

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee

v.

Sergeant (E-5)
TREVAR D. TINSLEY
United States Army,
Appellant

MOTION FOR CIVILIAN
APPELLATE DEFENSE COUNSEL
TO EXAMINE SEALED
MATERIALS

Docket No. ARMY 20200337

Tried at Fort Bragg, North Carolina, on
14 April, 22-24 June, and 1 July 2020,
before a general court-martial
appointed by Commander, United
States Army John F. Kennedy Special
Warfare Center and School, Colonel
Charles Pritchard and Lieutenant
Colonel Christopher Martin, Military
Judges, presiding.

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

COMES NOW the undersigned appellate civilian defense counsel, pursuant to Rule 23 of this court's Internal Rules of Practice and Procedure, and moves to examine sealed materials contained in the record of *United States v. Tinsley*. The undersigned civilian appellate defense counsel seek to examine Appellate Exhibits I, III, IV, V, VI, XVI, and XVII, reviewed in pre-trial hearings by the government and the defense, as well as pages 19-81 of the record of trial, which were subsequently sealed pursuant to Military Rule of Evidence (Mil. R. Evid.) 412 and Rule for Court-Martial (R.C.M.) 1113.

In the present case, review of the materials sealed pursuant to Mil. R. Evid. 412 is consistent with appellate defense counsel's obligations under Army Reg. 27-26, Rules of Professional Conduct for Lawyers, and is reasonably necessary to evaluate the effect of the military judge's evidentiary rulings on the appellant's trial. Appellant was found guilty of a violation of Article 120, UCMJ. Review of the materials is also reasonably necessary in order for appellant, through both 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 civilian defense counsel respectfully request that this court grant the instant motion.

PANEL NO. 3

MOTION TO EXAMINE
SEALED MATERIALS


GRANTED: 

DENIED: _____

DATE: 12 Jan 21


FOR
Michael Millios
Civilian Appellate Defense Counsel




LAUREN M. TEEL
CPT, JA
Appellate Defense Counsel

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to Army
Court and Government Appellate Division on January 11, 2021.



MELINDA J. JOHNSON
Paralegal Specialist
Defense Appellate Division

