

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:23-cr-32-KKM-TGW

ROBERT BIRCHUM

UNITED STATES' SUPPLEMENTAL SENTENCING MEMORANDUM

The Defendant has suggested in his sentencing memorandum that the United States Air Force carelessly deployed him to a combat zone (Afghanistan) in 2016 despite his mental health issues. *See* Doc. 26 at 1-2. In response, the United States has obtained a copy of the Defendant's CENTCOM Medical Waiver Request that the Defendant caused to be submitted to permit his deployment to Afghanistan. Exhibit 1 (*filed under seal*); *see also*, Doc. 26-2 at 5 (Defendant stated plans to deploy to Afghanistan despite restricted deployment code). The waiver request, dated May 12, 2016, shows that the Air Force required an additional level of review before his deployment, and that, after he had been cleared by his mental health (MH) and primary care manager (PCM), the Defendant requested deployment, based on his "unique skill set." Exhibit 1. The waiver request noted that the Defendant would be going to a major military facility where he would have no difficulty receiving any

necessary medication. The approving official noted the Defendant's current stability and clearance by a "long-term provider." *Id.*

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

Eric Roper

/s/ Cherie L. Krigsman

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