

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Petitioner

v.

CHARLES L. PRITCHARD
Military Judge
Colonel (O-6), U.S. Army,
Respondent

and

ANDREW J. DIAL
Lieutenant Colonel, U.S. Army
Real Party in Interest

Case No. ARMY Misc. 20220001

**PROTECT OUR DEFENDERS' MOTION TO FILE
AN AMICUS CURIAE BRIEF IN SUPPORT OF PETITIONER**

Peter Coote
Pennoni Associates Inc.



**TO THE JUDGES OF THE UNITED STATES ARMY
COURT OF CRIMINAL APPEALS**

Amicus curiae Protect Our Defenders, by and through counsel and pursuant to Rule 26(a)(3) of the Rules of Practice and Procedure, moves for leave to file an amicus curiae brief in support of the brief filed on January 24, 2022 by the Petitioner United States.

INTERESTS OF PATIENT/VICTIM S.S.

Amicus curiae Protect Our Defenders is dedicated to ending rape and sexual assault in the military. It honors, supports, and gives voice to survivors of military sexual assault and sexual harassment. Protect Our Defenders works for reform to ensure survivors and service members are provided a safe, respectful work environment and have access to a fair, impartially administered system of justice.

**REASONS WHY THIS COURT SHOULD GRANT PROTECT OUR
DEFENDERS' MOTION TO FILE AN AMICUS CURIAE BRIEF**

Amicus Curiae Protect Our Defenders makes arguments that have not been presented by the parties. The amicus brief filed by Protect Our Defenders brings these relevant matters to the attention of the Court. Specifically, Protect Our Defenders presents an issue that the Court must resolve before it reaches the issue presented by the Petitioner – whether the Respondent or this Court has the power to declare a law unconstitutional.

STATEMENT OF PARTIES' CONSENT

The Petitioner and Real Party in Interest do not consent to Protect Our defenders filing an amicus curiae brief.

The Respondent does not oppose Protect Our defenders filing an amicus curiae brief.

WHEREFORE, for the reasons stated herein, Protect Our Defnders respectfully moves this Court for leave to file an amicus curiae brief in support of the brief filed January 24, 2022 by the Petitioner United States.

Respectfully submitted,

[REDACTED]

Attorney for Protect Our Defenders
Court Bar No. [REDACTED]

Pennoni Associates Inc.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

MOTION
GRANTED DENIED
[REDACTED]
10 FEB 22
Senior Appellate Judge

CERTIFICATE OF FILING AND SERVICE

I certify that on February 3, 2022 a copy of the foregoing was transmitted by electronic means to the following:

(1) This Court: [REDACTED]

(2) Counsel for Petitioner: [REDACTED]
[REDACTED] and CPT Karey Marren

(3) Respondent: Colonel Charles Pritchard

(4) Counsel for Real Party in Interest: [REDACTED]
[REDACTED] and CPT Andrew Britt

Respectfully submitted,

[REDACTED]

Peter Coote, Esq.

Court Bar No. [REDACTED]

Pennoni Associates Inc.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]