

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
WALKER, POND, and PARKER  
Appellate Military Judges

**UNITED STATES, Appellant**  
**v.**  
**Staff Sergeant KAPIL D. DAVIS**  
**United States Army, Appellee**

ARMY MISC 20240078

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ORDER  
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**WHEREAS:**

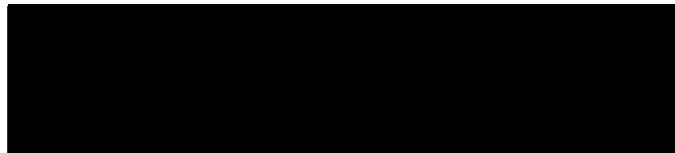
The military judge references the staff judge advocate (SJA) advice to the convening authority pursuant to Article 34, Uniform Code of Military Justice [UCMJ], in his findings and conclusions for the Defense Motion to Dismiss for Unlawful Command Influence. (App. Ex. XXV). However, the record of trial does not include the referenced Article 34, UCMJ, advice.

**NOW THEREFORE, IT IS ORDERED:**

Appellate government counsel shall obtain a copy of the Article 34, UCMJ, advice to the convening authority. Appellate government counsel shall then file a motion to supplement the record with this Court no later than seven days from the date of this order.

DATE: 22 May 2024

FOR THE COURT:



JAMES W. HERRING, JR.  
Clerk of Court

CF: JALS-DA  
JALS-GA  
JALS-CCR  
JALS-CR4