

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
FLEMING, PENLAND, and MORRIS  
Appellate Military Judges

**UNITED STATES, Appellee**  
**v.**  
**Staff Sergeant GARY L. GOINS**  
**United States Army, Appellant**

ARMY 20220088

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ORDER  
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WHEREAS:

On 24 April 2024 appellate defense counsel filed a notice with this Court regarding materials contained within the record of trial which should be sealed. The notice also asserted the medical records page numbered 1 through 99 contained within the record of trial at Volume 3 of 9 and within the electronic record of trial at Volume 2 pages 3-103 are the medical records of an individual unrelated to appellant's court-martial and should not have been included in the record of trial. On 6 May 2024 this Court ordered appellate government counsel to respond regarding whether the documents were erroneously included in the record of trial. On 9 May 2024, appellate government counsel responded, agreeing the medical records as well as a subpoena for the medical records and a Department of the Army Form 4254 requesting the medical records were unrelated to appellant's case and should not have been included in this record of trial.

NOW, THEREFORE, IT IS ORDERED:

The above-named pages of both the record of trial and electronic record of trial are unrelated to appellant's court martial, were included in the record of trial in error, and shall be removed and destroyed.

Date: 22 May 2024

FOR THE COURT:

  
JAMES W. HERRING, JR.  
Clerk of Court

GOINS — ARMY 20220088

CF: JALS-DA  
JALS-GA  
JALS-CCR  
JALS-CR2