

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**MOTION TO EXAMINE SEALED
MATERIALS**

v.

Docket No. ARMY 20220160

Private First Class (E-3)

STEFON M. REID,

United States Army,

Appellant

Tried at Fort Polk, Louisiana, on 9 March 2022, 30-31 March 2022, and 1 April 2022, before a general court-martial appointed by the Commander, Headquarters, Joint Readiness Training Center and Fort Polk, Lieutenant Colonel Scott Z. Hughes, Military Judge, presiding.

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

COMES NOW the undersigned appellate defense counsel, pursuant to Rules 6.9(a) and 23 of this court's Rules of Appellate Procedure, and moves to examine sealed materials contained in the record of *United States v. Stefon M. Reid*. The undersigned counsel, Major Jake D. Nare (Appellate Defense Counsel, Defense Appellate Division) and Major Mitchell D. Herniak (Branch Chief, Defense Appellate Division), seek to examine the following portions of the record: pages 104-170 of the Record of Trial (containing an Article 39(a) hearing closed under the provisions of Military Rule of Evidence 412).

This is not a request to review material protected under Mil. R. Evid. 513.

In the present case, review of the materials sealed pursuant to the military judge is consistent with appellate defense counsel's obligations under Army Reg. 27-26, Legal Services: Rules of Professional Conduct for Lawyers (28 June 2018), and is reasonably necessary to allow undersigned counsel to evaluate this material in order to adequately advise appellant.

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

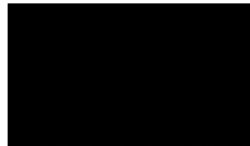
PANEL NO. 2

MOTION TO EXAMINE SEALED
MATERIALS

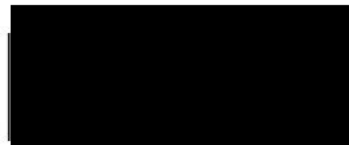
GRANTED:  _____

DENIED: _____

DATE: 20 JUL 2023



JAKE D. NARE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division



MITCHELL D. HERNIAK
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 Army
Court and Government Appellate Division on July 18, 2023.



MICHELLE L.W. SURRATT
Paralegal Specialist
Defense Appellate Division

