeting. S/COPELAND stated V/[redacted] wanted to talk about her boyfriend CSSN Fernando CUESTABRAVO, USN, CVN 75. S/COPELAND stated V/[redacted] disclosed CSSN CUESTABRAVO does not treat her well and cheating on her, and she asked for his advice concerning their relationship.

6. S/COPELAND recalled the two were "flirting," but emphatically denied he was romantically or sexually interested in V/[redacted]. S/COPELAND stated while they were talking, he was sitting in a chair and she was sitting on the deck. S/COPELAND asked her why she was sitting on the ground and told her to sit with him in his chair. S/COPELAND stated she put her hand up so he could help her up, and he attempted to pick her up by her arms without touching any other part of her body. Following the contact S/COPELAND recalled giving V[redacted] a hug and related V/[redacted] hugged him back. S/COPELAND stated he got close to V/[redacted] with his face close to her face, but denied trying to



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**CONTROL:26JUL24-NFXQ-00015-8CNA** **16AUG24**

kiss her. S/COPELAND stated after talking for approximately an hour, the two left the fantail and went to their berthings separately. S/COPELAND denied touching V/[redacted] anywhere else on her body.

7. When asked directly if S/COPELAND strangled V/[redacted], S/COPELAND stated "oh okay yeah I have but it wasn't in like a weird way," and stated he put one hand around her neck without applying any pressure after she pinched his arm. When asked directly if S/COPELAND ever told V/[redacted] he heard she liked to be choked, S/COPELAND admitted he did. S/COPELAND continued to deny applying pressure to V[redacted]' neck, touching her intimate areas, or attempting to kiss her. S/COPELAND directly denied ever telling V/ROGERS she should have sex with him to "get back" at CSSN CUESTABRAVO.

8. S/COPELAND opined V/[redacted] falsely reported the incident as a sexual assault because CSSN CUESTABRAVO wanted to "get back at" S/COPELAND for talking to V[redacted].

9. At the conclusion of the interview, circa 2300, S/COPELAND was turned over to command representative CSC James MUGWE, USN, USS HARRY S TRUMAN (CVN 75).

ENCLOSURE(S)
(A) DVD-R CONTAINING THE AUDIO/VIDEO RECORDED INTERVIEW OF S/COPELAND/16AUG24
(B) ARTICLE 31B FORM SIGNED BY S/COPELAND/16AUG24

REPORTED BY: BERNADETTE DUFFY, Special Agent
OFFICE: RESIDENT UNIT USS HARRY S. TRUMAN (CVN-75)



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**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

| | |
|---|---|
| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/E-3**<br>**USN** | **DEFENSE MOTION TO SUPPRESS SEARCH AND SEIZURE OF PHONE**<br><br>**26 November 2025** |

## MOTION

Pursuant to Rules for Courts-Martial (R.C.M.) 905(b)(3), Military Rules of Evidence (M.R.E.) 311, 314, and the Fourth Amendment to the United States Constitution, the Defense moves to suppress all evidence obtained and derived from the 4 June 2025 Permissive Authorization to Search and Seize (PASS) the contents of CSSN Copeland's cellular phone.

## BURDEN

Pursuant to M.R.E. 311(d)(5) the prosecution has the burden of proving by a preponderance of the evidence that the evidence was not obtained as a result of an unlawful search or seizure or that some valid exception applies. Pursuant to M.R.E. 314(e)(5), the prosecution must prove consent for a search by clear and convincing evidence.

## FACTS

1. CSSN Copeland is charged, *inter alia*, with committing premeditated murder of CS3 A.R., in violation of Article 118, UCMJ. (Charge Sheet).

2. On 1 June 2025, NCIS initially interviewed CSSN Copeland regarding his whereabouts of CS3 A.R. During this interview, NCIS did not provide him any Article 31(b) rights advisement. (Enclosure A).

3. On 3 June 2025, at 2113 EST, CSSN Copeland was interrogated by two NCIS Special Agents. NCIS did not provide CSSN Copeland a cleansing warning from the 1 June 2025 interview when they chose not to read him his rights. (Enclosure B).

4. As soon as the recording of his interview starts, CSSN Copeland is seen with his head down on the desk resting it in his hands. (Enclosure B: timestamp 00:00:00).

5. In total, the duration of his time in the interview room was approximately 3 hours and 17 min, ending at 0030 EST. (Enclosure D).

6. After collecting biographical information but before reading CSSN Copeland his rights, NCIS informed CSSN Copeland that NCIS had been executing a Command Authorized Search and Seizure (CASS) of CSSN Copeland's barracks room that day because it was CS3 A.R.'s last known location. (Enclosure B: timestamp 13:20).

7. NCIS provided CSSN Copeland his Article 31b rights, notifying him that he is suspected of committing only unauthorized absence and false official statement, in violation of Articles 86 and 107, UCMJ. There was no mention of Article 118, murder. (Enclosure E).

8. During the interrogation, one of the NCIS Agents stated NCIS' main purpose for interviewing CSSN Copeland stating, "Being UA is not a crime that NCIS investigates . . . we're really worried about [CS3 A.R.], which is why we want to talk to you." The agent proceeded to ask about CS3 A.R.'s mental state when he was last with her and where to find her. (Enclosure B; timestamp 01:12:00).

9. The NCIS Agents paused the interview for approximately 43 minutes. As soon as the agents left the room, CSSN Copeland immediately rested his head back on his arms while laying it on the desk, and he proceeded to fall asleep and started snoring. (Enclosure B; timestamps 01:22:00 through 02:05:15).

