

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

SECOND AMENDED NOTICE OF HEARING

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 7 March 2024 at 1100. 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)?

III.

WHETHER THE MILITARY JUDGE ERRED BY
DENYING APPELLANT'S *BATSON* CHALLENGE?

THOMAS —ARMY 20210662

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

Date: 14 February 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