

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
FLEMING, PENLAND, and COOPER
Appellate Military Judges

UNITED STATES, Appellee
v.
Private E2 RONALD L. NGUYEN
United States Army, Appellant

ARMY 20230319

ORDER

WHEREAS:

Appellant's case is pending review before this Court pursuant to Article 66, Uniform Code of Military Justice, 10 U.S.C. § 866. On 8 August 2024, appellant filed a motion to examine and electronically transmit appellee's brief, previously filed under seal with this Court's approval on 6 August 2024. Appellant's motion is based on the need for appellate defense counsel to review appellee's brief in preparation for submitting a reply brief and obtain a copy to send to appellant's out-of-state civilian appellate defense counsel.

NOW THEREFORE, IT IS ORDERED:

1. Appellant's motions to examine and photocopy appellee's brief is GRANTED IN PART. Appellate defense counsel may make one photocopy of appellee's brief to forward—sealed and by certified mail—to appellant's civilian appellate defense counsel. No other copies of the sealed matters—physical, digital, or otherwise—may be made. Appellate defense counsel shall not disclose the sealed matters or information any further without prior approval from this Court. Appellate defense counsel may continue to use the sealed information within appropriate pleadings in representing the government subject to the Court's Rules of Appellate Procedure. Appellee's brief shall remain under seal.

2. Upon completion of the appellate process, counsel must destroy the document immediately.

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DATE: 16 August 2024

FOR THE COURT:



JAMES W. HERRING, JR.
Clerk of Court

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