

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**MOTION TO WITHDRAW AS
COUNSEL**

v.

Docket No. ARMY 20230029

Sergeant (E-5)

MICHAEL V. SMITH

United States Army

Appellant

Tried at Fort Huachuca, Arizona, on 30 March, 25 May 2022, and 17-20 January 2023, before a general court-martial appointed by the Commander, Headquarters, U.S. Army Intelligence Center of Excellence & Fort Huachuca, Lieutenant Colonel Michael E. Korte, Military Judge, presiding.

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

Pursuant to this court's Rules of Appellate Procedure, Rules 12 and 23, Captain Tumentugs Armstrong requests leave to withdraw as lead military counsel in the case of *United States v. Smith* based on appellant's request for new counsel. Sergeant Smith consents to this withdrawal. Captain Matthew S. Fields will now represent Sergeant Smith.

WHEREFORE, appellate defense counsel respectfully requests to withdraw
as counsel for the case listed above.

Panel No. 3

MOTION TO WITHDRAW
AS COUNSEL

GRANTED 

DENIED _____

DATE 29 November 2023



TUMENTUGS D. ARMSTRONG
Captain, Judge Advocate
Appellate Defense Attorney
Defense Appellate Division

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was electronically submitted to the Army Court and Government Appellate Division on 27 November 2023.



TUMENTUGS D. ARMSTRONG
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division