

**UNITED STATES ARMY COURT OF CRIMINAL APPEALS**

Before  
PENLAND, HAYES and MORRIS  
Appellate Military Judges

**UNITED STATES, Appellee**  
**v.**  
**Sergeant RYAN C. THOMAS,**  
**United States Army, Appellant**

ARMY 20210662

Bret Batdorff and Alyssa Adams, Military Judges

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NOTICE OF HEARING  
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TO: Appellate Defense Counsel: Captain Kevin T. Todorow

Appellate Government Counsel: Captain Alex J. Berkun

Notice is hereby given that a hearing in this case before the United States Army Court of Criminal Appeals, Panel 3, has been set for 1 February 2024 at 1000. Argument will be heard on the following issues:

I.

WHETHER THE MILITARY JUDGE ERRED BY FAILING TO GRANT APPELLANT’S MOTION FOR A MISTRIAL?

II.

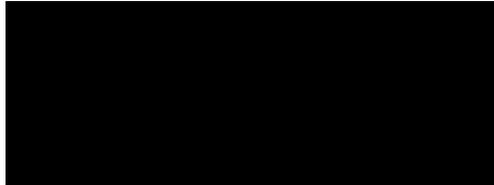
WHETHER THE MILITARY JUDGE ERRED BY ADMITTING EVIDENCE UNDER MILITARY RULE OF EVIDENCE 801(d)(1)(B)(i) AND 801(d)(1)(B)(ii)?

The parties shall file four copies of the Joint Appendix by 18 January 2024.

Panel Composition: Senior Judge PENLAND, Judge HAYES, and Judge MORRIS.

THOMAS —ARMY 20210662

Date: 11 January 2024



R. TIDEMAN PENLAND, JR.  
Colonel, JA  
Senior Judge, Panel 3

CF:	Chief, DAD	JALS-TJ
	Chief, GAD	JALS-CCO
	JALS-CR3	JALS-CRZ
	JALS-CCC	