

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

UNITED STATES	)	No. ACM 40782
<i>Appellee</i>	)	
	)	
v.	)	
	)	ORDER
Hunter A. SMITH	)	
Staff Sergeant (E-5)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	Panel 1

On 31 December 2025, this court ordered the Government to show cause why this court should not remand this case back to the Chief Trial Judge, Air Force Trial Judiciary, for correction of the record relating to the sealed audio disc pursuant to Rules for Courts-Martial (R.C.M.s) 1112(b)(1) and 1112(d)(2)–(3). In a timely response on 20 January 2026, the Government requests this court remand the record for correction. We agree.

As noted in this court’s 31 December 2025 order, in response to Appellant’s motion to examine sealed material, this court discovered that it could not open the one audio disc file which corresponds with the closed sessions of Appellant’s court-martial. The court is unable to access the sealed audio disc because it is listed as a .trm file type, which is not in compliance with paragraph 2.2.4.2 of the Department of the Air Force Manual 51-203 (21 Apr. 2021) which specifically states that “[a]ll digital audio and video media must be in a format playable on the factory installed version of Windows Media® player (e.g., WMV, WMA, MPEG, MP3, AVI).”

Accordingly, it is by the court on this 27th day of January, 2026,

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 above-described defect, and any other portion of the record that is determined to be missing or defective hereafter, after consultation with the parties. *See* 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), Uniform Code of Military Justice, 10 U.S.C. § 866(d).

It is further ordered:

The record of trial will be returned to the court not later than **11 February 2026**. If the record cannot be returned to the court by that date, the

Government will inform the court in writing not later than **9 February 2026** of the status of the Government's compliance with this order.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court