



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 7TH BOMB WING  
DYESS AIR FORCE BASE, TEXAS

2 February 2015

MEMORANDUM FOR 12 AF/JA  
HQ USAF/JAX  
HQ USAF/JA  
IN TURN

FROM: 7 BW/JA

SUBJECT: Recommendation for Certification – Captain Anthony R. Morrow

1. In accordance with Title 10, United States Code, Section 827(b), I recommend Capt Morrow be certified by The Judge Advocate General as competent to perform the duties of trial and defense counsel. I confirm Capt Morrow has met the criteria for certification as set forth in AFI 51-103, *Judge Advocate Professional Development*, paragraph 4.

2. BACKGROUND: Capt Morrow commissioned as a First Lieutenant in March of 2014. He completed Commissioned Officer Training in June 2014 and the Judge Advocate Staff Officer Course in September 2014. Capt Morrow is assigned to the 7th Bomb Wing legal office at Dyess AFB, TX. This is his first duty assignment. Prior to attending law school, Capt Morrow served nearly six years on active duty with the United States Navy. During that time he held various leadership positions and completed two deployments; at 22 years old he was a First Class Petty Officer (E6) and was the NCOIC of an administrative office of 17 junior personnel.

3. COURT-MARTIAL EXPERIENCE: Capt Morrow has served as assistant trial counsel (ATC) on one court-martial. In *U.S. v. Garcia*, a fully litigated General Court-Martial, he was involved in case preparation, read the script, motions practice, prepared witnesses to testify, conducted direct-examinations of three witnesses, introduced evidence, cross-examined one witness, and provided sentencing argument. Sentence: Reduction to E-1 (from E-6), a BCD, and confinement for three months.

4. OTHER EXPERIENCE:

a. Prior to entering duty Capt Morrow had engaged in the practice of law since August 2009. His first attorney position was with the Cook County State's Attorney's Office as an Assistant State's Attorney within the Civil Actions Bureau, Child Support Enforcement, Chicago Division. In that assignment he was personally responsible for handling a docket of 10-30 civil cases per day. The cases were judge-alone and often fully litigated. It was not uncommon for Capt Morrow to direct and cross examine 15-25 witnesses per day.

b. After 12 months within the Child Support Enforcement Division, Capt Morrow was assigned to the Juvenile Justice Bureau, Child Protection Division. In that assignment he was

*Agile Combat Power*

responsible for representing the State of Illinois in child abuse, neglect, and dependency proceedings. Capt Morrow had an opportunity to direct law enforcement and child protective services investigators as how to conduct their investigations to ensure the proper evidence was obtained so that he could prove the case in court.


c. In 2011 Capt Morrow left the State's Attorney's Office to attend California Western School of Law and received an LL.M. in Trial Advocacy, specializing in federal criminal defense. The program is designed around litigating federal criminal cases. Upon completion of the LL.M. program requirements, Capt Morrow attended the Federal Criminal Justice Act Trial's Skills Academy in 2012. Participants learned the process for development of a persuasive, fact-based theory of the case and the advocacy skills necessary to advance that theory during trial. Capt Morrow performed voir dire on a panel of paid actors while being critiqued by federal public defenders. He also delivered an opening statement and closing argument before a different set of federal public defenders and received valuable feedback as to delivery and technique.

d. Once Capt Morrow received his LL.M. he relocated to North Carolina and accepted a position with the Burke County Department of Social Services as a Staff Attorney. In that position Capt Morrow was responsible for an active docket of no less than 100 weekly child support enforcement actions and approximately 30 child abuse hearings/trials. The court duties were very similar to those he engaged in while serving as an Assistant State's Attorney. However, during this assignment Capt Morrow was also responsible for advising the Department on the legality of policies and procedures as well as training social workers to testify in court and how to properly investigate and gather evidence for use at trial.

e. Capt Morrow's final civilian legal practice was as a solo practitioner with a focus on state criminal defense, family law, and parental defense in child abuse proceedings. In that capacity Capt Morrow was responsible for effectively managing not only a legal office but also client expectations. He handled countless felony and misdemeanor pleas and judge alone trials.

f. Capt Morrow is the Chief of Legal Assistance and Chief of Preventive Law. He has also participated in an Article 32 Investigation as Assistant Trial Counsel where he meet with OSI, interviewed witnesses, prepared and read the script, offered and admitted documentary evidence for admission, prepared witnesses for direct examination and conducted direct examination of three witnesses.

5. RECOMMENDATION: I concur with the Military Judge's recommendation and also recommend Capt Morrow be certified. It has been made clear that he is not just comfortable in the courtroom and knowledgeable of procedure, but he is also very effective at trial advocacy. His experience, both as a government prosecutor and in private practice as a defense attorney, has adeptly equipped him to perform the duties of trial or defense counsel for the Air Force.

  
RICHARD H. LADUE, JR., Lt Col, USAF  
Staff Judge Advocate

Attachment:  
Recommendation from Military Judge, 27 Jan 15

cc:  
ACC/JA

1st Ind, 12 AF/JA

MEMORANDUM FOR HQ USAF/JAX

I concur with Lt Col Ladue's recommendation that Capt Anthony R. Morrow be certified as a trial and defense counsel.

