

**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

UNITED STATES)	No. ACM S32731
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Tyrone GAMMAGE)	
Airman (E-2))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 1

On 17 May 2022, Appellant was tried by a special court-martial at Francis E. Warren Air Force Base, Wyoming. In accordance with his pleas, and pursuant to a plea agreement, a military judge found Appellant guilty of one specification of failure to obey a lawful order, one specification of destruction of non-military property, two specifications of domestic violence, and one specification of disorderly conduct, in violation of Articles 92, 109, 128b, 134, Uniform Code of Military Justice (UCMJ), 10 U.S.C. §§ 892, 909, 928b, 934.*

On 5 May 2023, Appellant submitted a brief in which he argues that the record of trial is incomplete in that it is missing all eight attachments to Appellant’s stipulation of fact, which was admitted as a prosecution exhibit during Appellant’s court-martial. Specifically, Appellant states that the following eight attachments are missing: (1) no contact order dated 10 January 2022; (2) CashApp payment screenshot; (3) CashApp payment screenshot; (4) dormitory hallway video; (5) photographs of MacBook and iPad; (6) photographs of CW’s injuries; (7) photographs of CW’s dormitory room; and (8) cellphone video from 24 January 2022.

On 30 May 2023, the Government submitted their answer to Appellant’s brief, and concurred that the record of trial was missing all eight attachments to Appellant’s stipulation of fact. Furthermore, the Government agreed that remand of the record of trial for correction under R.C.M. 1112(d)(2) is appropriate.

Accordingly, it is by the court on this 5th day of June, 2023,

* All references in this order to the UCMJ and Rules for Courts-Martial are to the *Manual for Courts-Martial, United States* (2019 ed.).

ORDERED:

The record of trial in Appellant's case is returned to the Chief Trial Judge, Air Force Trial Judiciary, for correction under R.C.M. 1112(d) to account for the eight missing attachments to the stipulation of fact. *See* Article 66(g), UCMJ, 10 U.S.C. § 866(g); R.C.M. 1112(d)(2)–(3). Thereafter, the record of trial will be returned to this court for completion of its appellate review under Article 66(d), UCMJ, 10 U.S.C. § 866(d).

The record of trial will be returned to the court not later than **5 July 2023** unless a military judge or this court grants an enlargement of time for good cause shown. The Government will inform the court in writing not later than **28 June 2023** of the status of the Government's compliance with this order, unless the record of trial has already been returned to the court by that date.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court