IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES	Appellee	**MOTION TO CONSIDER MATTERS IN THE ELECTRONIC RECORD OF TRIAL**
v.		Docket No. ARMY 20230313
Staff Sergeant (E-6) **DAVID L. HUNTER** United States Army,	Appellant	Tried at Fort Cavazos, Texas, on 16 February and 1 June 2023, before a general court-martial appointed by the Commander, III Corps and Fort Cavazos, Colonel Maureen A. Kohn, military judge, presiding.

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

COMES NOW the undersigned appellate defense counsel, under rule 23 of this court's Rules of Appellate Procedure, and moves this court to consider the Plea Transmittal Form, the RCM 1106 matters, and Appellant's demand for Speedy Post-Trial Processing.

The Plea Transmittal Form indicates that the Command believed a Dishonorable Discharge was unjust in this case. That is specifically relevant to all assignments of error, but mentioned specifically in the first and second.

Likewise, while the RCM 1106 matters and post-trial requests are often considered by this Court and included in its citation guide as a part of the Record of Trial, since the RCM 1112b does not affirmatively indicate these are part of the

Record of Trial, so the undersigned is adding them out of an abundance of caution. These are relevant to all assignments of error, and specifically mentioned in the first, fourth, and now fifth.

WHEREFORE, appellate defense counsel respectfully request that this court grant the instant motion, and consider the above mentioned items.

PANEL NO. 4

MOTION TO CONSIDER

GRANTED: _____

DENIED: _____ 28 Dec 23

DATE: _____

[redacted]
Robert D. Luyties
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 December 22, 2023.

[redacted]

MICHELLE L.W. SURRATT
Paralegal Specialist
Defense Appellate Division
[redacted]