

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES  
Appellee

**BRIEF ON BEHALF OF  
APPELLANT**

v.

Docket No. ARMY 20220245

Specialist (E-4)  
**ETHAN H. KIBLER**  
United States Army  
Appellant

Tried at Vilseck, Germany, on 13 May 2022, before a general court-martial appointed by the Commander, Seventh Army Training Command, Lieutenant Colonel Thomas P. Hynes, military judge, presiding.

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

The first undersigned appellate defense counsel attests that he has, on behalf of appellant, carefully examined the record of trial in this case. Appellant does not admit the findings and sentence are correct in law and fact, but submits the case to this Honorable Court on its merits with no specific assignment of error.\*

  
ANDREW R. BRITT  
Captain, Judge Advocate  
Appellate Defense Counsel  
Defense Appellate Division

  
BRYAN A. OSTERHAGE  
Major, Judge Advocate  
Branch Chief  
Defense Appellate Division

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\* Pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), appellant respectfully requests that this Honorable Court consider the information provided in the Appendix.

**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 17 April 2023.



ANDREW R. BRITT  
Captain, Judge Advocate  
Appellate Defense Counsel  
Defense Appellate Division