

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Petitioner

v.

Lieutenant Colonel (O-5)
JONES, PAMELA L.,
Military Judge,
Respondent

Sergeant First Class (E-7)
STARR, BRYAN D.,
U.S. Army
Real Party in Interest

**MOTION TO ATTACH
RELEVANT PORTIONS OF THE
RECORD OF TRIAL (OUT OF
TIME)**

Case No. ARMY Misc. 20250096

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

COMES NOW the United States, by and through undersigned appellate government counsel, pursuant to Rule 23(b) of this honorable court's Rules of Practice and Procedure and moves to attach the relevant portions of the record of trial and responsive matters to this court's Order, dated 7 March 2025.

On 7 March 2025, the government filed a Petition for Extraordinary Relief in the Nature of a Writ of Prohibition and a Request for a Stay of Proceedings. This court stayed the proceedings and ordered the government to produce the relevant portions of the record of trial no later than 10 March 2025. Although this Order was properly sent to government counsel, the government mistook the email,

which came in rapid succession with the certificate of receipt, as this court's acknowledgment of receipt and acceptance of the Petition. Additionally, the government was anticipating providing the relevant portions of the record no later than 17 March 2025, in accordance with Rule 19(b)(1). Upon realizing the oversight of the Order, the government immediately prepared all relevant portions of the record for filing with this court.

WHEREFORE, the United States respectfully asks this court grant the government's motion to attach.

**MOTION TO FILE OUT
OF TIME**

PANEL: 4

GRANTED: _____

DENIED: _____


DATE: _____

MOTION TO ATTACH

GRANTED: _____

DENIED: _____

DATE: _____



ANTHONY J. SCARPATI
CPT, JA
Appellate Attorney,
Government Appellate Division

APPELLATE EXHIBITS, U.S. v. STARR

(DUE TO THE SIZE OF THE ELECTRONIC FILE CONTAINING THESE EXHIBITS, THIS MOTION, WITH ALL APPELLATE EXHIBITS, WILL BE DELIVERED TO THE COURT IN HARD-COPY. AN ELECTRONIC COPY WILL BE PROVIDED VIA DoDSafe UPON ACCEPTANCE BY THE COURT.)

CERTIFICATE OF SERVICE, U.S. v. STARR (Misc 20250096)

I hereby certify that an electronic copy of the foregoing motion (without exhibits), was sent via electronic submission to the Defense Appellate Division at [REDACTED] on the 11th day of March, 2025. An electronic copy of the motion, with attachments, will be provided via DoDSafe upon the court's acceptance of this pleading.

[REDACTED]
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[REDACTED]