

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**OPPOSITION TO MOTION TO
ATTACH DEFENSE
APPELLATE EXHIBIT A**

v.

Docket No. ARMY 20210638

Private (E-1)

LUKE A. WATKINS

United States Army

Appellant

Tried at Fort Hood,¹ Texas, on 12
August, 27 September, 30
November, and 1–3 December 2021,
before a general court-martial
convened by Commander, III Corps,
Lieutenant Colonel Tiffany Pond,
military judge, presiding.

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

Pursuant to Rule 23(c) of this honorable court’s Rules of Appellate
Procedure, the undersigned appellate government counsel files this opposition to
appellant’s Motion to Attach Appellate Exhibit A, dated 24 August 2023.

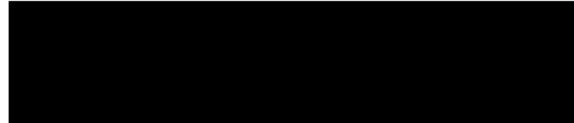
Courts of criminal appeals may not consider anything outside of the “entire
record” when reviewing a sentence under Article 66(c), Uniform Code of Military
Justice. *United States v. Willman*, 81 M.J. 355, 358 (C.A.A.F. 2021) (citing *United
States v. Fagnan*, 12 U.S.C.M.A. 192, 30 C.M.R. 192 (1961)); *United States v.
Jessie*, 79 M.J. 437 (C.A.A.F. 2021) (declining to consider material outside the
record beyond the context of Article 55, UCMJ, and the Eighth Amendment).

¹ At the time of trial, the installation was named Fort Hood. On 9 May 2023, the
installation was officially renamed to Fort Cavazos.

WHEREFORE, the United States prays this honorable court grant the instant motion.



Vy/T. Nguyen
CPT, JA
Appellate Attorney, Government



Chase C. Cleveland
MAJ, JA
Branch Chief, Government
Appellate Division

CERTIFICATE OF SERVICE, U.S. v. WATKINS (20210638)

I certify that a copy of the foregoing was sent via electronic submission to
the Defense Appellate Division at [REDACTED]
[REDACTED] on the 31st day of August, 2023.

[REDACTED]
DANIEL L. MANN
Senior Paralegal Specialist
Government Appellate Division
9275 Gunston Road
Fort Belvoir, VA 22060-5546
[REDACTED]