10. The NCIS Agents come back into the room, waking CSSN Copeland up, and started discussing a Permissive Authorization for Search and Seizure (PASS) to search only his phone. Notably, NCIS requested CSSN Copeland's passcode to his phone prior to presenting him the PASS. The following was stated:

    - SA: "So just a couple more things. So, with you going UA, you think the command is going to get pissed off at you? You think you will be in trouble with them? Do you think they are going to put you on restriction or anything like that?"
    - Copeland: "With me going UA, yeah."
    - SA: "Ok. So, one of the things I wanted to pitch is you said you were in the barracks the whole weekend, right? It's not like you were out in another state, whatever, doing God knows what…a lot of times with sailors go UA, that is what we are worries about, you guys are out doing dumb shit, getting arrested, doing dumb things, hell some of them even defect to friggin North Korea. So, I would like then to look at your phone and place you in the room. And that could maybe potentially help you out with your command. We could pitch it to them like, "Hey man, he didn't go to work, but it's not like he was fucking missing, or gone, or whatever, right?" You would be cool with that?"
    - Copeland: "Yeah"
    - SA: "Ok cool. What's your passcode?
    - Copeland: [redacted]
    - SA: *Fills out PASS* (Enclosures F, B; timestamp 02:06:00).

11. While the agent went through the PASS with CSSN Copeland, which is the first PASS dated 3 June 2025, CSSN Copeland initially agreed to let NCIS search his phone, but he then requested that he call his mom first before signing. The following conversation occurred immediately following:

    - SA: "Ok. Do you want to call her right now. Ok. Do you want to go ahead and sign that, and then I will . . . ?"
    - Copeland: "can I wait first?"
    - SA: "Yea, sure, absolutely." (Enclosure B; timestamp 02:10:00).

12. It is unclear how NCIS obtained CSSN Copeland's phone, but the phone was never seized during this interview. Notably, about the topic of calling his mom, the second NCIS agent stated that she would allow CSSN Copeland to call his mom from her phone. Instead of calling his mom, agents proceeded to ask CSSN Copeland questions. (Enclosure B).

13. The NCIS agents took another break for approximately 22 minutes. After they left, CSSN Copeland once again laid his head on his arms that were lying on the desk, and he fell asleep and started snoring. When the agents returned, they approached CSSN Copeland with signing a second PASS, dated 4 June 2025. (Enclosure B; timestamps 02:36:40 through 02:58:20).

14. Notably, the 4 June PASS did not list CSSN Copeland's phone like the first one that NCIS presented to him for signing. Instead, this one listed, "backpack, barracks room, and electronic devices." (Enclosure G).

15. CSSN Copeland questioned the agents about whether he is able to revoke consent to search any of the things listed in the 4 June 2025 PASS after signing. Once the agent answered his question, CSSN Copeland signed that PASS. (Enclosure B: 03:00:00).

16. Immediately after he signed the 4 June 2025 PASS, CSSN Copeland reconfirmed that he did not want to sign the 3 June PASS that provided consent to search his phone. The following conversation occurred:

    - SA: "Ok. And then <u>I wanted to revisit the one we talked about with your phone, are you still Ok with that</u>?"
    - Copeland: **shakes head no** "<u>No, I'm just, can we do this [ ] I'm just tryna go home.</u>"
    - SA: "Understood, OK. Alright. So let's make some moves to do that. And we will make those [ ], and . . . we will be right back." (Enclosure B: 03:01:40).

17. CSSN Copeland never called his mom before signing the second PASS that NCIS presented to him. CSSN Copeland never signed the 3 June 2025 PASS for consent to search his phone. (Enclosure F).

18. On 21 November 2025, the Government discovered the Digital Forensic Examiner (DFE) report, which was created from the search of CSSN Copeland's phone that details the following:

a. On 04Jun25, Digital Forensic Examiner (DFE) Samuel BUSH, NCIS Digital Forensics Norfolk, VA, conducted a digital forensic acquisition of a seized iPhone 15 Pro Max belonging to S/COPELAND maintained on NCIS evidence custody log number NFFO 13Y9L Item XUQP3 pursuant to a Permissive Authorization for Search and Seizure (PASS) executed by S/COPELAND, dated 04Jun25.

b. Between 05Jun25 and 09Jun25, DFE DAVISON conducted a digital forensic examination of a seized iPhone 15 Pro Max belonging to S/COPELAND maintained on NCIS evidence custody log number NFFO 13Y9L Item XUQP3 pursuant to a Command Authorization for Search and Seizure (CASS) executed by Capt Matthew SCHLARMAN, NAS Norfolk, VA, dated 05Jun25. (Enclosure H).

19. However, from NCIS' report that details how and where NCIS found CS3 A.R.'s remains, NCIS specifies "During the interview of S/COPELAND, he signed a Permissive Authorization for Search and Seizure (PASS) for his cellular device which was provided to NCIS Digital Forensic Examiners (DFE) for review. The DFE observed a screenshot on the device of S/COPELAND of a saved marked location near Cary Avenue in Norfolk, VA . . . On 09Jun25, subsequent to receiving the screenshot from the DFE, NCIS conducted a foot search of the area near the marked location and discovered a black duffel bag containing human remains, later identified through DNA as V[redacted]" (Enclosure I).

## LAW

The Fourth Amendment states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." US CONST. amend. IV. The "purpose of the Fourth Amendment was to prevent the use of 'governmental force' to search a man's house, his person, his papers or his effects and to prevent their seizure *against his will.*" *Love v. United States*, 170 F.2d 32, 33 (4th Cir. 1948), *cert. denied*, 336 U.S. 912 (1949). The Fourth Amendment was "the founding generation's response to the reviled 'general warrants' of the colonial era, which allowed British officers to rummage through homes in an unrestrained search for evidence of criminal activity." *Riley v. California*, 573 U.S. 373, 403 (2014).

