

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

v.

**OPPOSITION TO MOTION TO
ATTACH DEFENSE
APPELLATE EXHIBITS A AND
B**

Sergeant (E-5)
TYRESE S. CAMPBELL,
United States Army

Appellant

Docket No. ARMY 20230030

Tried at Fort Bliss, Texas, on 3
October 2022, and 18–22 January
2023, before a general court-martial
appointed by the Commander,
Headquarters, 1st Armored Division
and Fort Bliss, COL Robert L.
Shuck, 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 Exhibits A and B, filed 25 January 2024.

Courts of criminal appeals may not consider anything outside of the “entire
record” when reviewing a sentence under Article 66, 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).

WHEREFORE, the United States prays this honorable court deny
appellant's motion.



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

CERTIFICATE OF SERVICE, U.S. v. CAMPBELL (20230030)

I certify that a copy of the foregoing was sent via electronic submission to
the Defense Appellate Division at [REDACTED]
[REDACTED] on the 29th day of January, 2024.

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