

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Petitioner

**MOTION TO WITHDRAW AND
REFILE PETITION FOR WRIT
OF PROHIBITION**

v.

Case No. ARMY Misc. 20250096

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

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

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

COMES NOW the undersigned appellate government counsel, pursuant to Rule 23(d) of this Honorable Court's Rules of Appellate Procedure, and hereby moves to withdraw the previously filed PETITION FOR WRIT OF PROHIBITION, filed with this court on 7 March 2025, and refile a corrected copy of the petition. While assembling the record of trial, government counsel noted minor discrepancies in the cited pages from the record of trial and a few discreet facts from the fact section of the petition. This corrected copy addresses those errors.

WHEREFORE, the United States prays this honorable court grant the instant motion.

MOTION TO WITHDRAW
PETITION FOR WRIT OF
PROHIBITION (7 MAR 25)
and REFILE CORRECTED
PETITION


ANTHONY J. SCARPATI
CPT, JA
Branch Chief, Government
Appellate Division

Motion to Withdraw Petition:

GRANTED: _____

DENIED:  Denied as Moot

DATE: 9 April 2025

**Motion to Refile Corrected
Petition:**

GRANTED: _____

DENIED:  Denied as Moot

DATE: 9 April 2025

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

I hereby certify that a copy of the foregoing was sent via electronic submission to the Defense Appellate Division at *usarmy.pentagon.hqda-otjag.mbx.dad-accaservice@army.mil* on the 17th day of March, 2025.



Senior Paralegal Specialist
Government Appellate Division
9275 Gunston Road
Fort Belvoir, VA 22060-5546
(703) 693-0822



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Cc: [Wicks, William Thomas LTC USARMY HQDA OSTC \(USA\)](#); [Beaudoin, Morghan E MAJ USARMY MCOE \(USA\)](#); [Scarpati, Anthony J \(Tony\) CPT USARMY HQDA OTJAG \(USA\)](#); [REDACTED]
Subject: RE: Certificate of Service-STARR-Misc 20250096-Motion to Withdraw and Refile Petition for Writ of Prohibition-(250317)
Date: Tuesday, March 18, 2025 10:27:00 AM
Attachments: [STARR-Misc 20250096-Motion to Withdraw and Refile Petition for Writ of Prohibition-\(250317\).pdf](#)

Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted.

Very respectfully,

Office of the U.S. Army Clerk of Court
9275 Gunston Road, Bldg. 1450
Fort Belvoir, VA 22060-5546

From: USARMY Pentagon HQDA OTJAG Mailbox GAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.gad-accaservice@army.mil>
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Cc: Wicks, William Thomas LTC USARMY HQDA OSTC (USA) <william.t.wicks.mil@army.mil>; Beaudoin, Morghan E MAJ USARMY MCOE (USA) <morghane.beaudoin.mil@army.mil>; Scarpati, Anthony J (Tony) CPT USARMY HQDA OTJAG (USA) <anthony.j.scarpati3.mil@army.mil>; [REDACTED]
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Senior Paralegal Specialist

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