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MilitaryDefender: Secretive Army Prosecution Imperils Defense of Maj. Mathew Golsteyn

*Decorated Green Beret previously cleared in killing of Taliban bombmaker
now could face life without parole in 'runaway' murder prosecution*

FAYETTEVILLE, N.C., Oct. 9, 2019 – The U.S. Army's increasingly secretive prosecution of Maj. Mathew Golsteyn raises troubling questions about the prosecution and witnesses in the case, and it violates the decorated Green Beret's constitutional rights, his defense attorney Phillip Stackhouse said today.

Maj. Golsteyn, who previously was cleared by an Army board of inquiry in the 2010 killing of a Taliban bombmaker in Afghanistan, now faces a Dec. 2 murder trial at Fort Bragg in Fayetteville, N.C. In a series of motions filed ahead of the trial and in other court filings, Maj. Golsteyn's legal team asserts:

- Evidence and witnesses are being kept secret or classified in violation of Maj. Golsteyn's right to equal access of evidence and witnesses and his Sixth Amendment right to confront witnesses;
- Army prosecutors Maj. Joe Morman and Maj. Brent Goodwin filed motions to travel to Afghanistan to conduct depositions of so-called 'new' Afghan witnesses – nine years after the incident;
- The lead investigator in the case was convicted when he pleaded guilty to making false statements and stolen valor charges by, among other things, wearing a purple heart he did not deserve;
- The Central Intelligence Agency (CIA) is now inexplicably classifying evidence after-the-fact in several instances that were previously unclassified, and;
- Maj. Golsteyn was not allowed access to members of his legal team for much of the past year, denying him assistance by his four-member legal team.

Mr. Stackhouse said, "Maj. Golsteyn was originally cleared in this incident for which he now stands accused. He should have been separated or medically retired because of service-related injuries and allowed to move on with his life and family. Instead, the Army has secretly pursued him for seven years. The origination and true motivation of this prosecution remains a mystery."

In a news release last week, U.S. Army Special Operations Command prosecutors claimed they would "continue to adhere to U.S. Army rules and regulations, and all applicable law" ahead of the trial.

Since arraignment, the Government has continued to hide evidence to be used in the case against Maj. Golsteyn, Mr. Stackhouse said.

“Imagine being charged with murder and not being able to face your accuser or see evidence that may be used against you,” Mr. Stackhouse said. “ In every respect, Maj. Golsteyn’s due process rights have been abused: the right to counsel, the right to a speedy trial, and the right to confront witnesses. The lack of accountability and secrecy by the Army prosecutors is astonishing. In the meantime, Maj. Golsteyn and his family live with constant uncertainty and in fear of this runaway prosecution.”

Maj. Golsteyn was reactivated by the Army to face trial. He lives near Fort Bragg while his wife Julie, 13-year-old son, and year-old son live in Virginia.

In his deployment with 3rd Special Forces Group, Maj. Golsteyn, then a captain, saw intense action in the war. He was nominated for the Distinguished Service Cross, the nation’s second-highest award for valor and awarded a Silver Star medal, the nation’s third-highest award for valor, for tracking down a sniper that targeted his troops and he assisted a wounded Afghan soldier while also coordinating multiple airstrikes.

In 2010 Maj. Golsteyn participated in Operation Moshtarak, a campaign to liberate the Taliban-controlled town of Marjah in the Helmand Province. In February, a bomb killed two marines on Maj. Golsteyn’s team. The Taliban bombmaker was then located, questioned, and later killed on the battlefield as he returned to conduct operations against U.S. Forces , Maj. Golsteyn’s defense team asserts.

More information about the case is available at www.USvGolsteyn.com.

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