

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
BROOKHART, PENLAND and ARGUELLES
Appellate Military Judges

UNITED STATES, Appellee
v.
Specialist JORGE G. MARTINEZCOLON
United States Army, Appellant

ARMY 20210071

ORDER

WHEREAS:

Appellant's case is pending review before this Court pursuant to Article 66, Uniform Code of Military Justice, 10 U.S.C. § 866.

Appellate Exhibit XVI was ordered sealed by a military judge and is titled on the sealing order as "Appellate Exhibit XVI (Gov 412 response)." However, the actual exhibit marked as Appellate Exhibit XVI is titled "Government Response to Defense Motion *In Limine* to Exclude M.R.E. 413 Evidence" and does not contain information protected by Mil. R. Evid. 412. Appellate Exhibit XVII was ordered sealed and is titled on the sealing order as "Appellate Exhibit XVII (Enclosure to AE XVI)." This title is accurate as indicated by the record. This exhibit does not contain any information protected by Mil. R. Evid. 412.

Appellate Exhibits XVI and XVII are not Mil. R. Evid. 412 evidence and are not required to be sealed and removed from public access.

NOW, THEREFORE, IT IS ORDERED:

Appellate Exhibits XVI and XVII shall be unsealed.

DATE: 7 November 2022

FOR THE COURT:



JAMES W. HERRING, JR.
Clerk of Court

MARTINEZCOLON —ARMY 20210071

CF: JALS-DA
JALS-GA
JALS-CCR
JALS-CR3