

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**Motion to Appear Pro Hac Vice**

Docket No. ARMY 20220427

v.

Sergeant First Class (E-7)

**BRIAN J. DIVINE**

United States Army,

Appellant

Tried at Fort Hood, Texas, United State of America on August 24, 2022, before a General Court-Martial convened by Commander, III Corps, Lieutenant General Robert P. White, Colonel Maureen A. Kohn, military judge, presiding.

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

Pursuant to Rule 12.2, Mr. John R. McGuire III moves for leave to appear *pro hac vice*.

Mr. McGuire is a licensed attorney in good standing of the following bars: Illinois and Wisconsin. He has never been disbarred or suspended from the practice of law and is not currently under investigation or pending disciplinary action. Pursuant to Rule 12.2(a), a Certificate of Good Standing from the states of Illinois and Wisconsin are included as Appendix A, and an affidavit attesting that Mr. McGuire has never been barred or suspended from the practice of law and is not currently under investigation or pending disciplinary action is included at Appendix B.

WHEREFORE, the movant asks that the Court grant this motion.



Date: 24 August 2023

JOHN R. MCGUIRE III  
Civilian Appellate Defense Counsel

PANEL NO. 2

MOTION TO APPEAR PRO  
HAC VICE

GRANTED:



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

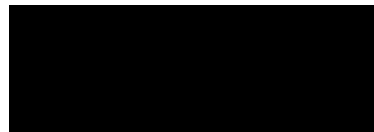
DATE: 29 August 2023

**AFFIDAVIT IN SUPPORT OF MOTION TO APPEAR *PRO HAC VICE***

I, John R. McGuire III, state the following:

1. I am a licensed attorney in good standing in the state bars of Wisconsin and Illinois.
2. I have never been disbarred or suspended from the practice of law, and I am not currently under investigation or pending disciplinary action.
3. Pursuant to Rule 12.2(a) of the United States Army Court of Criminal Appeals, Rules of Appellate Procedure, a Certificate of Good Standing from the states of Wisconsin and Illinois are included as an Appendix.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Date: 24 August 2023

JOHN R. MCGUIRE III  
Civilian Appellate Defense Counsel



Clerk

WISCONSIN SUPREME COURT  
OFFICE OF THE CLERK

Telephone: [REDACTED]  
TTY: [REDACTED]  
Fax: [REDACTED]  
<http://www.wicourts.gov>

*CERTIFICATE OF GOOD STANDING*

I, [REDACTED] Chief Deputy Clerk of the Supreme Court of Wisconsin  
certify that the records of this office show that:

*JOHN R. MCGUIRE, III*

*was admitted to practice as an attorney within this state on October 10, 2011 and  
is presently in good standing in this court.*



Dated: February 14, 2023

[REDACTED]  
Chief Deputy Clerk of Supreme Court

# **Certificate of Admission To the Bar of Illinois**

I, [REDACTED] Clerk of the Supreme Court of Illinois, do hereby certify that

*John Robert McGuire, III*

has been duly licensed and admitted to practice as an Attorney and Counselor at Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on 06/06/2017 and is in good standing, so far as the records of this office disclose.

IN WITNESS WHEREOF, I have hereunto  
subscribed my name and affixed the  
seal of said Court, this 21st day of  
February, 2023.

[REDACTED]

Clerk,  
Supreme Court of the State of Illinois



**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was electronically submitted to  
Army Court and Government Appellate Division on 24 August, 2023.



**MATTHEW FIELDS**  
**CPT, JA**  
**Appellate Attorney**  
**Defense Appellate Division**