The military rules of evidence have codified the bulk of the Fourth Amendment precedent in M.R.E. 311, 314, and 315. Under M.R.E. 311, absent certain exceptions, "evidence obtained as a result of an unlawful search or seizure made by a person acting in a government capacity is inadmissible against the accused." Under M.R.E. 315, probable cause is required for "evidence obtained from reasonable searches conducted pursuant to a search warrant or search authorization. Under M.R.E. 314, several types of searches which do not require probable cause are outlined, including consent searches.

**Consent Searches**

One exception to the probable cause requirement is lawful consent searches. Mil. R. Evid. 314. Consent "may be limited in any way by the person granting consent, including limitations in terms of time, place, or property, and may be withdrawn at any time." *Id*. Consent must be voluntarily given, which is a determination from all circumstances. *Id*. The fact that a person "was in custody while granting consent is a factor to be considered in determining the voluntariness of consent, but it does not affect the standard of proof." *Id*.

Mere submission to the color of authority of personnel performing law enforcement duties or acquiescence in an announced or indicated purpose to search is not a voluntary consent. Mil. R. Evid. 314(e)(4).

**Reasonable Expectation of Privacy**

The Fourth Amendment "protects people, not places,"[1] and this protection includes people's expectations of privacy that "society is prepared to recognize as reasonable." *Carpenter*, at 2213 (2018) (quoting *Smith v. Maryland*, 442 U. S.735, 740 (1979).

Modern cellular phones are comparable to "minicomputers" which contain information touching "nearly every aspect" of a person's life "from the mundane to the intimate." *Riley*, at 393, 395. Even when the Government has the right to seize a cellular phone (as in a search incident to lawful arrest), a warrant is required to search the phone. *Id.* at 403.

**Exclusionary Rule**

"Evidence obtained as a result of an unlawful search or seizure made by a person acting in a governmental capacity is inadmissible" if there is a timely motion to suppress, the accused had a reasonable expectation of privacy in the property searched, and "exclusion of the evidence results in appreciable deterrence of future unlawful searches or seizures and the benefits of such deterrence outweigh the costs to the justice system." Mil. R. Evid. 311(a).

## ARGUMENT

### I. CSSN Copeland expressly did not consent to the search of his iPhone 15, twice, and thus, it should be suppressed.

CSSN Copeland expressly declined consent to NCIS for searching his phone, twice. The 3 June PASS is the only PASS that expressly listed his phone as the item NCIS intended to search. When first presented with the 3 June PASS, CSSN Copeland requested to call his mother to consult with her. In response to his request to call his mom, NCIS indicated if CSSN Copeland were to call his mother, it would *have* to be on one of the Agent's phones, or on some other NCIS phone-line. However, no call was ever made to CSSN Copeland's mom, and the agents proceeded with interrogating CSSN Copeland. By this point in time, CSSN Copeland was aware

[1] *Carpenter v. United States*, 138 S. Ct. 2206, 2213 (2018) (citing *Katz v. United States*, 389 U. S. 347, 351, (1967)).

his barracks room was searched pursuant to a CASS, and the facts appear to suggest that NCIS had already seized his phone.

The second occasion CSSN Copeland said "No" to NCIS searching his phone was while he expressed hesitancy in signing the second PASS that was presented to him dated 4 June 2025. Despite CSSN Copeland being clear initially that he did not want to sign the PASS for his phone, NCIS then presented him a PASS that included "electronic devices," amongst the backpack and barracks room. The timing of this being presented to CSSN Copeland following his initial declination to a PASS that expressly listed his "iPhone 15," suggests that NCIS likely tried to deceive CSSN Copeland about what he was consenting to. Nevertheless, even after he signed this PASS he shook his head and told the agent "No" when she revisited the 3 June PASS for the search of his phone.

The question of consent to a search must be based on the totality of the circumstances.[2] The entire time CSSN Copeland was within NCIS' interrogation room, he was tired and ready to go home. This is evident by three things. First, the interrogation started at approximately 2113 at night and lasted into the next day, going beyond midnight. Second, CSSN Copeland is seen numerous times laying his head down on the desk and falling asleep. Each time NCIS took a break, CSSN Copeland could be heard snoring into his arms. Each time NCIS chose to approach him about signing a PASS, it was immediately after they had woken him up. Third, CSSN Copeland stated several times prior to signing any PASS that he was tired and ready to go home. One of the agents acknowledged his complaints and stated she wanted to go home as well. However, that did not stop them from proceeding with trying to get his signature on the PASS before they let him leave. Based on these circumstances, CSSN Copeland's consent cannot be construed as an independent act of free will.

Based on the totality of the circumstances, it is clear that CSSN Copeland did not provide voluntary consent to search his phone. The entire DFE report of CSSN Copeland's phone is compiled from an extraction that was done pursuant to consent that never existed. Even if there is a slight perception of voluntariness, the overwhelming facts listed above, in the aggregate, provides fatal impairments to the issue of consent. Therefore, this Court should suppress all evidence derived from the search of CSSN Copeland's phone.

## II. CSSN Copeland revoked any consent to search his iPhone 15 that may be construed from the 4 June PASS search of "Electronic Devices."

