

Marine Still Outspoken Despite Facing Dismissal

The story was picked up by hundreds and hundreds of national and local news agencies across the world including ABC News, Boston Globe, CBS News, Yahoo News, Military Times Publications, Miami Herald and Times Union.

A Marine facing dismissal for running a Facebook page called Armed Forces Tea Party that criticizes the Obama administration is still speaking out but has been getting little support from military law experts and free speech advocates who say he may have crossed the line.

The Marine Corps notified Sgt. Gary Stein Wednesday that it is moving to dismiss him for violating the Pentagon's policy barring troops from engaging in political activities.

The military has had a policy since the Civil War limiting the free speech of service members, including criticizing the commander in chief.

David Loy, of the American Civil Liberties Union in San Diego County, said he has not followed Stein's case closely, but that based on what he has seen in the media, he thinks there may be a legitimate concern on the part of the Corps about Stein appearing to be speaking as a member of the armed forces because of his Facebook page's name.

"The military has a very strong interest and appropriately so to remaining neutral," he said. "The last thing we want is our military taking side on political issues."

Former Navy officer David Glazier, a professor at Loyola Law School in Los Angeles, agreed.

"He's really rubbing the government's nose in it," he said. "It's really hard to have sympathy for him."

Stein said he is not swayed. He said he received hundreds of emails from service members and the public in support of him.

"They're entitled to their opinions, but I still think this is a freedom of speech issue," Stein said. "I'm standing up for the Constitution."

Stein, a nine-year member of the Corps, said he started the page to encourage fellow service members to exercise their free speech rights.

The Marine Corps said in a statement that it decided to take administrative action after Stein declared on Facebook that he would not follow unlawful orders from Obama. He later criticized the comments of Defense Secretary Leon Panetta.

According to Pentagon directives, military personnel in uniform cannot sponsor a political club; participate in any TV or radio program or group discussion that advocates for or against a political party, candidate or cause; or speak at any event promoting a political movement. Commissioned officers also may not use contemptuous words against senior officials, including the defense secretary or the president.

Stein said his statement about Obama was part of an online debate about NATO allowing U.S. troops to be tried for the Quran burnings in Afghanistan. In that context, he said, he was stating that he would not follow orders from the president if those orders included detaining U.S. citizens, disarming them or doing anything else that he believes would violate their constitutional rights.

Stein said in addition to being discharged, he would have his rank reduced to lance corporal if he is proven to be in violation. He said he was removed from his job at the Marine Corps Recruiting Depot in San Diego on Wednesday and given a desk job with no access to computers.

Stein was first cautioned by his superiors at Camp Pendleton in 2010, after he launched his Facebook page and criticized Obama's health care overhaul. Stein volunteered to take down the page while he reviewed the rules at the request of his superiors.

He said he determined he was not in violation and relaunched the page. Stein said he now plans to fight the charges. He had applied to extend his service, which was set to expire in a few months.

Former military prosecutor Lisa Windsor said since the Civil War, military members have been

"Great Customer Service" – C.R.

"Great customer service, thoroughly explained all aspects of my case. Thank you." - C.R.

"Cannot Thank You Enough" – R.S. and C.S.

"I cannot thank you enough for all that you did for us." - R.S. and C.S.

"Great Service"; "Great Service"; E.S.

I want to thank you all for the great service rendered [to] myself and family. - E.S. on Client Relations Attorney Derrick Hogan

Legal Disclaimer

The results of all client matters depend on a variety of factors unique to each matter. past successes do not predict or guarantee future successes.

"High Regard" – R.E.M.

"Your firm held my best interests with high regard... I thank you for your efforts." - R.E.M.

"Prompt and Efficient" – K.B.

"Prompt and efficient in processing claim, all correspondence handled in prompt and efficient manner." – K.B.

“Impressed” – W.W.

“As a retired heavy user of attorneys, I’m impressed with your concerns and your efforts to stay in touch with your clients. Its damned good management aligned with top notch expertise.” – W.W.

“Excellent Service” – J.R.

“Excellent service, very professional, and understanding and considerate of clients needs. Attorney was very approachable and there was a very good comfort level.” – J.R.

“Professional & Informative” – J.H.

“Professional & informative... I was pleased with the handling of the case. I was treated as a person, and kept abreast of all aspects of the case. Thank you all.” – J.H.

“Thanks So Much” – J.D.

“Without your Firm, I would not have known of my claim. Thanks so much!” – J.D.

“Gets Results” – F.P.

“Most certainly – The firm gets results!” – F.P.

“Quite Satisfied” – R.W.

“I am quite satisfied with the services your office has provided.” – R.W.

“Exceptional Legal Services” – A.S.

“Your firm, Tully Rinckey, has provided and continues to provide me with prompt, keen, exceptional legal services. After the initial consult, I felt relieved that I had the representation from Tully Rinckey... I have found a new found hope with Tully Rinckey...” – A.S.

“Absolute Best” – R.H.

“My attorney was the absolute best I could ever have hoped for. A pure professional in every sense of the word. She was very mindful of my financial expenditure and still was able to represent me very well in my court case.” – R.H.

“Outstanding Service” – A.R.

“Outstanding service, true professional.” – A.R.

“Top Notch” – V.W.

“My attorney was top notch. Very pleasant and helpful.” – V.W.

“Ideal Choice” – D.H.

“My attorney knew exactly the approach to take and was the ideal choice. She was extremely responsive. She was clear, balanced, and open to our views and feelings. She made it clear she was there for us and ready to answer questions.” – D.H.

“Very Satisfied” – D.D.

“I was very satisfied with the services provided which were completed in a very timely and professional manner.” – D.D.

“Excellent” – B.M.

“Your Firm provides excellent & free service to federal workers and NG/USAR members.” – B.M.