

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	ACM 36785 (recon)
Appellee	)	
	)	
v.	)	
	)	ORDER
Senior Airman (E-4)	)	
ANDREW P. WITT,	)	
USAF,	)	
Appellant	)	En Banc

Appellant filed 87 initial assignments of error and 3 supplemental assignments of error before this Court on 15 October 2010 and 3 August 2012, respectively. The Government filed its Answer and Supplemental Answer on 27 January 2012 and 4 October 2012, respectively. Appellant filed his Reply on 31 July 2012.

On 3 February 2012, Appellant requested to be orally heard on four issues, which he specified on 17 August 2012. On 11 October 2012, we heard the parties' arguments. We rendered our opinion on 9 August 2013.

On 9 September 2013, the Government filed its Motion for Reconsideration and Reconsideration En Banc, to which Appellant filed his Reply on 16 September 2013. On 21 October 2013, this Court granted the Government's Motion.

On 24 October 2013, Appellant, in a Motion for Reconsideration and Summary Disposition, moved this Court to reconsider our 21 October 2013 Order granting the Government's Motion.

Accordingly, it is by the Court on this 30th day of October 2013,

**ORDERED:**

Appellant's Motion for Reconsideration and Summary Disposition is hereby **DENIED**.

That oral argument in the above-styled case will be heard at **1000 hours on Thursday, the 12th day of December 2013**, in the courtroom of the United States Air Force Court of Criminal Appeals, located at 1500 West Perimeter Road, Suite 1900, Joint Base Andrews – Naval Air Facility Washington.

**IT IS FURTHER ORDERED:**

In accordance with Rule 18.1(c) of United States Air Force Court of Criminal Appeals Rules of Practice and Procedure (A.F.C.C.A. Rules), the following issue is specified:

WHETHER TRIAL DEFENSE COUNSEL PROVIDED INEFFECTIVE ASSISTANCE OF COUNSEL DURING THE SENTENCING PHASE BY FAILING TO DISCOVER AND/OR PRESENT AVAILABLE MITIGATING EVIDENCE AND FAILING TO OBJECT TO INADMISSIBLE AGGRAVATING EVIDENCE.

No brief is required by either party. *See* A.F.C.C.A. Rule 25.



FOR THE COURT

  
STEVEN LUCAS  
Clerk of the Court