Even, assuming *arguendo*, that CSSN Copeland did consent to a search of his iPhone 15 by signing for "electronic devices" on the 4 June PASS, CSSN Copeland revoked that authorization within seconds by: (1) refusing to sign the 3 June PASS when it was re-presented to him to sign; and (2) responding "No" when questioned if NCIS could search the iPhone 15 specifically. NCIS immediately acknowledged, "Understood, OK. Alright" and did not question CSSN Copeland any further. The simple fact that there were two PASS' contemplated by the NCIS agents suggests they were trying to get the information in any convoluted or confusing manner might produce the result they desired.

[2] MIL. R. EVID. 314(e)(4).

## III. The evidence obtained from CSSN Copeland's phone should be excluded pursuant to the exclusionary rule.

Exclusion of the evidence discovered in this case from CSSN Copeland's phone is warranted. Although new discovery lists the workable document of CSSN Copeland's phone extraction being made pursuant to a CASS, that information is contradicted by other reports NCIS created in discovery. Moreover, the DFE report makes clear that the initial extraction of CSSN Copeland's phone, which is the search, was completed pursuant to a PASS. However, there was no PASS that CSSN Copeland signed permitting a search of his phone. Further, the CASS later mentioned within the DFE report had not been signed until the following day. Harm to the Government's case would be minimal when balancing the preservation of CSSN Copeland's constitutional rights. Furthermore, excluding the evidence obtained from CSSN Copeland's phone would ensure the protection of the justice system by deterring unconstitutional law enforcement practices, and attempts to deceive, which is the driving purpose of why the exclusionary rule was created.

## RELIEF REQUESTED

The Defense respectfully requests this Court to suppress all evidence obtained and derived from the 4 June 2025 Permissive Authorization to Search and Seize (PASS) to include the contents of CSSN Copeland's cellular phone.

## EVIDENCE AND HEARING

In support of this motion, the defense offers the following enclosed exhibits.

- Enclosure (A): Interview Summary of CSSN Copeland of 1 Jun 25
- Enclosure (B): CD of CSSN Copeland's Recorded Interview of 3 Jun 25
- Enclosure (C): Transcript of CSSN Copeland's Recorded Interview of 3 Jun 25
- Enclosure (D): Detail Summary of CSSN Copeland's Recorded Interview
- Enclosure (E): Article 31(b) Rights Advisement from 3 Jun 25 Interview
- Enclosure (F): First PASS dtd 3 Jun 25
- Enclosure (G): Second PASS dtd 4 Jun 25
- Enclosure (H): Portions of DFE Report of CSSN Copeland's phone
- Enclosure (I): NCIS narrative in Result of Remain Search

The Defense requests oral argument on this issue.

[redacted]
C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

**CERTIFICATE OF SERVICE**

I certify that I have served a true copy, of the above on the Court and Government Counsel on 26 November 2025.

[redacted]

C. E. MORGAN III
LCDR, JAGC, USN
Detailed Defense Counsel

**NAVY-MARINE CORPS TRIAL JUDICIARY**
**CENTRAL JUDICIAL CIRCUIT**
**GENERAL COURT-MARTIAL**

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| **UNITED STATES**<br><br>**v.**<br><br>**JERMIAH T. COPELAND**<br>**CSSN/ E-3**<br>**U.S. NAVY** | **ENCLOSURES TO DEFENSE MOTION TO SUPPRESS SEARCH AND SEIZURE OF PHONE**<br><br>**26 November 2025** |

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION 01JUN25

CONTROL: 01JUN25-NFNF-00237-7HNA

S/COPELAND, JERMIAH TAYLOR/SN USN
[redacted] PII

RESULTS OF INITIAL INTERVIEW OF CSSN JERMIAH COPELAND, USN

1. On 01Jun25, Reporting Agent (RA) and Participating Agent (PA) Jessica GOKEY interviewed CSSN Jermiah COPELAND (S/COPELAND), USN, USS JAMES E WILLIAMS (DDG 95) regarding his knowledge of the whereabouts of V/[redacted]. The interview took place in the lounge area on third floor of building X2, Willis Manor, located on Naval Station Norfolk (NOB), and was not recorded.

2. As background, V/[redacted] and S/COPELAND were placed into a Unauthorized Absence (UA) status subsequent to 29May25, after failing to report to work. On 01Jun25, after speaking with S/COPELAND's mother, NCIS and S/COPELAND's mother contacted Naval Station Norfolk (NOB) Base Police to conduct a follow-up health and welfare check on both S/COPELAND and V/[redacted]. The Naval Station Norfolk Watch Commander advised NOB Security Forces located S/COPELAND in his barracks rooms in Willis Manor, Room 335. NCIS was advised that Security Forces received no answer at V/[redacted]s door when they knocked on her barracks room located on NOB, Miller Hall, Room 1083.

3. During his interview, S/COPELAND described his relationship with V/[redacted] as co-workers. S/COPELAND stated he texted with V/[redacted] on Wednesday, 28May25 to discuss recipes and ingredients for tacos. S/COPELAND stated V/[redacted] came over to his barracks room, made tacos and they both consumed alcohol. S/COPELAND explained V/[redacted] gradually became more upset as the night progressed and they spoke about her current and past romantic relationships. S/COPELAND stated V/[redacted] spoke on the phone to two (2) ex-boyfriends, both of which were confrontational calls. One call was with an ex-boyfriend he still believed was located in Texas (NFI) and the other call was with HT3 Michael GILLESPIE, USN, DDG 95.

