

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**MOTION TO EXAMINE
SEALED MATERIALS**

v.

Docket No. ARMY 20190556

Private (E-2)

LEEROY M. SIGRAH ,

United States Army,

Appellant

Tried at Fort Campbell, Kentucky, on 4 April, 8 July, and 13–15 August 2019, before a general court-martial appointed by the Commander, Headquarters, Fort Campbell, Colonel Matthew Calarco and Colonel Jacqueline Tubbs, military judges, presiding.

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

COMES NOW the undersigned appellate defense counsel, pursuant to Rules 6.9 and 23 of this court's Rules of Appellate Procedure, and moves to examine sealed materials contained in the record of *United States v. Sigrah*. The undersigned appellate defense counsel, MAJ Christian DeLuke (Branch Chief, Defense Appellate Division), LTC Angela Swilley (Deputy Chief, Defense Appellate Division), and COL Michael Friess (Chief, Defense Appellate Division) seek to examine the following portions of the record, sealed under the provisions of Rule for Courts-Martial 1113: pages 18–135 of the Record of Trial (containing an Article 39(a) hearing closed under the provisions of Military Rule of Evidence (Mil. R. Evid.) 412); Appellate Exhibit I (Defense Motion for Appropriate Relief under Mil. R. Evid. 412); Appellate Exhibit II (Government Response to Defense

Motion for Appropriate Relief under Mil. R. Evid. 412); Appellate Exhibit III
(Ruling on Defense Motion for Appropriate Relief under Mil. R. Evid. 412).

In the present case, review of the sealed materials is consistent with
appellate defense counsel's obligations under Army Reg. 27-26, Rules of
Professional Conduct for Lawyers, and is reasonably necessary for appellant,
through counsel, to determine whether issues exist that merit presentation to this
honorable court for consideration as part of its Article 66, UCMJ, review.

WHEREFORE, appellate defense counsel respectfully request this court
grant the instant motion.

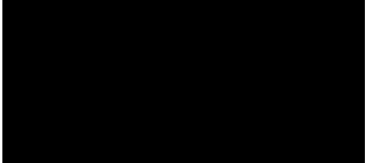
Panel 4

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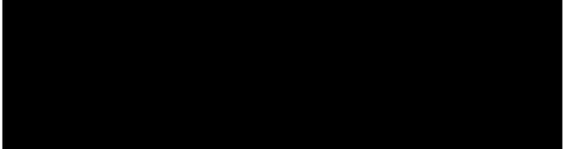
GRANTED

DENIED

DATE SEP 15 2020



Paul T. Shirk
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division



Christian E. DeLuke
Major, Judge Advocate
Branch Chief
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to Army
Court and Government Appellate Division on September 10, 2020.



MICHELLE L. WASHINGTON
Paralegal Specialist
Defense Appellate Division