  
THOMAS J. COUTURE, Colonel, USAF  
Staff Judge Advocate



DEPARTMENT OF THE AIR FORCE  
USAF TRIAL JUDICIARY

27 January 2015

MEMORANDUM FOR 7 BW/JA (Dyess AFB, Texas)

FROM: AF/JAT (Colonel Mark Milam)

SUBJECT: Certification Recommendation – Captain Anthony Morrow

1. In accordance with the standards set forth in applicable Air Force Instructions and the Manual for Courts-Martial, I believe Capt Anthony Morrow is ready to be certified to perform duties as trial and defense counsel.

2. From 12-15 January 2015, I presided over United States v. TSgt Joe Garcia at Dyess AFB, Texas. The case was military judge alone, but it was fully litigated. Capt Morrow fully participated in both the findings and sentencing portions of the trial. Because the court-martial lasted several days, I was well able to observe Capt Morrow's performance. I found him to be excellent as trial counsel in the proceeding.

3. Capt Morrow handled a large aspect of the case, even though there was senior trial counsel on it as well. Capt Morrow argued motions, gave the opening statement, performed direct and cross-examinations of witnesses, submitted exhibits/evidence, and gave the sentencing argument. Capt Morrow performed each of these aspects of the trial admirably. Throughout the court-martial, Capt Morrow was well-composed, methodical, and extremely well-prepared. His overall courtroom presence was noteworthy, and he was confident, without being cocky. He was also very knowledgeable of the facts and the law.

4. I was informed Capt Morrow has quite a bit of experience from civilian practice, and it shows. Although I have had only this one opportunity to observe Capt Morrow in court—and I understand it was his first participation in a military court-martial—based on his performance in U.S. v. Garcia, he has demonstrated the degree of competency necessary to perform duties as trial and defense counsel. I recommend Capt Morrow's immediate certification.

1/27/2015

X

MARK W. MILAM, Col, USAF  
Military Judge

Signed by: MILAM.MARK.W

Attachment:

Uncertified Counsel Feedback to SJA – Capt Anthony Morrow

**Uncertified Counsel Feedback to SJA (for Captain Anthony Morrow)**  
**(Col Mark Milam)**  
**(15 Jan 15)**

**Accused:** TSgt Joe A. Garcia  
**Base:** Dyess AFB, TX  
**Type:** GCM  
**Forum:** Military Judge  
**Summary of Charges:** Dereliction of Duty (x2); Maltreatment; and, Sexual Contact (x2)  
**Result:** Accused pleaded not guilty / Found guilty of 1 dereliction, maltreatment, and 1 sexual contact (breast touch)  
**PTA:** No  
**Sentence:** Adjudged: BCD, three months confinement, E-1  
**HHQ Interest:** It is a sex assault case, but not one of the more dramatic/egregious types

<b>Trial Step</b>	<b>Check if Observed</b>	<b>Feedback</b>	<b>Comments</b> <i>If you desire to be more specific use this scale: Outstanding (STC/SDC quality), Excellent (Seasoned TC/ADC quality); Satisfactory (Certified TC quality); Fair (needs minor work before Certification); Unsatisfactory (needs major work before Certification)</i>
Script	<input checked="" type="checkbox"/>	Sat	Good job on first-time with military script. As Capt Morrow has practiced several years in the civilian world, the script is not something he is used to dealing with.
Motions	<input checked="" type="checkbox"/>		Well-written motions (they were not argued orally by either side).
Voir Dire	<input type="checkbox"/>	Choose an item.	N/A
Opening	<input checked="" type="checkbox"/>	Sat	Organized and reasoned opening statement. Laid out the government's case and set the stage for the coming witnesses and evidence.
Exhibits	<input checked="" type="checkbox"/>	Sat	Good: Proffered prosecution exhibits properly and made a good efforts to admit them. One was not ultimately admitted, but Capt Morrow gave it the "college try."
Directs	<input checked="" type="checkbox"/>	Sat	Good: Did a nice job with all of the witnesses he examined (I counted four in findings), and Capt Morrow seemed very comfortable doing it.
Evidence/Objections	<input checked="" type="checkbox"/>	Sat	Good: Prepared, articulate, reasoned arguments when the defense would object. Capt Morrow was able to respond very quickly with good rationale. He also objected appropriately to defense evidence.
Crosses	<input checked="" type="checkbox"/>		Capt Morrow artfully cross-examined a defense witness in sentencing, poking holes in the direct testimony.
Closing	<input type="checkbox"/>		N/A
Sentencing Argument	<input checked="" type="checkbox"/>	Sat	Very good: Command of facts w/o needing to use notes. There was good structure to the argument, and Capt Morrow brought forth points and rationale for confinement that resonated with me as the trier of fact. He was well-reasoned with appropriate passion for a prosecutor. A very nice job.
<b>Decorum</b>	<b>Feedback</b>	<b>Comments</b> <i>(See above scale if you desire to be more specific)</i>	
Timeliness	Sat	Always punctual and ready to go.	
Professionalism	Sat	Extremely professional and respectful.	

Civility	Sat	Excellent civility with defense counsel.
Composure/ Confidence	Sat	Capt Morrow was confident throughout the trial and he was composed in responding to objections by the defense and making his own. Although this was his first military court-martial, I never saw him sweat (to use an old cliché from a TV commercial).
Support for Certification (Y/N)	Y	I would definitely support Capt Morrow's certification. As just stated, this was his first court-martial; yet he did better than "satisfactory" in all aspects of it. It is easy to see has a lot of experience from the civilian world.
Additional Note		Capt Morrow was well-prepared for the court-martial, and he did very well as Assistant Trial Counsel.