4. S/COPELAND explained V/[redacted] and HT3 GILLESPIE argued over returning a motorcycle helmet and that HT3 GILLESPIE wanted it back. S/COPELAND said V/[redacted] explained her relationship with HT3 GILLESPIE was toxic and described her most recent ex-boyfriend, ET3 Daniel RICH, USN, DDG 95, as at first being a sweetheart and then he wasn't. S/COPELAND said ET3 RICH and HT3 GILLESPIE do not get along, that they have issues with each other, and opined it was due to their relationships with V/[redacted]. S/COPELAND said HT3 GILLESPIE has come to the galley on the ship a lot, which sometimes caused issues. S/COPELAND said he did not know of any instances of HT3 GILLESPIE being violent toward V/[redacted] and that HT3 GILLESPIE was more of a topic of conversation than ET3 RICH was during their evening together.



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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL:01JUN25-NFNF-00237-7HNA** **01JUN25**

S/COPELAND described his role during the evening as a sounding board for V[redacted].

5. S/COPELAND recalled one of his roommates walked into the barracks suite (common area) and asked if V[redacted] was okay as she was upset, which he (S/COPELAND) responded yes.

6. S/COPELAND explained V[redacted] spent the night in his barracks room and they did not have sexual intercourse. S/COPELAND said he was supposed to work on Thursday 29May25, however, he woke up late as FCC Brad PARKER, USN, DDG 95, came to his barracks room at approximately 0900 and woke he and V[redacted]. S/COPELAND said he misunderstood FCC PARKER and did not report to work. S/COPELAND said he borrow his roommate's vehicle and drove V/[redacted] back to her barracks at approximately 1000 hours. S/COPELAND said this was the last time he saw V/[redacted]

REPORTED BY: MATTHEW FRANK MILLER, Supervisory Special Agent
OFFICE: RESIDENT AGENCY PORTSMOUTH, VIRGINIA

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1_Copeland Interview_3Jun25

MS. BEA: Okay. I didn't know what you prefer, so you all that.

CSSN COPELAND: Thank you.

MS. BEA: Yeah, no problem. I'll be right back with you. Okay.

CSSN COPELAND: All right. Thank you.

[Ms. Bea departed the room.]

MS. BEA: Sorry, Jeremiah, for that delay. You good?

CSSN COPELAND: Yeah, I'm fine.

MS. BEA: Did you eat?

CSSN COPELAND: I ate a little.

MS. BEA: Do you want more and CheezIts?

CSSN COPELAND: [Negative response.]

MS. BEA: Okay. If you change your mind, let me know, okay?

CSSN COPELAND: [Affirmative response.]

MS. BEA: Jess introduced herself, right? You know Justin?

Yeah.

SA GOKEY: I'll do it again. Oh, just for, you know.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Special Agent Jessica Gokey.

MS. BEA: I'm still Bea.

CSSN COPELAND: [Inaudible 00:07:49.]

SA GOKEY: Your CAC is it in your wallet?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. [Hands wallet to CSSN Copeland.]

CSSN COPELAND: Yes, ma'am. [Did as directed.]

SA GOKEY: All righty. I'll put that back out here with your stuff. All right.

Okay. So, I know we talked Sunday a little bit about what's going on, but that was more like super informal. Now, we're in like the more formal setting, so I'm just going to get some information from you, okay?

CSSN COPELAND: Yes, ma'am. All right.

Just need--okay. What day did you report to the ship, roughly?

CSSN COPELAND: I believe like February 21st.

SA GOKEY: Okay. Of this year, right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. Okey-dokey. What--you're CSSN, right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. Okay. Branch? U.S.

Sex?

CSSN COPELAND: Male.

SA GOKEY: Race?

CSSN COPELAND: Black. African American.

SA GOKEY: Okay. U.S. citizen?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Do you have a clearance?

CSSN COPELAND: I don't think so.

SA GOKEY: Okay. What's your full social?

CSSN COPELAND: [Redacted.]

SA GOKEY: [Redacted.]

CSSN COPELAND: [Redacted.]

SA GOKEY: Just kidding.

CSSN COPELAND: [Redacted.]

SA GOKEY: [Redacted.]

CSSN COPELAND: [Redacted.]

SA GOKEY: [Redacted.]

CSSN COPELAND: [Redacted.]

SA GOKEY: [Redacted.]

All right. Date of birth?

CSSN COPELAND: PII

SA GOKEY: Got another '05.

MS. BEA: It just makes us feel old.

SA GOKEY: It makes me feel old. I was a junior in high school.

How tall are you?

CSSN COPELAND: Like five-ten. Five-nine and a half.

SA GOKEY: I'll give you five-ten.

Weight?

CSSN COPELAND: Like 157.

SA GOKEY: Okay. Hair color?

CSSN COPELAND: Black.

SA GOKEY: Place of birth?

CSSN COPELAND: [redacted].

SA GOKEY: [redacted]. Was that [redacted]?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Is it [redacted]?

CSSN COPELAND: [redacted].

SA GOKEY: All right. Eye color?

CSSN COPELAND: Brown.

SA GOKEY: Brown. Okay. When are you set to rotate?

CSSN COPELAND: I don't even know.

SA GOKEY: No? Okay.

Is this your first enlistment?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: So, when did you enlist?

CSSN COPELAND: I joined the Navy July 13th, 2023.

SA GOKEY: 13th, July 23. Okay. I see you got tattoos. What's your favorite?

CSSN COPELAND: Probably this one. {Pointing to left forearm.]

SA GOKEY: Okay. What's it say?

CSSN COPELAND: In life, we all suffer, but I'll find my way through the darkness.

SA GOKEY: Okay. Is that from the Bible?

CSSN COPELAND: No, ma'am.

SA GOKEY: What's it from?

CSSN COPELAND: Just a quote.

