

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

UNITED STATES)	No. ACM 40339 (f rev)
<i>Appellee</i>)	
)	
v.)	NOTICE OF
)	DOCKETING
Mason A. HUBBARD)	
Airman (E-2))	
U.S. Air Force)	
<i>Appellant</i>)	

The record of trial in the above-styled case was returned to this court on 6 July 2023 by the Military Appellate Records Branch (JAJM) for re-docketing with the court.

Accordingly, it is by the court on this 6th day of July, 2023,

ORDERED:

The above-styled case is referred to Panel 1 for appellate review.



FOR THE COURT



FLEMING E. KEEFE, Capt, USAF
Deputy Clerk of the Court

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee,

v.

Airman (E-2),

MASON A. HUBBARD,

United States Air Force,

Appellant.

) **MOTION TO WITHDRAW**
) **FROM APPELLATE REVIEW**
) **AND MOTION TO ATTACH**

)
) Before Panel 1

)
) No. ACM 40339

)
) 18 July 2023

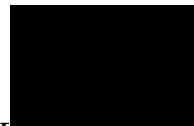
**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 16 of the Rules of Practice and Procedure of the United States Air Force Court of Criminal Appeals and Rule for Courts-Martial (R.C.M.) 1115, Appellant moves to withdraw his case from appellate review. Appellant has fully consulted with Major Jarett Merk his appellate defense counsel, regarding this motion to withdraw. No person has compelled, coerced or induced Appellant by force, promises of clemency, or otherwise, to withdraw his case from appellate review.

Further, pursuant to Rules 23(b) and 23.3(b), undersigned counsel asks this Court to attach the two-page document appended to this pleading as Appendix A to the record of this proceeding. The appended document is necessary to comply with R.C.M. 1115(d).

WHEREFORE, Appellant respectfully requests this Honorable Court to grant this motion to withdraw from appellate review and grant this request to attach matters to the record.

Respectfully submitted,



JARETT MERK, Maj, USAFR





[REDACTED]
[REDACTED]

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing was sent via email to the Court
and served on the Appellate Government Division on 18 July 2023.

Respectfully submitted,

[REDACTED]

JARETT MERK, Maj, USAFR

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

UNITED STATES)	No. ACM 40339 (f rev)
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Mason A. HUBBARD)	
Airman (E-2))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 1

On 18 July 2023, Appellant submitted a Motion to Withdraw from Appellant Review and Motion to Attach. Specifically, Appellant moved to attach a DD Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals*, signed by Appellant on 18 July 2023 and Appellant's counsel on 17 July 2023.

The Government did not submit any opposition.

Accordingly, it is by the court on this 24th day of July, 2023,

ORDERED:

Appellant's Motion to Withdraw from Appellate Review and Motion to Attach are **GRANTED**. Appellant's case is forwarded to the Appellate Records Branch (JAJM) for further processing in accordance with Rules for Courts-Martial 1115(f)(3) and 1201, *Manual for Courts-Martial, United States* (2019 ed.).



FOR THE COURT

[Redacted signature]

FLEMING E. KEEFE, Capt, USAF
Acting Clerk of the Court