

**IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS**

UNITED STATES

Appellee

v.

Specialist (E-4)

**JADE W. JOHNSON**

United States Army

Appellant

**MOTION TO EXAMINE  
SEALED MATERIALS**

Docket No. ARMY 20220117

Tried at Fort Hood, Texas, on 24 January and 9–12 March 2022, before a general court-martial appointed by Commander, III Corps, Lieutenant Colonel Tiffany Pond and Colonel Matthew Fitzgerald, military judges, presiding.

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

COME NOW the undersigned appellate defense counsel, pursuant to Rules 6.9 and 23 of this court's Rules of Appellate Procedure, and move to examine the following sealed materials contained in the record of the above captioned case, which were reviewed by trial counsel and defense counsel at trial, and which were subsequently sealed pursuant to Rule for Courts-Martial 1113: **appellate exhibits V, VI, and IX and transcript pages 15–24 and 484–90 and associated audio.** All of the sealed materials were sealed in accordance with Rule for Court-Martial 1113, appear to relate to Military Rule of Evidence 412, and may contain errors appellant wishes to bring to this court's attention.

Review of this material is consistent with appellate defense counsel's obligations under Army Reg. 27-26, Rules of Professional Conduct for Lawyers, and is reasonably necessary in order for appellant, through counsel, to determine whether issues exist that merit presentation to this honorable court for consideration as part of its Article 66, Uniform Code of Military Justice, review.

WHEREFORE, appellate defense counsel respectfully request that this court grant the instant motion.


PANEL 4

MOTION TO EXAMINE  
SEALED MATERIAL

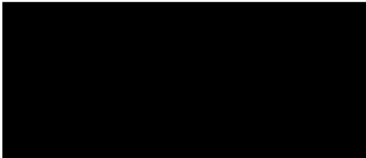
GRANTED: 

DENIED: \_\_\_\_\_

DATE: 13 December 2022



SEAN PATRICK FLYNN  
Captain, Judge Advocate  
Appellate Defense Counsel  
Defense Appellate Division



JOYCE C. LIU  
Major, Judge Advocate  
Branch Chief  
Defense Appellate Division

### **Certificate of Filing and Service**

I certify that a copy of the foregoing was electronically submitted to the Court and the Government Appellate Division on 12 December 2022.



SEAN PATRICK FLYNN  
Captain, Judge Advocate  
Appellate Defense Counsel  
Defense Appellate Division