SA GOKEY: Okay. And that's your left arm?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: All right. And you currently reside at PII?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Room number?

CSSN COPELAND: PII.

SA GOKEY: Are you Alpha Bravo?

CSSN COPELAND: I believe--I don't even know.

SA GOKEY: Okay.

CSSN COPELAND: Bravo.

SA GOKEY: Okay. And then in the room, do you know if you're---

-

CSSN COPELAND: I believe I'm Alpha.

SA GOKEY: You're Alpha in the room. Okay.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. What's a good note--a good phone number for you?

CSSN COPELAND: PII.

SA GOKEY: PII.

CSSN COPELAND: PII.

SA GOKEY: PII.

CSSN COPELAND: PII.

SA GOKEY: PII Okay. Good email?

CSSN COPELAND: [redacted]

SA GOKEY: Seven at Gmail. Okay. Do you have a vehicle?

CSSN COPELAND: No, no ma'am.

SA GOKEY: Okay. What is your home address of record?

CSSN COPELAND: [redacted]

SA GOKEY: Upland?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. Is that Durham?

CSSN COPELAND: No, that's in [redacted].

SA GOKEY: Oh, [redacted].

Okay. Do you know the zip code?

CSSN COPELAND: [redacted].

SA GOKEY: [redacted].

Okay. Highest level of education?

CSSN COPELAND: High school diploma.

SA GOKEY: High school. Okay.

You married?

CSSN COPELAND: No, ma'am.

SA GOKEY: All right. Who's your next to kin?

CSSN COPELAND: My mom.

SA GOKEY: Mom. What's Mama's name?

CSSN COPELAND: Rochelle Brown. R-O-C-H-E-L-L. And like--like the color brown.

SA GOKEY: Okay. Do you know Mom's phone number by chance?

CSSN COPELAND: [redacted]

SA GOKEY: All right. Most--most people don't know their parents' number or they're next to kin.

Do you have a civilian occupation? Like, do you Uber Eats or anything on the side?

CSSN COPELAND: No.

SA GOKEY: Okay.

Do you want to see that?

MS. BEA: No.

SA GOKEY: Okay. I figured. We'll just have--have you hold onto that.

Okay. So, I know from past experience you've been down this road before with Ms. Bea here, and kind of like what--why we were at your room today. So, we're executing a CASS, which is a Command Authorized Search and Seizure because Resendez, that was the last place, you know, we--you--somebody saw her, me being you?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: So, that's why we're doing that. Right? So, right now we're classifying her as UA.

CSSN COPELAND: [Affirmative response.]

SA GOKEY: And I would like to talk to you about the time that you were also UA and some other inconsist--inconsistencies I've

gotten from the previous statement that we had in order to protect you. I want to read you your rights.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: And then, we can discuss further if you want to, okay?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. If you don't mind, I'm going to scoot a little closer.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. So, I am going to read this to you. All right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: And then, whenever I say like, "One," and then I read it, I'm going to ask you if you understand.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: You're going to say yes or no. If you understand. Yes. If you don't know, and then I'll explain further for you. Okay?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: All right. So, the place is in NCIS U-40. That is this building. The date is 03 June 25. You, Jeremiah Copeland, have been advised by me, Special Agent Jessica Gokey, that you were suspected of Article 86, unauthorized absence, and Article 107, false official.

You have also been advised that:

One, you have the right to remain silent and make no statement at all.

Do you understand this right?

CSSN COPELAND: I understand the right, but what is Article 107 for false official?

SA GOKEY: So, it's the false official statement. So, I'm going to ask you questions that could be incriminating.

CSSN COPELAND: [Affirmative response.]

SA GOKEY: About, you know, the story that we talked about on Sunday.

CSSN COPELAND: [Affirmative response.]

SA GOKEY: So, because you're military, you guys get----

CSSN COPELAND: Articles.

SA GOKEY: Yeah. You guys and you also get to get told what we're talking about it, so there's no surprises. So I am--I'm going to ask you questions that could be incriminating. So, therefore, I have to read you that right? Or excuse me, that article.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Does that make sense?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. So, I'll read number one again. All right. You have the right to remain silent and make no statement at all.

Do you understand this right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. I'm going to ask you to initial it, it is not that you're waiving your right at that time.

CSSN COPELAND: Yeah, I understand.

SA GOKEY: Okay, perfect. Just saying that you understand.

All right, and so I'll read number two. Any statement you make can be used against you in a trial by court-martial or other judicial or administrative proceedings.

Do you understand this right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay, go ahead for me.

Three. You have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by you at no cost to the United States, a military lawyer appointed to act as your counsel at no cost to you, or both.

Do you understand this right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay, go ahead.

CSSN COPELAND: [Did as directed.]

SA GOKEY: Four. You have the right to have your retained lawyer and or appointed military lawyer present during this interview.

Do you understand this right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. And five, you may terminate this interview at any time for any reason.

Do you understand this right?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay, go ahead.

CSSN COPELAND: [Did as directed.]

SA GOKEY: All right. So, one through five. Do you have any questions about that at all?

CSSN COPELAND: No, ma'am.

SA GOKEY: Okay, perfect.

So, at this time, Jeremiah, do you want to continue this conversation?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. Go ahead and read that paragraph out loud for me.

CSSN COPELAND: I understand my rights as relative to me and--to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appoint lawyer, or have a lawyer present at this





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time. I make this decision freely and voluntarily. No threats or promises have been made with me--or been made to me.

SA GOKEY: Perfect. Have I threatened you today?

CSSN COPELAND: No, ma'am.

SA GOKEY: Has any other agent threatened you?

