Press Release: *Compel the Navy to Produce Wrongfully Withheld Emails*

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*The Law Offices of David P. Sheldon Filed Suit in the District Court of the District of Columbia to Compel the Navy to Produce Wrongfully Withheld Emails*

In the summer of 2016 Captain Terry Morris was accused of sexual harassment by the wife of the then Under Secretary for Defense (Personnel and Readiness), after failing to obtain her a follow-on position after their office was closed. The Under Secretary of Defense immediately became involved in the case, repeatedly interfering and intervening with both the investigation, and later board of inquiry. This extended to sitting in on the Board of Inquiry, composed of officers whose careers he had immense influence over. Unlawful command influence would be but one of the major problems with the Board, as the Board also consulted with the legal advisor without Captain Morris or his counsel being present. Following the flawed proceedings, the Board of Inquiry recommended separation at the paygrade of O-6, Captain, with an honorable characterization. Captain Morris, who had already requested his retirement, and was facing aggressive prostrate cancer, decided not to challenge his separation. Naval District Washington and the Naval Personnel Command both concurred with the paygrade and characterization of separation. Yet the Under Secretary of Defense’s intervention was not over and the Secretary of the Navy went against the recommendations, added an “unacceptable conduct” reason for separation code, and reduced Captain Morris’ paygrade to O-5, commander.

Captain Morris now seeks to undo the injustice was inflicted on him, but he cannot do so without the full evidence base of what happened behind the scenes of his investigation, Board of Inquiry, and separation. In June of 2020 he filed a FOIA application for production of all the documents, including emails, between the involved personnel and offices concerning him and the processes against him. The Department of the Navy responded in two blocks, dated November 19, 2020, and March 25, 2021. Yet, stunningly, no emails were produced, despite them being requested. That no emails were to have ensued in the background of his investigation, especially with the proof on the record of the Under Secretary’s involvement in this matter, is patently ridiculous.

The Law Offices of David P. Sheldon have thus filed a complaint in the District Court of the District of Columbia to force the Navy to produce these wrongfully withheld emails. Once this has occurred, Captain Morris will finally be able to shine a proper light on the behind the scenes machinations which resulted in his wrongful investigation, Board of Inquiry, and reduction of paygrade on separation.