

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

UNITED STATES)	No. ACM 40024
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Roderick X. STEWART)	
Airman First Class (E-3))	
U.S. Air Force)	
<i>Appellant</i>)	Special Panel

On 20 January 2022, Appellant submitted a Motion to Withdraw from Appellate Review and a Motion to Attach two documents. First, 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 and Appellant’s counsel on 10 January 2022. Second, Appellant moved to attach a declaration dated 20 January 2022 with written matters he requests the judge advocate consider during the subsequent review of the case. See Article 65(d)(3), Uniform Code of Military Justice, 10 U.S.C. § 865(d)(3); Rule for Courts-Martial (R.C.M.) 1115(f)(3); R.C.M. 1201(e).^{1,2}

On 24 January 2022, the Government responded and requested we grant Appellant’s motions.

Accordingly, it is by the court on this 25th day of January, 2022,

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

¹ References in this order are to the Uniform Code of Military Justice and Rules for Courts-Martial (R.C.M.) are from the *Manual for Courts-Martial, United States* (2019 ed.).

² This court denied Appellant’s first motion to withdraw from appellate review on 20 January 2022. That order incorrectly indicated that R.C.M. 1201(d) would apply to Appellant’s case after withdrawal from direct appellate review. Instead, the procedures in R.C.M. 1201(e) apply when a case is withdrawn from appellate review. We note the remedies in R.C.M. 1201(f) are the same under either review.

further processing in accordance with R.C.M. 1115(f)(3) and 1201.



FOR THE COURT

A handwritten signature in black ink, reading "Fleming E. Keefe".

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