CSSN COPELAND: No, ma'am.

SA GOKEY: Have we made any promises to you?

CSSN COPELAND: No, ma'am.

SA GOKEY: Okay. If you would just initial before and after that paragraph for me.

CSSN COPELAND: [Did as directed.]

SA GOKEY: And then, I'll have you sign and date.

CSSN COPELAND: [Did as directed.]

SA GOKEY: Okay. And then, I will sign it, and I'll have Ms. Bea sign it as well.

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Ms. Bea. [Hands document to Ms. Bea.]

Thank you. All right.

Okay. All right, Jeremiah. Okay. So, if you need a break, if you need to use the restroom, or you need more snackies, let me know. Okay?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: All right. So, we know we're talking about [redacted].

Can you go ahead and tell me, you know, the events leading up to why we're here right now?

CSSN COPELAND: So, I mean, I--what is it? We were at work, and she gave me a recipe to make salsa, and I was like, "I'm probably going to make it by tonight, or some shit." So, she was like, "Cool." And she was like, "If you do end up making tacos, then just call me." I was like, "All right. Bet. Cool."

So, I got home. By the time I got off work and everything, I called her and I was like, "I'm finna make tacos." And she was like, "All right." So, I told her I was just going to go to the store just to grab the rest of the stuff that was on the--like on the menu that she gave me. And then from there I went to the store, got everything, and then I came and picked her up, and we came back home. From there, we cooked--well, she made the salsa. We made tacos. She taught me how to make these, like, little tortillas, like out of the corn tortillas.

From there everything was cool, and we were just chilling, playing music, listening music. From there, she--it took a left turn when I told her something about one of the dudes that she messes with on the boat. And then, from there she was just, she got on the floor and she called one of her ex-boyfriends from Texas. We were sitting there talking for about maybe like 15,

20 minutes, maybe 25, just talking about the situation. Everything.

After that, she hung up, and she was just going on a call spree, calling hella people. And then from there, I guess she just broke down, whatever, saying how he did this. He did that. Cool. And then, from there, my roommate walked--walked in the room, and he asked if everything was good. I was like, "Just let her have a moment." because she's just sitting there crying. I'm not going to sit there and entertain that. So, we went to sleep. The morning comes, and obviously, I had to be at work, so I didn't show up. My Chief came in the room and he asked, "What's going on?" I was just saying, "I'm just having a late start." And he was like, "All right. Cool." He told me, "Do I have a ride to work?" And I said, "I, at the current moment, I was like, my roommate can take me, but I have--I have to wait until he gets off work." So, my Chief was like, "All right. Cool."

And so, my roommate got off late, so by the time my roommate got home, like they were already gone. So, I was just like, "Fuck it." And I was just like, I wasn't going to go in. So, I didn't go in. And then Friday comes, Saturday goes by, and then CS1 and my chief text me saying that I'm being marked UA. And from there, I was just like, all right.

And Sunday comes, the MAs come because my mom called because I haven't contacted my mom. So, I guess that part it was a well welfare check.

So, Sunday, I ended up going to the ship. And from there, I did urinalysis. And after urinalysis, they released me, and I went back home.

SA GOKEY: Okay. Okay. All right. So, you went to--so, let's go back to when--what day did she come over?

CSSN COPELAND: Thursday.

SA GOKEY: Okay. You're positive it was Thursday?

CSSN COPELAND: Yes, ma'am. I believe it was Thursday.

SA GOKEY: Okay. Okay. So, you were going to make tacos, and you were going to go to the store to get the ingredients?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. And you did go to the store?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: How did you get to the store?

CSSN COPELAND: My roommate took me to the store.

SA GOKEY: Okay. Which roommate?

CSSN COPELAND: I don't specifically know his name, but he's across the room from me. He's the black African dude.

SA GOKEY: Okay. So, the--the black guy in the other room?

CSSN COPELAND: Yes, ma'am.

SA GOKEY: Okay. What kind of car does he drive?

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

Arrange and bind the record of trial with allied papers in the sequence indicated below. The court reporter is responsible for certifying the record of trial prior to transmittal for appellate review, in accordance with R.C.M. 1112 and JAG/CNLSCINST 5813.1G.

1. Pages 1 (Cover page) and 2 (Chronology Sheet) of DD Form 490 (enclosure 7).

2. Court reporter certification of Record of Trial (enclosure 8).

3. Military Judge verification of Record of Trial (enclosure 8).

4. DD Form 490 (pages 3-6 and any continuation pages if needed) (enclosure 7).

5. Completed Post-Trial Checklist from JAG/CNLSCINST 5814.1G (enclosure 2).

6. Completed Convening Authority's Action Checklist (enclosure 4).

7. Post-Trial Documents.

a. Certificates/Proof of Service of the Certified Record of Trial to the accused and victim, if applicable (enclosure 7).

b. Convening Authority's Action and Entry of Judgment (enclosure 6).

c. Any requests for copies of the court-martial record pursuant to R.C.M. 1106 or 1106A (attach written requests, and any certificates/proof of service, but do not attach the victim's post-trial rights advisement or DD Form 2704).

d. Matters submitted by the accused and/or victim under R.C.M. 1106 or 1106A, or any written waiver of the right to submit such matters. Include all responses to requests here as well.

e. Any deferment request and the action on it (including any request to waive automatic forfeitures under Article 58b).

f. Conditions of suspension and proof of service on probationer under R.C.M. 1107, if any.

g. All clemency recommendations by members or military judge, if any.

h. Statement of Trial Results (enclosure 1).

i. Crime Reporting Information.

j. Accused's request for appellate defense counsel, or waiver/withdrawal of appellate review under R.C.M. 1115, if applicable.

k. All transfer orders, confinement orders, and excess leave orders.

l. Briefs of counsel submitted after trial, if any.

