

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
PENLAND, HAYES and MORRIS  
Appellate Military Judges

**UNITED STATES, Appellee**  
**v.**  
**Captain ROSS E. DOWNUM**  
**United States Army, Appellant**

ARMY 20220575

Steven C. Henricks and Scott Z. Hughes, Military Judges

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AMENDED NOTICE OF HEARING  
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TO: Appellate Defense Counsel: Scott Hockenberry, Esquire  
Appellate Government Counsel: Captain Anthony J. Scarpati

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 5 February 2024 at 1000. Argument will be heard on the following issues:

I.

WHETHER APPELLANT RECEIVED INEFFECTIVE ASSISTANCE OF COUNSEL.

II.

WHETHER THE FINDING OF GUILTY WAS LEGALLY AND FACTUALLY SUFFICIENT.

The parties shall file four copies of the Joint Appendix by 25 January 2024.

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

DOWNUM —ARMY 20220575

Date: 22 January 2024



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

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