

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

NICHOLAS HARRISON, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
LLOYD J. AUSTIN III, et al.,	)	No. 1:18-cv-641-LMB-IDD
	)	
Defendants.	)	
	)	

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**NOTICE OF SUPPLEMENTAL DECLARATION**

Defendants hereby file the attached supplemental declaration in support of their Opposition to Plaintiff’s Pro Se Motion to Show Cause, ECF No. 404, which corrects a potential misstatement in the Declaration of Major Lejuan Strickland, ECF No. 404-1, previously filed in support of that Opposition.

In the original Declaration, Major Strickland stated that he had told Mr. Harrison directly that he would be able to drive himself to scheduled training at Fort Moore, GA, on August 13, 2023. ECF No. 404-1 ¶¶ 11, 13. In his Reply to Defendants’ Opposition, Plaintiff Harrison disputed the accuracy of that statement. *See* ECF No. 406.

Based on the Plaintiff’s challenge to the statement made in Major Strickland’s Declaration, undersigned counsel requested that Major Strickland confirm the contents of his declaration. Upon further reflection and conferral with other members of the D.C. Army National Guard, as explained in the attached Supplemental Declaration, Major Strickland determined that although he believed at the time of making the initial declaration that he had made the statements at issue to Plaintiff Harrison, at this time he cannot be certain that Plaintiff Harrison was in fact party to any of those conversations. Supp. Strickland Decl. ¶¶ 3-4.



**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and will transmit a true and correct copy of the same to the following non-filing user by first-class and electronic mail:

Nick Harrison  
Harrison-Stein, PC  
601 Pennsylvania Avenue, N.W.  
South Building, Suite 900  
Washington, D.C. 20004-3647  
Email: [nick@harrison-stein.com](mailto:nick@harrison-stein.com)

Date: September 15, 2023

\_\_\_\_\_/s/\_\_\_\_\_  
DENNIS C. BARGHAAN, JR.  
Deputy Chief, Civil Division  
Assistant U.S. Attorney  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Telephone: (703) 299-3891  
Fax: (703) 299-3983  
Email: [dennis.barghaan@usdoj.gov](mailto:dennis.barghaan@usdoj.gov)

ATTORNEYS FOR DEFENDANT

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**SUPPLEMENTAL DECLARATION OF MAJOR LEJUAN STRICKLAND**

I, Major LeJuan Terrell Strickland, do hereby state and declare as follows:

1. I currently serve as the Commander of the Joint Force Headquarters Detachment, in the District of Columbia Army National Guard (DCARNG). I previously executed a declaration in this case. *See* ECF No. 404-1.

2. I submit this supplemental declaration to provide new information and additional context regarding the previous declaration I executed in this case (dated September 1, 2023). I base this declaration upon my personal knowledge, as well as knowledge made available to me in the course of my official duties.

**Statements in the Prior Declaration**

3. In my prior declaration, I stated that on August 13, 2023, 1LT Harrison told me that he would not attend his upcoming Direct Commission Course (DCC) training, and that I then informed 1LT Harrison he had the option to drive to Fort Moore to attend his training. ECF No. 404-1, ¶ 11; *see also id.* ¶ 13. I understand that in a recent filing, 1LT Harrison stated that I did not inform him about his ability to drive to Fort Moore for his training. While I believed that my statement was true at the time I filed my initial declaration, upon further reflection after reviewing 1LT Harrison’s position, I am no longer certain whether I had a conversation with 1LT Harrison himself about his ability to drive to the training course, or if those conversations

occurred only between myself and others within the D.C. Army National Guard (DCARNG) in an effort to facilitate his attendance at the August 2023 training.

4. Specifically, I remain confident that shortly after 1LT Harrison informed me that he would not attend the August 13, 2023 training, I had several conversations about possible ways in which 1LT Harrison could still attend the course. One of the options I discussed was that 1LT Harrison could drive to the training location himself. I am confident that I had those conversations with several members of the DCARNG. At the time I filed my declaration, I believed that 1LT Harrison was one of the people with whom I spoke about the possibility of him driving to the course. However, after being informed that 1LT Harrison disputed that I had this conversation with him, I have again searched my recollection, and I also have spoken to other members of the DCARNG to determine whether anyone else recalls whether 1LT Harrison was a party to our conversations about the possibility of him driving to his training course. Although the other DCARNG members recalled my discussions with them about securing travel arrangements for 1LT Harrison, none of those other individuals could say with certainty that 1LT Harrison was a party to those calls. Given 1LT Harrison's disagreement in addition to this lack of corroborative recollection from my DCARNG colleagues, I also am no longer certain that I told him specifically about the possibility that he could drive to the course rather than discussing this matter with other members of the DCARNG. I regret any confusion my previous declaration may have caused.

**Update on 1LT Harrison's Training Program**

5. I and other members of the DCARNG remain committed to helping 1LT Harrison succeed and we have worked and will continue to work to address the administrative issues 1LT Harrison has raised to the Court and to ensure that his training progresses. In particular, 1LT Harrison has now been enrolled in the next available DCC training course, scheduled for October 9, 2023, with a reserved spot in the subsequent Judge Advocate Officer Basic Course.

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In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the

foregoing is true and correct. Executed this 14th day of September 2023.

LEJUAN T. STRICKLAND

MAJ, AG

United States Army