8. Preliminary Hearing.

a. DD Form 457, Preliminary Hearing Officer's Report, pursuant to Article 32, if such hearing was conducted, followed by any other allied papers that accompanied the charges when referred for trial (including any matters submitted under R.C.M. 405(l), unless included elsewhere in the record of trial).*

b. Waiver of Article 32 Hearing (if applicable).

9. Pre-Trial Allied Papers.

a. Convening Order and all amending convening orders.

b. DD Form 458, Charge Sheet (unless included at the point of arraignment in the transcript).

**INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL**

c. Congressional inquiries and replies, if any.

d. Advice of staff judge advocate, when prepared pursuant to Article 34 or otherwise.

10. Record of Proceedings.

a. Substantially verbatim recording of court-martial proceedings. Segregate open and closed sessions of the court-martial in accordance with R.C.M. 1113 and the following guidance:*

b. Ensure that each closed session of the court-martial is recorded on a separate DVD marked CLOSED SESSION, placed in its own envelope marked CLOSED SESSION, and sealed.

c. Label all DVD(s) and envelopes with the information on page 1 of this template.

d. Mark all DVDs and envelopes with "1 of X." as necessary (for example, the second DVD of six DVDs and its envelope should be marked, 2 of 6). All DVDs of open sessions may be in one envelope.

e. Mark all DVDs with their beginning and ending timestamps. The timestamps for closed sessions should match those shown on the Index.

f. Verbatim transcript or summarized report prepared in accordance with JAGINST 5814.1G. Include the following:

I. A certificate of correction, if any (including any supplemental certification for additional proceedings).

II. Court reporter and transcriptionist certification of verbatim transcript.

g. Records of former proceedings (Article 30a) and/or trials, (e.g., electronic/digital record of former proceeding, including audio recording and any scanned documentation/transcripts, CD/DVD format).*

11. Prosecution exhibits admitted in evidence.

12. Defense Exhibits admitted in evidence.

13. Appellate Exhibits including but not limited to, proposed instructions, written offers of proof or preliminary evidence (real or documentary), briefs of counsel submitted at trial, request to be tried by military judge alone (if any), the accused election of members under R.C.M. 903 (if any), any statement by convening authority required under R.C.M. 503(a)(2), and the election for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b).*

14. Redaction. The following information shall be redacted in accordance with JAGMAN 1059 from the record of trial prior to releasing it to any accused or victim (including any transcript made pursuant to R.C.M. 1114 and attached to the record of trial) unless the information establishes an element of an offense, or is otherwise required:

a. Any recordings of closed sessions, any transcripts of closed sessions, and any sealed exhibits.

b. Names of minor victims, and names of minor witnesses. If an identifier is used, use only the initials.

c. Social Security Numbers.

d. Financial account information.

e. Home addresses.

f. Telephone numbers.

g. Personal e-mail addresses.

h. Dates of birth.

## INSTRUCTIONS FOR ASSEMBLING THE CERTIFIED RECORD OF TRIAL

i. Any other information that could be used to identify a specific person other than the accused.

*If the report of preliminary hearing or record of trial contains exhibits, proceedings, or other materials ordered sealed by the preliminary hearing officer or military judge, counsel for the Government, the court reporter, or trial counsel shall cause such materials to be sealed to prevent unauthorized examination or disclosure, pursuant to R.C.M. 1113. Sealed material shall be properly marked, individually placed in separate envelopes with a copy of the preliminary hearing officer or military judge sealing order affixed to it, and inserted at the appropriate place in the record of trial. Do not duplicate sealed material to include it in any copy of the record of trial. Instead, insert a copy of the sealing order in lieu of any sealed material, in any copies of the record of trial.

**DIVIDERS ARE NOT NECESSARY TO SEPARATE EACH SECTION. IF USED, THEY CAN BE PAPER RATHER THAN CARD STOCK. IF A PARTICULAR COMPONENT IS NOT APPLICABLE IN THE RECORD OF TRIAL, SUCH AS AN ARTICLE 32 HEARING, EXHIBITS NOT ADMITTED, POST-TRIAL PROCEEDINGS AND VACATION HEARINGS, DO NOT INSERT A DIVIDER OR PLACEHOLDER.**

**FRONT AND BACK COVER MUST BE ON BLUE CARDS STOCK AND LABELED WITH GUM LABELS.**

**Binding.** Each volume of a record of trial should be no more than 1.5 inches thick and bound at the top with metal or plastic fasteners. **DO NOT** interlace or "piggy-back" prong fasteners to create an oversized volume. **DO NOT** place hole punches where it covers up the evidence or language in the transcript. When it becomes necessary to assemble the record of trial in more than one volume, the volumes will be numbered consecutively, on the front cover, as illustrated below:

**Volume 1 of 4 (Pages 1-250)**
**Volume 2 of 4 (Pages 251-400)**
**Volume 3 of 4 (Pages 401-652)**
**Volume 4 of 4 (Pages 653-901 and Exhibits)**

Make the first volume of a multi-volume record an inch thick or smaller to allow for inclusion of post-trial documents. Limit subsequent volumes to 1.5 inches, unless dividing them requires assembling an additional volume smaller than a half inch.

Label the upper right-hand corner or the Preparation and Certification of Record of Trial Form (enclosure (8)) to reflect which copy it is, i.e., "**ORIGINAL**," "**ACCUSED**," "**REVIEW**" etc.