

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

**MOTION FOR LEAVE TO
WITHDRAW FROM APPELLATE
REVIEW**

v.

Docket No. ARMY 20220276

Staff Sergeant (E-6)
KYLE W. BURRESON
United States Army,
Appellant

Tried at Fort Bliss, Texas on 1
November 2021, 25 March 2022, and
21 May 2022 before a general court-
martial convened by Commander,
Headquarters, 1st Armored Division,
Colonel Robert Shuck, 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 16 and 23 of this court's Rules of Appellate Procedure, and moves this court to grant appellant's request for withdrawal of his appellate rights and to have appellant's case withdrawn from appellate review. The Appendix to this motion contains a form entitled "Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court Of Criminal Appeals," signed by appellant, and the accompanying "Statement Of Counsel," signed by appellate defense counsel, both of which appellant requests this Court find in substantial compliance with Rule for Courts-Martial 1115.

Conclusion

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


Panel No. 3

MOTION FOR LEAVE TO
WITHDRAW FROM
APPELLATE REVIEW

GRANTED: _____


DENIED: _____

DATE: 08 November 2023


BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to the
Army Court and Government Appellate Division on 7 November 2023.



BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division